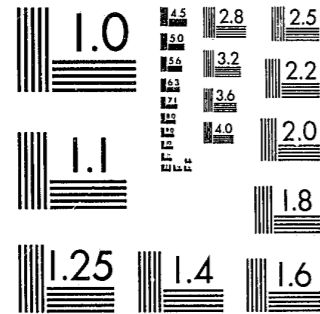


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ACQUISITIONS

CONCERNING THE LABELING, DETENTION, AND TREATMENT  
OF YOUNG FEMALE OFFENDERS \*

A Sensible Approach to Female Delinquency

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+ This paper is being submitted for partial consideration toward the Masters Degree in Sociology by Mr. Noblit and Mr. Anderson

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INTRODUCTION (PREFACE)

Sherridan (1967) pointedly asks, why do we treat juveniles who commit non-criminal acts in the same institutional setting as those who have acted out in a criminal behavioral pattern? He points to the foolishness of a corrections philosophy that systematically implements a planned socialization toward deviance for its clients.

Zeld (1970) analyzes correctional institutions on their stated goals. Extremes on his hypothetical continuum are defined as custody (security), and rehabilitation (treatment). He claims a certain feasibility for multiple goals so long as the goals, and the means to achieve them, are clearly stated and defined. However, Zeld recognizes the potential for organizational and role conflict in that institution where a multiplicity of goals obtain.

Patterson (1963), and Furniss (1964), in a series of related studies found that detention homes and training schools are delinquent reinforcing. That is, delinquent behaviors occur frequently in that milieu, and they are rewarded more frequently than they are punished.

Ortega (1967), in an exploratory study, found evidence to indicate that staff is the critical variable in determining whether or not the detention milieu fosters a delinquency reinforcing climate. Ortega held that the alert and consistent staff group act to support non-delinquent behavior and disapprove of delinquent behavior. Thus, staff are seen as ideal modeling types. Philosophical goals are lived, then, and become more than a stated ideal when they have perpetual relevance to the living situation in detention. When this consistently occurs,

deviant values and behaviors will not be supported by staff and will diminish in the juvenile population.

In the present study we will attempt to show that the highly differential needs of the children in a coeducational detention program create an improbable climate for the successful rehabilitation of its "criminal" clients and a socialization zone for the non-criminal members of its population. Further, we will attempt to demonstrate that a mental health model for addressing male delinquency, itself historically unsuccessful and inadequate, has arbitrarily and unthinkingly been imposed on female problem children socially defined as delinquent.

In conclusion, we will outline some "action alternatives" which we feel could obviate much of the need for juvenile detention, an inadequate social response to society's own problem.

## INTRODUCTION

According to Becker (1964) deviance can be defined as "conduct which is generally thought to require the attention of social control agencies - that is, conduct about which 'something should be done'." He goes on to say that deviance is not an inherent property of particular forms of behavior, but is a property conferred upon these forms by the direct or indirect witnesses of the deviant behaviors.

Therefore, the critical variables for study, in deviance, should be, not only the individual actor, but the collective social witness and their response. Their labels, differentially adjusted to the situation, define the deviant and, fully as important, assign levels of punishment appropriate to particular deviant acts.

It is apparent that we live in a time of normative diversity. Kenniston, (1965), Pappenheim, (1966), Marcuse, (1964), Hollingshead (1964), Becker, (1964), Mills, (1965), Cohen, (1955), Harrington, (1962), Merton, (1957), Loomis, (1960), and Bottomore, (1968), are, themselves, members of a diverse group. However, all of them, and more, talk with growing concern about an incrementing normative diversity.

Durkheim (1893) was one of the first sociologists to point to the problem of normative diversity. His embryonic

structural-functional analysis would attempt to turn this diversity into positive channels through the introduction of a just and moral division of labor, a system under which all men are committed and fulfilled specialists interacting together for the good of the whole.

In our society of expanding diversification, specialization, and inter-dependence, individuals and groups with highly varied definitions of "proper," "correct," "appropriate," and "legitimate," frequently find themselves in a position of structured or unstructured interaction. Out of this necessary interaction a climate of conflicting expectations arises from our need to define normality.

That action, or set of actions, thought to be normal by and for some groups or individuals within the society, is often held to be obviously improper, illegal, and offensive by others. We could point to the wide bipolarization evident between the "counter culture," Rosack (1969), on the one hand, and the somewhat cohesive, business as usual, upper-level executive group on the other. However, the manifestation of normative diversity does not have to be that contradictory to produce dramatic effects. For example, hair-style, seductive dress, musical tastes reflect highly differential characteristics of groups in the same macro-culture who are partially segregated by ethnic, social, or physical barriers.

It is assumed that high levels of normative diversity within a society can create a potential climate for punitive treatment. We could cite the literature that touches on the Harlem - greater New York relationship to examine and analyze behavioral evidences of normative diversity as it applies to the black-white, poor-rich, upper-lower class situations. However, we generally come away from such an argument with our minds clouded by the somewhat mythological, at least insufficient, explanation of social class differences being the determining cause of normative diversity.

Polk and Halferty (1966) argue convincingly against a straight social class consideration. Their data can be interpreted to show that boys are punished, in the school setting, by the pseudo-judicious use of "curriculum placement" based upon, among other things, the student's non-conformity to the norms imposed arbitrarily by school authorities. They present data to show that this type of non-conformity cuts across class lines. "Labeling" through "streaming" by "curriculum placement" can modify the student's self-image and determine his future behavior, as well as his potential identification with particular groups. (Frease (1969)).

Jacobsen and Anderson (In Progress) are assessing attitudes of high school children within Oregon. Observing interaction in two high-schools, only seven-tenth of a mile apart, in a metropolitan area, they found that children in the smaller, working class school appeared to be more satisfied and interested in school than the children in the larger, middle-class school. The influential variable, however, does not seem to be class, nor is size the most important factor. The children in the smaller school interact with the administration to determine dress codes, curricular modifications and deportment regulations, whereas, these matters are, in the large sense, determined for the children at the middle-class school. An additional factor of importance, in this comparison, has to do with curriculum process. In the larger school a strict "streaming" system of "curriculum placement" is in force, while at the smaller school the children are permitted more latitude in the selection of course work. It appears, then, in this case, that higher levels of mutual involvement between students and administration lead to lower levels of normative diversity between groups.

However, this says little about the negative consequences of normative diversity. The potential climate for punitive treatment - its visible outcroppings, among others,

are stigmatization, detention, and penal banishment - becomes actualized in the lives of the most vulnerable members of our social community. It is clear that nearly all children commit delinquent acts, Clinard (1963), Cressey (1969), but these acts are evaluated, and therefore sanctioned, in a highly differential manner both by publics in general and by the social control agents delegated with the responsibility of determining the societal response to juvenile delinquency.

The literature is loaded with studies of the "disadvantaged urban male" with inferior life chances, from the most disorganized living situations who receives the sting of the societal whip. He is compared with the upper-middle-class delinquent male who is excused for his acting out with a slap on the wrist amid jesting remarks about "sowing wild oats." Researchers in delinquency theory have provided us with a great deal of evidence to support the thesis that the "disadvantaged urban male" suffers discriminatory sanctioning at the hands of the police, probation officers, and the juvenile court. A vast majority of the juvenile delinquency studies direct their attention specifically to male delinquency or fail to provide an analysis in terms of sex. In fact, very few sociological studies have concentrated on female delinquency. It is our

underlying assumption, a generalization from our experience, that female delinquents are exposed to, and suffer the effects of, the negative consequences of normative diversity in our society to a greater extent than male delinquents. Further, it appears to us that girls involved in the juvenile court process have been related to in a manner consistent with the court's response to traditional male delinquency regardless of the fact that major differences between boy's and girl's delinquency patterns have been empirically noted, examined, and validated.

#### GENERAL EXPLICATION AND REVIEW OF LITERATURE

In our use of the term "delinquent" we mean to refer to that juvenile offender whose alleged misconduct is in violation of the law. The law, in reference to juvenile transgressions, must realistically be defined from a broad base, encompassing not only state criminal statutes, but such county, municipal, city, and neighborhood ordinances which may or may not apply strictly to juveniles.

We begin with the juridically accepted distinction between "criminal" actions and "delinquent" actions which:

...is inherent in the theory that juveniles are not motivated by the same responsible considerations as are assumed to acuate adults. Legally and sociologically the distinction is justified by a recognition of the need for differential treatment of juvenile offenders.<sup>1</sup>

We assume that delinquency is not a disease in either the physical or social sense. Delinquency should not be viewed as a broad unilateral problem to be solved by the application of some yet undiscovered balm on the troubled parts of the body politic. Delinquency is an administrative classification which arbitrarily joins together a number of behaviors, circumstances, and statuses, see Becker (1963: 1-18). It reflects a set of societal assessments and strategies for controlling certain deviant behaviors in particular subsets of the population. See the two articles by A. J. Kaln (1965).

We follow the reasoning of Josepl Eaton and Kenneth Polk (1961:10) in that:

Delinquency is a legal-administrative concept which combines many inherently different deviancies. When they are added carelessly, like so many applies, bananas and blackberries, then there is danger that differences if various categories of delinquent actions will be lost sight of in the making of public policy.

<sup>1</sup> Pratt and Fairchild, Dictionary of Sociology and Related Sciences, 1967, p. 88.

Eaton and Polk point out that the categories used by social agencies are constructed with information acquired casually and by the way rather than on information that is needed for problem solving. (1961: 11). They called for the proposal and refinement of "operationally meaningful categories" with diagnostic potential that would have utility for getting at the child's problem:

The outcome of such an approach might be a system of diagnostic categories that can serve as something more than legal pretexts for organizational involvement.  
(1961:11)

Polk has contributed a large body of later work characterizing delinquency as a structural problem within the social community. Delinquency, for Polk, "is closely related to a process of successive and accumulating exclusion experiences in the community..." (1969a:11). His interests lie principally in the exclusion processes systematically "at work" in the public school and its insidious "tracking system" which systematically excludes from the "success streams" those children arbitrarily defined as "trouble makers," "problem children," "dumb kids," "failure prone," "special educational problems," "slow learners," "mentally retarded," "sharks," "whales," "delinquents," ad nauseum. We would

turn our attention to a relatively minor, but immediately important problem. We would examine the locking-in process of juvenile detention whereby the malperformer, the idiosyncratic child, the "ungovernable," the sexually aroused girl, the hostile young man, are systematically locked into a dead-end siding of necessary and sufficient interaction for failure.

Detention hall, reform school, and prison are all used to incarcerate deviant actors, and in all these sub-cultural "side-track" institutions the most deviant, the most "reprehensible" - not necessarily the most dangerous - are incarcerated for longer periods of time, under more difficult conditions than are the less visible, suave, capable, competent "criminal" actors in our society. All of the above milieu are commonly used for the confinement of those individuals deemed, for one reason or another, by the authority group to be threatening elements in the social order.

It is tragically ironic that the most highly socialized, most technically competent, most potentially dangerous "professional" criminal - be he fourteen or forty - usually evades the censure and skillfully absorbs only a minimal dose of that punishment society believes she levels against crime and the "dangerous offender," while the "maladjusted

personality," the "marginal adolescent," the alienated street-corner deb, the reality seeker, temporarily out of touch with what we think is happening, receives the brunt court attention and penal servitude (detention) when, in most cases, this is the most negative and destructive relationship in which he or she could become involved. The neo-criminal delinquent often ducks and shrugs off the punishing blows of society; the real fall-guy or girl, flattened by the social punch of detention, is the system's locked-out child, the socially made loser through whom we sustain and perpetuate the defeatist philosophy of preventative punishment.

The problems of most of our youngsters involved in delinquency are major problems, if not to society, at least to themselves. But only a small percentage of the children who come to the attention of the juvenile court are accused of criminal law violations. Especially in the case of female delinquents, the juvenile court system operates, not as an adjudicative agency, sentencing the child to a term for the protection of society, but as a wise guardian, imposing the stigma of wardship, the onus of unneeded detention, the ill-advised confinement in outmoded institutions which may corrupt rather than reform.

In the case of females, the "wayward" or "rebellious" girl is often identified and labeled as a probable future

delinquent by untimely involvement with law enforcement officers or premature incarceration in detention facilities. Often, girls arrested for such mala prohibita acts as "Out of Parental Control," "Ungovernable," "Sexual Promiscuity," or such minor offenses as "Shoplifting," "Larceny," or "Joyriding," are brought to detention and held there for weeks or months only to be returned home where they are likely to be isolated as "bad" children by parents, teachers, and peers who have been subjected to the hysterical climate of opinion concerning the blanket label of juvenile delinquency. Such treatment can only increase the child's sense of alienation, increase her sense of cohesion with the delinquent sub-group, and, increase her working knowledge of deviant behaviors on the criminal level.

It has become increasingly clear to us in our study of juvenile delinquency that there is a serious and urgent need to uncover and explain the linkages between the personal troubles which female delinquents experience and the larger social forces which bear a causal relationship to these troubles. As concerned social scientists we would call attention to female delinquency as a public issue<sup>2</sup>

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<sup>2</sup> This follows the thought of C. Wright Mills (1959).



reaching beyond the lives of the immediately concerned and extending into the inner matrix of our social structure.

Little has been done in the assessment of delinquency that is specific to girls. Criminologists have tended to concentrate their attention on male delinquency to the comparative neglect of the female deviant or the wayward child.<sup>3</sup> One of the important questions asked by Eaton and Polk (1961:81) is:

How can age and sex role differences, which are related to the quantity and types of delinquency, be studied for evidence that could be used in planning of better delinquency programs?

The National Mobilization For Youth document stated: (1961:33)

In discussions of juvenile delinquency, female delinquency is often overlooked. Male delinquency poses a greater threat to public safety and therefore commands greater attention from the public, the press, and persons directly concerned with youth problems. Female delinquency generally takes a sexual form . . .

Don Gibbons, in his brief chapter on "Female Delinquency," (1970:173) while alluding to the real and substantial differences in criminality between the sexes states:

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<sup>3</sup> See, for example, Reckless, The Crime Problem, (1967:148)

The brevity of our discussion relates to the lesser involvement of girls in juvenile misconduct, but also to the fact that female delinquency has received relatively little attention by social scientists, so that we cannot call upon a rich lode of theoretical or research work on female lawbreaking. Relatively few studies have been carried out on delinquent girls, while a number of those that have been accomplished were conceptually and methodologically weak and of doubtful significance.

Where studies have been done of female offenders, considerable differences have been reported in comparing their modes of behavior to that of delinquent males. For example, Robert Winslow (1968:4) found that:

Boys and girls commit quite different kinds of offences. Children's Bureau statistics based on large city court reports reveal that more than half of the girls referred to juvenile court in 1965 were referred for conduct that would not be criminal if committed by adults; only one-fifth of the boys were referred for such conduct. Boys were referred to court primarily for larceny, burglary, and motor vehicle theft, in order of frequency; girls for running away, ungovernable behavior, larceny and sex offences.

In American society, "crimes" committed by juvenile delinquents are arbitrarily defined and categorized Humpty Dumptyish. That is, our definition of what is a "delinquent act" means just what we choose it to mean - "neither more nor less."<sup>4</sup> This is especially true in our response to female delinquency.

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<sup>4</sup> Lewis Carroll, "Through the Looking Glass."

Comparisons between male and female referrals in a Detroit, Michigan study by Wattenberg and Saunders, (1954:34-31), clearly indicated that a high proportion of the females had been referred for incorrigibility, sexual delinquency, or truancy, while most of the males had been apprehended for burglary, assault, or malicious mischief. Controlling for age, the investigators found that females under 13 years of age were, in the main, referred for shoplifting. It was only in this extremely young sub-set of the female cohort that similarity to male delinquency was noted to be significant.

Miss Regina Flynn, superintendent of the New Jersey State Home for Girls, puts it this way, (Quoted in CSM, <sup>5</sup> 4/28/69)

Girls, unlike boys, offend more against themselves than against other persons and property. Their offences are first noticed by schools in the form of truancy, then staying out late, running away from home, and involvement with boys.

Analysis of data from Lane County Juvenile Court, in Oregon, (Adkins: 1971, Mimeo), shows that they are holding an increasing number of children for a longer period of time for runaway offences.

Runaway children in the 13 to 14 year-old age bracket are most likely to be detained longer than any other age group. The largest number of cases most likely

<sup>5</sup> Christian Science Monitor

to be detained are active cases.

It is evident from an analysis of these data that although 25 percent more boys were referred in December, 1970 and January, 1971 (76 M to 52 F, in December and 96 M to 75 F in January), almost an equal number from each sex group were held in detention.

Sex	#referred		#held		%held	
	Dec,70	Jan,71	Dec,70	Jan,71	Dec,70	Jan,71
Male	76	96	49	68	64.5	71
Female	52	75	31	54	59.6	73

Goldscheider and Simpson, (1967;306) found that female delinquents commit a disproportionate number of sex violations, exhibiting delinquent tendencies such as irresponsibility, ungovernable behavior, truancy, and are substantially less involved in auto theft, property crimes and traffic type cases. In addition, they found that:

. . . delinquent girls are more likely to reside in broken homes, in lower economic neighborhoods and in higher delinquency areas. They are referred by the police more frequently (than by others, i.e. family).

<sup>6</sup> This touches on an important methodological question regarding delinquency studies. When you talk about the high male incidence of delinquency vis-a-vis female, you must specify whether you are using arrest ratios or detention ratios. More boys are arrested, than released; a higher percentage of girls are detained.

Robert M. Terry (1967) provides a study on "Discrimination in the Handling of Juvenile Offenders by Social Control Agencies." The data from his study indicated that:

. . . females are more severely sanctioned than males even though they tend to have less extensive records of prior delinquency behavior.

Terry's data led him to strongly hypothesize that a negative relationship exists between the maleness of the offender and the severity of juvenile court sanctions. He suggested that the appearance of a girl in juvenile court may be taken more seriously since it indicates her failure to conform to previous control measures, or, her "personal and situational characteristics" justify a more severe reaction in the eyes of the court because such behavior is judged to be less compatible with the female role.

Ball and Simpson (1965) point out the differences between male and female delinquency this way:

The type of offense most frequently committed by the boys was stealing - over 50 percent of the boys offenses consisted of larceny, burglary, and auto theft. Non-property offenses constituted a small portion of the volume of delinquent acts with the notable exception of the "incorrigible" classification a rubric that serves as a catch-all for such disparate charges as disorderly conduct, fighting, running away, drunkenness, less serious sexual promiscuity, and similar acts.

Among the girls, incorrigibility was the predominant charge recorded. Commonly, this involves some type of sexual misconduct. The absence of a single auto-theft offense by the girls indicates that each sex has a quite distinct pattern of delinquency.

Ball and Simpson's study of delinquency in Lexington Ky. (their N was over 8000) found that 60% of the boys as against only 48% of the girls appearing in court in 1960 had two or more recorded offences from 1952 through 1961.

Gold (1966) gathered data on "Undetected Delinquent Behavior." His data indicated that girls are far less delinquent than boys. The nature of female delinquency cannot be assessed as easily as among boys. Supporting the Polk studies (opt cit.), Gold found no relationship between female delinquency and social status.

"Miss Ward E. Murphy, who runs the girl's school and women's prison in Maine (and worked in Virginia prior to that) estimates that 'not more than 10 percent are criminals' " (CSM:4.28/69). It becomes quite clear that girls are locked up for running away from intolerable homes, being ungovernable at school, or becoming sexually involved<sup>7</sup> with men and boys at an age considered to be too

<sup>7</sup> For a comprehensive discussion and description of the early sexual behaviors of lower range socio-economic delinquent girls see: J.C. Ball and N. Logan "Early Sexual Behavior of Lower-Class Delinquent Girls" Journal of Criminal Law, Criminology, and Police Science, July-August 1960: pp 209-214.

young by society.

Many theories dealing with delinquent behavior implicitly or explicitly include an assumption that juvenile delinquents cannot or do not utilize their time properly. Cohen, Cloward and Ohlin, Short, Whyte, and Cressey, to name a few, often remark on the high degree of differentiation between delinquent boys and other boys on dimensions of leisure time activity.

It is significant that this differentiation is not often noted in regard to delinquent girls. The leisure time interests of groups are considered to be one index of their values and life style. Talley and Schweser (1960:53-54) tested the hypothesis that "the attitudes, interests, and preferences concerning recreation and leisure time activities vary between delinquent and non-delinquent girls." The girls, between 13 and 18 were randomly selected from (1) N=50 senior high school students in an Iowa town of 7000, (2) N=77 residents of the Iowa State Training School for Girls. Their findings were:

. . . the recreational patterns and interests of the delinquent girls did not seem to be overwhelmingly different from other girls. Even where differences did exist, it would be difficult to conclude that the interests of the delinquent girls were any less "healthy" or "wholesome" than those of other girls.

We should note the location of the study. Iowa corn fields are far removed from the streets of Brooklyn. Some controls for life style and social position might be indicated. However, the study does confirm our observations in regard to the lack of differences between girl detainees and girls from the general population. Differentiation is much less noticeable in girls than in boys. One important reservation; some girls who have been exposed to the corrections system for a long time are quite evidently "hard," "brassy," "tough," "different." It is by no means illogical to assume that we have made them "delinquent."

"A high percentage - estimates vary from 10 percent up to a third or more - of girls in trouble have had incestual relationships with their fathers or stepfathers," (CSM, 5/17/69). If we add in other surrogate figures (i.e. men staying in the home) the proportion exceeds 50 percent according to many estimations.

Historically, there has always been a higher rate of male than female arrests, detentions, and convictions.<sup>8</sup> This difference has been ascribed, in part at least, on the

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<sup>8</sup> We are at odds with the court in our assumption that institutionalization of the delinquent child necessarily implies conviction in the legal sense. A child is "convicted" when he is sentenced, when she is sentenced to reform school. No amount of rhetoric about the destruction of records when the child reaches majority will erase the fact that the child stands convicted for life of criminal behavior, whether or not his or her behavior was criminal at all in the legal tradition.

adult level, to the greater tolerance of law enforcement personnel, a cohort consisting principally of male officers, toward female offenders, (Pollack: 1950) and (H. Mannheim: 1965). If it is true that differential tolerance on the part of law enforcement personnel has had any impact on juvenile referrals traditionally, it is doubtful that discretionary justice on the sexual level holds as true today, with widespread rebellion and drug usage in the streets and on the high school campuses making both boys and girls highly visible to law enforcement representatives. (See Stinchcombe: 1964)

Norris (1965:245-265) and others have advanced the notion that another factor leading to higher levels of male than female delinquency has to do with the lack of a well defined supportive subculture for female delinquents, whereas it is clear that a strong support subculture exists for males. Cloward and Ohlin, (1961) suggest that girls should be viewed as "debs" or followers of boys in all three of their subcultural models, "criminals," "conflict-ist," and "retreatist." They claim that, often, the full measure of rite and ritual, the binding stuff of cohesion and solidarity, are not demanded, expected, or required of female "deb" members. One does not have to buy Cloward and Ohlin's analysis or their categorical imperatives completely

to appreciate their thesis as it applies to the girl judged delinquent by today's standards. The court involves itself in the lives of many girls from the "retreatist" subculture, girls who are looked down on, not only for what they want (i.e., the drop-out, drug-culture life), but, more importantly, for what they do not want any part of (i.e., the middle-class, "strive-style" life).

The place of girls in gangs, while not central to our thesis here, is certainly of more than passing importance. It is quite probable that the gang concept as a phenomenon is undergoing change. Programs coming out of the Economic Opportunity Act have altered, to some degree, the basic social conditions which give rise to ganging. It is important for us to note that ganging is not a phenomenon restricted to the large urban megopolis. In our community, a rural city in Oregon, there is strong evidence to support the notion of the existence of juvenile gangs. Research into the files of our Juvenile Court would reveal factual data to the effect that several gangs have been uncovered, their members detained - in some cases institutionalized - for "criminal," and "retreatist" activity, using Cloward and Ohlin's typologies. The rural city gang may differ from the central city gang in intensity of inter-personal relationships as well as in terms of their

visibility to the public, but as a phenomenon, it exists and influences our youth.

A further examination of the "deb" gang affiliate is useful for the development of our thesis. Salisbury notes (1958:32):

They hang around the street corners for weeks doing nothing. Boredom is acute. They do not stand alone, of course. Each gang has its following of girls. In some cases they are organized into ladies' auxiliaries - usually called "debs." Sometimes the "debs" constitute a fighting gang which engages in combat with other girl gangs.

According to numerous studies, (Hanson:1964, Adams and Donato: 1964, Albert Cohen: 1955, and others) gang girls are not appreciated or looked up to by the male members. They are subjected to gang shags where they are passed around from male to male and expected to willingly perform a wide range of sexual activities at the request of even the most lowly male gang member or guest.

Exposure to a street gang - some of the "best" gangs are nurtured in high school corridors and community center lobbies - turns the "deb's" natural hunger for affection into gross sexual experiences that may trouble them for many years. Often, these girls are the victims of crimes, yet, when they fall into the hands of the court, they are related to as if they were the criminal perpetrator.

Some of the methods used by the boys in self satisfaction may be shocking and gross, but the type and frequency of sexual perversion is directly correlated with the degree of regard with which the "deb" is held by the male members. (Salisbury:1958:33). Thus it is not generally the males that suffer anxiety and frustration, but is usually the girls. As Kramer and Karr have noted (1953:210-223), the less the girl has to offer in terms of attraction, strength, or wealth, the worse the gang members abuse her sexually.

Konopka (1966:87-103), develops an interesting thesis. She found that very few delinquent girls in her study (2/175) ever spoke of belonging to a gang. A gang demands action and participation, involvement and a certain dedicated interest. Konopka found that girls often belonged to "a crowd," but seldom had important affiliation with gangs. The crowd provides a measure of personal relationship without involving commitments or imposing restrictions. The heterogeneous drop-in houses, filled with folk who "don't" have anything," willingly take runaway girls into their crowd. Without having to commit herself to anything, the girl can feel somewhat wanted, no longer an outcast. This kind of a relationship is a partial escape from loneliness for the "at large" minor girl.

Dale Hardman (1960), found many more similarities in small town ganging than differences, comparing them to metropolitan patterns of ganging. He also found that the causal factors involved in ganging supported, in a general sense, much of the sociological literature.<sup>9</sup> The general thesis running through these works (when you control for psychological bias) places emphasis on such variables as poverty, school failure, family disorganization, parental neglect, societal indifference, lack of supervision, etc. Significant to our development, Hardman found that

Girls held different status in each gang. In only one gang were girls considered, or considered themselves to be, full members.

Kramer and Karr (opt. cit), point out that often these girls are needed by the gang members for "loot-stashers," weapon carriers, or hidiers, as well as sexual objects, but seldom are they accorded any kind of status or position within the group. It is as if the male gang members recognized in the girls the same problems so clear to the social worker. Most of these girls exhibit a variety of problems. As Konopka so graphically demonstrates (1966: 90-133), the delinquent girls are from broken homes, their

<sup>9</sup> For instance, see: Hewitt and Jenkins (1946), Glueck and Glueck (1950) Hart (1943), Wattenburg and Balistreri (1954).

self-image is often damped out, their performance in school is often poor, they are often school drop-outs, they have the type of dreams and desires characteristic of the psychopathic personality.

It is our opinion, however, that the psychosis we see in the delinquent girl is usually induced. In our observation in juvenile court circles we found that males are more likely to be classified as neurotic, while females are more likely to be diagnosed as psychotic. Therefore, long-term organic treatment, plus lengthy structured group therapy programs are often deemed appropriate for girls, while a few talk sessions and probationary counseling are often set up in the case of boys.

Robert Cooper (in Cohen, (1954), points out that the young female delinquent is immature, egocentric, maladjusted socially, exhibiting great difficulty in forming meaningful relationships with others. When adolescence comes, these disturbing characteristics often become manifested in a manner expressive of unfulfilled need expectations and in defiance of significant others whom she sees as authority figures. Translated into the reality of the street, this means self-destructive behavior, sexual delinquency, drop-outism, and a mystical otherworldly attachment to whatever group or individual that will have her - even for gang-shagging.



Ruth Morris (1964) has provided the best study on female delinquency and relational roles that we have found in the literature to date. Beginning from a theory that the higher rate of male delinquency is due, in part, to the different sex role objectives for boys and girls, Morris found evidence to support hypotheses that delinquent girls will:

1. more often come from broken homes than non-delinquent girls.
2. more often come from homes with family tensions than non-delinquent girls.
3. lack grooming skills more than non-delinquent girls or delinquent boys.

These data also indicated that relational problems affected girls more adversely than boys. Morris's data supports the hypothesis that female delinquency is generated in that community wherein obstacles to the maintenance of equal power-status chances remain high. She found that all delinquents suffered to some extent from relational problems. But the data was clear in showing that whenever girls were expressly hindered in their ability to establish and maintain satisfying relationships, the chances that delinquency would ensue increased.

Morris makes one striking and significant generalization, in addition to the above, from her data that we have confirmed in our observational research at several

detention homes in Oregon. (See below) Morris maintains that "careless grooming" may well be a label among "lower class" girls, indicating to the boys those who are very available and will be free with their sexual favors. Whether this is a conscious devise among today's youth culture is open to question. However, the tacit recognition of the phenomenon among court personal may explain their emphasis on good grooming programs in the female population.

Carl Jesness (1962), Douglas Grant (1960), Herbert Gray (1962), Clarence Schrag (1961), Edgar Butler (1965), The Gluecks (1965), Gibbons (1962), Hurwitz, (1965), Lejins (1954), Marguerite Warren (1966), and others, have all attempted to relate primary personality dimensions with delinquency. Although some of these researchers have voiced concern for situational dimensions in the larger social structure, their common failure is clear. Personality studies, as they relate to delinquency, have zeroed in on the delinquent individual to the almost total exclusion of her inter-relationship with family, school, culture, and opportunity structures.

The implications are plain. All personality assessments must begin with a sure knowledge of where the child is at in the community, and sy - not just according to her individuality, but in the holistic social sense.



Typological systems assigning delinquents to different categories for treatment are intriguing from a utilitarian point of view. Historically, however, all such systems have focused on those individuals assumed to be problem personalities by definition (because they're there, in detention, or because they're highly visible in the problematic sense in the community) without investigating the appropriateness of the societal definition. Studies have shown that most personality scales will group or type "normals" into the same or similar categories as "criminals." A good example of this phenomenon is provided by Allen Berman (1971). Berman compared MMPI scores of 100 men who were about to be hired as correctional officers with scores of a random sample of fifty inmates. Results for psychopathic and hypomanic scales showed similar elevation curves, with guards scoring higher than prisoners on the hysteria scale. People who combine high scores on psychopathic and hysteria scales are generally inhibited, Berman said, but occasionally lash out to vent chronic hostility directly and intensely. Among officers tested, said Berman, the younger the candidate, the more aggressive and intense the hostility. The younger officers generally planned to work with juveniles.

We do not want to mislead the reader into thinking that we accept as valid the traditional analysis of delin-

quency, a psychoanalytic method that focuses on particular individuals and their reasons for deviant behavior. On the contrary, we recognize that delinquent behavior is the product of the impact on all individuals of the institutions and influences of the social environment.

Any understanding, and subsequent reduction, of the incidence of deviant behavior will require a heightened social awareness on at least three levels:

- 1) What is deviant behavior? Who is the deviant? How is deviance defined?
- 2) How do individuals become aware of their important influence on all the components of the social system, and, how do they become aware of their mandate for action to change system components?
- 3) How do they reconcile the rational response inherent in certain individual acts with the irrational social code that identifies those acts as "delinquent," "misdemeanor," or "felonious?"

To some extent, the manner in which juvenile delinquency has come to be defined in our society is a reflection, or a consequence, of our insistence on the psychoanalytic explanation of deviance. "Stubbornness" is "in the head;" "incorrigibility" is imputed to the juvenile because of his "nature;" "ungovernable" has to do with the assessment of social exchange between actors, and involves a judgement by Person regarding Other's state of mind. In our society many girls, and some boys, are adjudicated delinquent because she is a "stubborn child," an "incorrigible person," an "ungovernable

girl," a "runaway problem," etc. According to Albert Morris (1965:13):

Of those referred to a selected group of juvenile courts in large cities in 1964, slightly more than 27 percent were there for offenses applicable to juveniles only, namely running away, truancy, violation of curfew laws, being ungovernable, and other offenses. On the other hand, 28 percent of those referred to the juvenile courts were complained of for committing the serious offences that the FBI records as Part 1 offences, namely:

Murder and non-negligent manslaughter	0.1
Forcible rape	0.2
Robbery	2.0
Aggravated assault	2.3
Burglary	10.8
Larceny	2.8
Auto theft	8.7
Other	1.1

We have cited numerous studies above, and numerous others could be cited, to show that, with the exception of larceny, girls are not significantly referred for Part 1 offenses. On the contrary, as we have shown, females are most often referred for those offences applicable to juveniles only, and in addition, are often referred for matters that can be defined as "offences" only in a marginal sense.

Only the most naive individual would contend that

the young offender tends to evaluate detention positively, that is, sees the detention experience as a constructive "lesson" in her life. It is a generalization from my experience that children feel they are being punished by their detention, whether or not modificatory programs of a physical or mental nature are employed "against" them in that setting. In the case of girls, punishment (detention) for relational problems tends to aggravate their non-rational (or extremely rational, depending on your point of view) behaviors. Punishment, in the case of "marginal"\* girls fails because it increases their frustration, denies whatever possibility they have for goal-orientation, and brings about a whole new set of frustration-induced tension reducing actions. Detention only stirs up the frustration-instigated behavior that made the child visible to the law in the first place. Girls respond to detention by fixating on their deviant patterns of action, resigning from a social order that is irrelevant and arbitrary, regressing to a state of dependency on "Big Mama," detention, or, occasionally, by aggressive assaults in an unsystematic explosion of tension against their punitive conditions.

Even the staunchest advocate of punishment should agree that in order to predict the effect of punishment

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\* marginal in terms of their state of delinquency.

upon a particular response one should know how that response developed in the subject's behavioral framework. However, few professionals appear to be interested in developing differential responses to delinquency, in terms of sex. To sum up the significant differences again, we will draw freely on a California Youth Authority Document compiled by Evelyn Guttman (1965):

Youth authority girls had more unfortunate histories and less desirable backgrounds than did the boys. Proportionally more girls had displayed symptoms of sufficiently serious emotional disturbance to have wanted psychiatric evaluation or treatment prior to their commitment to the Youth Authority. More of them had been members of more than one household, and more had lived in five or more different houses since they were born. More of the girls had a record of persistent truancy and more were reported to dislike school markedly. More of the girls came from broken homes, and more of their present homes were rated undesirable for their return. Although they worked more hours in the home per week than did boys, they more often failed to meet the expectations of adults.

The data is unmistakably clear. Girls do not generally commit those kind of offenses against which the community as a whole demands protection by removal and punishment of the offender. It is generally the parents or guardians who demand removal, or simply refuse to take the child back. Authorities, therefore, so far as the community is concerned, have some leeway in determining how they will relate to female delinquency. They can specify viable alternatives,

or, choose to take no action at all. They can, in fact, judge the parents to be in contempt of court for not handling the child, if they would. However, generally, it has been the trend for our juvenile courts to willingly assume the in loco parentis role systematically and with vigor whenever confronted with delinquent or probable future delinquent females. Alternatives to detention should be used in almost every case where a female is referred to juvenile court. We are not sure that it is true that to the extent which these alternatives become available, the court will see fit to use them. We are sure that the court does not presently see fit to enforce the willingness, and insure the ability, of the girl's parents to cope with and understand the problem.

The idea that "time out" deters the "probable future delinquent," decreases recidivism, and reduces the incidents of delinquent acts is theoretically unsound, and can be seriously questioned by an examination of the recidivism rates in juvenile court. It is perfectly clear that when punishment for wrongdoing is any part of the motive for detention or incarceration, no effective treatment plan can be instituted within the detention setting. The stigma imposed by incarceration--the chronic awareness of differential status, the relegation to a separate, caste-like

society--effectively destroy any treatment program that must necessarily be subservient to the custodial imperative. When you hold the body in order to treat the soul, the treatment message is seldom internalized. In fact, it is often rejected violently by the detainee. In all institutions, juvenile as well as adult, custody, which finds its necessary and sufficient reason for being in the punishment ethic, always rules over treatment, is always in a position to suppress the treatment program under the guise of "security need," real or imagined. Again, the function of custody in the institutional setting, aside from those places where the mentally deranged\* must necessarily be held, finds its primary cause in, and receives its mandate from, the philosophy of punishment. It goes without saying that support for the punishment ethic is always forthcoming from that segment of the population which directly or indirectly depends upon custodial institutions and their needs for their bread of life.

This leads us quite naturally to consider the second point at issue here, the concept of substitute parenthood or Court clientele. This gets directly at the problem of female detention. If, as J. Edgar Hoover so fluently has done, we continue to perpetuate the fallacious concept of punishment as the societal reply

\* We are not sure mental hospitals should be exempted from this judgement.

to delinquent behavior, it becomes easy for us to find justification for erecting more and more detention units, stockades, compounds, prisons and community jails. It becomes easy for the professional social worker to validate his need for being, his utility and worth within the system, by consistently affirming the delinquency of youth referred to his care and custody. It becomes easy for the social worker to accept this youth, with all his "social and moral deficiencies: into his caseload, separate him from the community by degrees, label him a "bad-actor," and eventually fulfill the prophecy and affirm the consequent by institutionalizing said youth for the "protection of society."

Many children are absorbed into the clientele of the Juvenile Court who do not belong within that jurisdiction under any circumstances. This applies particularly to girls. Detained girls, often, cannot be differentiated from the general adolescent population on a single important dimension (with the exception of "visibility"); they can in no manner be empirically defined as being different from the "average" or "normal" child drawn randomly from the adolescent population. The sole dimension of differentiation, in many cases can be shown to be visibility. That child who, for one reason or another, makes herself most visible to the authority group\*

\* Of course, this is a purposive act on the part of some children.

is the child who will most probably be apprehended, referred, detained, and processed toward clientele. The very visible child is often not the hard-core delinquent young criminal; he or she is far more likely to be the marginal adolescent of today--the young boy or girl trying to make rhyme and reason out of the variegated, complex, morally dichotomous age within which he must somehow learn to function as a committed individual.

When a girl is labeled delinquent, and detained, she not only loses her legally defined protections under the law, but, social stigma is reinforced, both for the child and for the family members. The girl's entire network of interpersonal relationships is interrupted, often detrimentally altering her self esteem and imposing restrictions which are completely arbitrary and unrealistic. When this process is involked in cases where criminal intent or act is missing, detention is not only unethical, it is professional foolishness. Most girls are detained for non-criminal offences. Other girls are detained for "casual" criminal acts unsystematically committed while acting out against parental or school authority. Locking them up removes them from a community they must learn to deal with sooner or later. Thus, at best, detention merely

enables them to avoid their problems for a time. Rather than having to work out problems, they are introduced into an artificial situation that may indeed engender a new set of problems. The routine of admission and orientation to detention can be a frightening experience to the young child. As Seymour Halleck (1963) so cogently points out, the most frightening impact to a young female can be "the impact of professional dishonesty:

The sexually promiscuous adolescent girl knows (even if she has not read the Kinsey report) that on a statistical basis the professional person with which she interacts has probably at some time in his life been guilty of the same behavior for which she is being punished.

When our young detainee learns that professional staff usually communicate a personal identity as one in which only the highest type of values and moral standards prevail she becomes painfully but perceptively aware of a basic inconsistency and dishonesty in the social fabric. Invoking detention in the life of our young social offender is one sure way to convince her that adults are incapable of being anything but phony. Consequently, girl detainees often react to this dishonest front by rebellious behavior or retreatist isolation from an adult world they cannot understand.

Paraphrasing the work of Clyde Vedder, (1963:36), detention means many things to a wide variety of children. The meaning that detention has for our young female is conditioned by her past experiences. Often her feelings revolve around the fear of indiscriminate contact with other detainees. The close proximity of girl's and boy's living quarters, their common day rooms and recreation center are frequently stages for acting out sexual feelings, or feelings of violence and frustration. The relatively innocent girl - so often a victim, not an offender at all - detained for incestuous relationship with father, or not getting along with mother, for skipping school or running away from home, is seriously damaged by exposure to delinquent boys. In many cases she moves from the relatively innocuous position of "out of parental control," "habitual truancy" to "Deb," the queen of the local car strippers.

As we have stated above, many girls are detained for acts of minor consequence, many are detained for acts of neglect or harm to her, on the part of the parents. Far too often, the child is defined as a tabula rosa in need of socialization and sanctioning. The juvenile court accepts its role in loco parentis far too often in the case of females.

As a consequence of the girl's detention for a delinquent act (actual or supposed), much more than her personal liberty is involved. The reasons for detention may differ radically, but the results are markedly similar. Kahn (1963). The same network of rights and privileges is violated, not to mention, the same socialization process operationalized.

Basic psychological differences - male to female - are at issue here. Girls and women often do not form certain hard and fast goals; they face more periods of stress at decision points in their lives. In general, women still have no clear-cut role in society. A man's role centers on his job; a boy's role often centers around his potential occupation. However, a girl's role and status is often determined in terms of who or what her man is.

To complicate matters tremendously, the new role of women in our society has played a large part in the evolution of sexual patterns. Women's access to the world of work and study, their growing exercise of political rights, increased travel and social circulation have caused a new feminine image to emerge marginally. The figures of both the housewife and the prostitute are joined now with that of the woman who is outspoken and decisively

foreward about her sexual nature. While prostitution is still with us, many individuals are beginning to seek sexual alliances with those who feel affectionate in turn, or just with those to whom they feel casually attracted.

The marginal feminine image, we pose above, is the young teen girl searching for independence or self-realization - or out of a pattern of revolt - who "plays at sex" without an understanding of the psychological conflicts that may arise from the "dehumanization" of the physical.

It is clear that society is going to have to help girls to build strengths to face the plurality of difficulties they must learn to deal with. Girls must be helped to tolerate uncertainty and ambiguity of life and life's goals without reacting in self-destructive patterns of regression, aggression, fixation, or resignation. Girls with problems need to be allowed to nurture and maintain feelings of worth even when they rebel against culturally induced conformity and arbitrarily imposed dependence. They need to be encouraged to be themselves; we should allow them to get on with the pursuit of their individual interests as long as those interests lie somewhere within a very general set of guidelines given by the larger society. Girls need reinforcement on

dimensions of self worth; they need to realize that they are acceptable and valued on the basis of abilities and inputs that have much more to do with social reality than merely "pleasing father," cooling out the teacher, or divvying up to the boys in the "line-up."

It is central to our thesis, then, that girls have differential needs from boys. It follows from our development above that delinquent girls will have highly differential needs from delinquent boys. This leads us to formulate our first proposition:

Proposition 1: Coeducational Detention is detrimental to the rehabilitation of young female offenders.

The highly differential needs of female offenders would presuppose an environment amenable to the potential fulfillment of their needs. Having outlined the needs of our female offender above, we would expect that, if some sort of confinement is indicated, she would be held in a place where diagnosis and treatment of her problems could be initiated. But, in fact, we find that she is brought to a facility which does not even pretend to have diagnosis or treatment as its central focus:

Detention for the juvenile court is the temporary care of children in physically restricted facilities pending court disposition or transfer to another jurisdiction or agency.<sup>10</sup>

We should note the phrases "temporary care," "physically restricted," and "pending. . . disposition." "Detention is not foster care or shelter care."<sup>11</sup> It is a "total institution" of the first, second, and third orders in Goffman's terminology (1961:5-6).

The total institutions of our society can be listed in five rough groupings. First, there are institutions established to care for persons felt to be both incapable and harmless; these are the homes for the blind, the aged, the orphaned, and the indigent. Second, there are places established to care for persons felt to be both incapable of looking after themselves and a threat to the community, albeit and unintended one: TB sanitarium, mental hospitals, and leprosaria. A third type of total institution is organized to protect the community against what are felt to be intentional dangers to it, with the welfare of the person thus sequestered not the immediate issue: jails, penitentiaries, P.O.W. camps and concentration camps. Fourth, there are institutions purportedly established the better to pursue some worklike task and justifying themselves only on these instrumental grounds: army barracks, ships, boarding schools, work camps, colonial compounds, and large mansions from the point of view of those who live in the servants quarters. Finally, there are those establishments designed as retreats from the world even while often serving also as training stations for the religious; examples are abbeys, monasteries, convents, and other cloisters.

<sup>10</sup> National Council on Crime and Delinquency, Standards and Guides, p. 1.

<sup>11</sup> For a rundown on emergency care programs and the set of problems connected with that concept, see, I.W. Fellner, "Children in Emergencies," Federal Probation, June 1961.

Goffman does not claim his categories are exhaustive, nor does he view them as finished analytical tools. However, it is interesting that we can find elements of all five of his "total institution" orders in that literature wherein academicians and field workers define detention, its purpose and effect. For example, quoting from a memo to detention workers in Lane County, Oregon:

It should be further clarified that children are not placed in detention for the primary purpose of treatment,<sup>12</sup> but rather for control and protection.

From the same document we are furnished with an implied definition of detention in a description of client characteristics:

In this highly mobile and heterogeneous population are needs and problems which tax the limits of the imagination. Detention must therefore have services and to be prepared to work with all forms of behavior ranging from hostility and aggression to passivity and withdrawal. Emotional or personality disturbances include neurosis, psychosis, character disorders, and adolescent adjustment reactions. Many forms of physical problems ranging from hear conditions, epilepsy, and diabetes to the flu and common cold must be treated. Children with I.Q.'s from a high of 160 to below 70 must be programed. And the normal needs of work, recreation, school, church, etc., as well as the special needs requiring group counseling and individualized attention must be

<sup>12</sup> "Detention Services," Lane County Juvenile Court, in memo, p. 1.



considered and skillfully handled. The whole child with his physical, social, and emotional needs and problems must be treated in a congregate living situation.<sup>13</sup>

The fully integrated coeducational detention program is planned around handling boys and girls between the ages of seven and seventeen in the same program.

Although many children stay for several weeks and some are in the population for months, some are present for just a day or two. Approximately twice as many boys are detained as girls, but girls tend to remain in detention twice as long as boys, and account for almost half the total days of child care. One out of every two children return to detention one or more times.

Over fifty percent of the children confined to detention for the first time are detained without cause - had they been an adult. This is to say they had committed no criminal act. Over half of these "no criminal cause" detainees will return to detention next time for a violation of criminal law.<sup>14</sup> Many of the children detained for non-criminal offences are girls. Occasionally the in loco parentis relationship is necessary, to protect the child. Very rarely, in the case of girls, does this function need to take place in a secure structural setting. Therefore it

<sup>13</sup> "Ibid," p. 2.

<sup>14</sup> "This Child is Rated X" C.B.S. Documentary 5/2/71.

seems appropriate to propose that the detention of the vast majority of female "offenders" is unnecessary and is a misconception of social theory, as it has been universally applied to the juvenile "delinquent," without identifying discrete levels of differential needs, by age and sex.

Proposition 2: Detention, as a preventative or corrective social device for young female offenders is dysfunctional, damaging, and therefore, illogical.

We shall proceed to a consideration of the study.

#### THE STUDY

We have organized our research, methodologically, into three distinct, but interrelated areas. Our purpose was to accomplish an exploratory study, but, at the same time, to remain as committed as possible to pointing out what we assumed to be a public issue; i.e., the illogical and ineffective social device of short-term coeducational detention. In order of presentation, then, our three areas of research are:

1. "Generalizations from Participant Observation" in two detention homes utilizing the coeducational model. Principally, Skipworth home, Lane County Juvenile Court, Eugene, Oregon. Secondly, Marion County Juvenile Home, Salem, Oregon.
2. "Indications from Historical Data." Principally, matters of public record from Skipworth Home.
3. "Exploring Directions from Empirical Research" at Donald E. Long Home, Multanomah County Juvenile Court, Portland, Oregon.

"Generalizations from Participant Observation" utilizes data gathered by Mr. Anderson at Skipworth Home. Mr. Anderson has been employed as a Group Supervisor at that facility for 18 months. During the past year Anderson and Noblit have shared the data, making comparisons with other facilities they have visited as well as those outlined in the literature.

"Indications from Historical Data" presents comparative data from present and past years. Our analysis from the historical data will show that children referred to the court are becoming more "dependent" and less "delinquent." One implication, plainly evident from the data is that the rise in female referrals of a non-delinquent nature contributes significantly to this phenomenon.

"Exploring Directions from Empirical Research" presents data from an N of 53 that tends to show that female detainees see themselves, and are seen by significant others, as non-criminal, as having relational problems, as not being understood by parental authority figures. These attitudes, both self and other, are highly differentiated from the attitudes of, and toward male detainees.

GENERALIZATIONS FROM PARTICIPANT OBSERVATION

The coeducational detention milieu at Skipworth Home provides for temporary care of children in a physically restricted setting pending court or counselor disposition, transfer to another jurisdiction, or acceptance of the child into a shelter-care facility or foster home. As opposed to the child referred to shelter care, the average detained youngster has committed a delinquent act, in the eyes of the Court, and is held to need secure custody for his own, or for the community's protection. The child may have committed a criminal act, as defined by the Oregon Revised Statutes, the codified law of the State of Oregon to which reference is made in determining the nature of all criminal charges. On the other hand, the child usually is detained for violation of ordinances specific to juveniles, having been charged with violating community behavioral codes, or state laws applying uniquely to juveniles. "Out of Parental Control," and "Runaway Threat" are typical charges of this nature. These "booking" or detaining procedures are in no way limited to this geographical area. National figures show that over 50% of all referrals to juvenile detention are for non-criminal matters. That is, children are most frequently

detained in juvenile jails for acts that constitute no crime, misdemeanor or felonious, in the case of a person over the legal age.<sup>15</sup>

The physical structure of Skipworth Home is in general conformity with the accepted definition of the temporary detention facility. It has locked perimeter doors, secure rooms, (staff calls them rooms, children refer to the individual living unit as "a cell," or "lock-up") metal sash windows, heavy protective screens, and a high angular fence completely surrounding the detention area. Security is stressed at all times at Skipworth. For example, staff is under orders to body check all residents each and every time he or she leaves the unit. Even if the child is taken up front to the Court, by a counselor, for just a moment, he or she is subject to a full security skin shake upon return to the unit. A full security skin shake is conducted as follows:

The child is escorted to a small, unvented room; she is instructed by the groupworker to disrobe completely. Every orifice of the body is checked for contraband. While the child stands before the groupworker naked, every stitch of her clothing is gone over. While the groupworker is doing this, she often tries to get a perception check on how the child is taking the skin frisk.

<sup>15</sup> The T.V. Documentary, "This Child is Rated X," 5/2/71, NBC-TV.

We must keep in mind that the ordinary events of the day may cause a child to undergo this debilitating experience several times. No amount of expertize or persuasive artistry on the part of the groupworker can damp out the "security check" for many young children. It has been my experience that when the child no longer is troubled by the skin check, she is well on the way towards dependent institutionalization. In fact, the emphasis on security, in all its phases, have a determinable effect on the young detainee's self esteem. There is no way the groupworker can "lock the door gently" when showing a new detainee to her "room." We should recall that these security measures apply to all children detained in Skipworth (Marion County's Unit is no different in this regard) regardless of whether or not he or she is considered to be a "security risk." In fact, less than ten percent of the children taken at Skipworth are judged security risks.

The detention program at Skipworth is geared to a temporary stay, of the intaken child, of from seven days to three weeks. Children, especially girls, who stay much longer either deteriorate rapidly in morale and lose whatever gains exposure to and identification with the group may secure them, or they tend to become fully institutionalized and grow either dependent on Skipworth, or wax impervious to group needs and direction.

Limited observation, along with other problems of design, will prejudice whatever this study will say regarding cause and effect relationships between institutionalization and alienation, however, the relationship suggests itself to the qualified observer.

"Delinquent" children are divided, in ad hoc fashion, into several categories by most of the professional staff at Skipworth. Observation leads us to delineate the most frequently verbalized. This will be done only in a most general way. The seriously delinquent child is viewed as being a "hardened offender," possessing skills in certain deviant behaviors, expert at "conning" or "Manipulating," either covertly "sneaky" or overtly "hostile," but often exhibiting high level social skills within her peer group particularly, often able to extend "the grease" (the ability to manipulate) to those "outsiders" with whom she must necessarily interact.

The dependent-delinquent child is viewed as a "soft offender," usually committed to detention for minor "rule" infractions, exhibiting few social skills, often "petulant," "seductive," "withdrawn," "hard to reach," and "out of control."

The "problem child" that we are concerned with, then, is that girl generally seen as some form of "delinquent,"

"Criminal," "trouble," "nuisance," etc. While it is true that childcare workers and others affiliated with the Court process make theoretical and practical attempts to differentiate among the girls in terms of their level or state of delinquency, they often revert to a Websterian approach, conceptualizing the "delinquent" girl as a criminal actress who happens to be a minor at the time according to statute definition. This is not to say that the professional team fails to attach differential weight to those actions relative to the child's referral, thereby assigning her to one of many levels within the Court and corrections system. We merely assert that the "problem girl" (one who has been detained several times) is seldom perceived by significant Court Others as being anything but a delinquent girl, or, a probable future delinquent girl. Perceptual attitudes in a closed milieu are catching. Regardless of what attitudes a child had about herself previously, a few months of detention convinces the average girl that she is bad. One finds these negative self-estimations written in pitiful peer notes, home letters, scribbling on the walls, voiced in the group meeting, shouted at staff as a defensive invective, and scratched on their desks in the school. Departing from the scientific, one wonders how many times self-damnatory slogans

remain permanently etched in their experience.

It would be appropriate for us to examine the general theoretical philosophy undergirding the Skipworth frame of reference. The present trend, with the majority of the personnel at Skipworth, is to conceptualize delinquency as a social product. The typical juvenile with problems is viewed as a collection of learned behaviors, inappropriate and unacceptable in his present situation. The focus is primarily a Glasserian behavioral one as opposed to an Adlerian "illness" conceptualization. It follows, then, that staff conceive of treatment as being in the conflict resolution tradition - beginning with now, the repeated teaching of appropriate behaviors reinforcing compliance positively and refusal, failure, or dissonance negatively.

It is our observation that the groupworker gets into problems with the "client" at this point. Out of a genuine desire to want to help the child learn appropriate behavior, the message is often communicated to the disenchanted child that the group worker's role in the situation is "help oriented." Emphasis, at Skipworth, is toward damping out the notion that the child "client" and the groupworker are necessarily in mutually antagonistic roles. The idea of benign detention usually becomes very unattractive

to the most compliant child - it works only with the most dependent children - and she soon realizes that her counselor or groupworker friend really functions as an agent of the community she can't understand or tolerate.

In addition, the Glasserian approach necessarily limits flexibility in that denial of past limitations - playing down actual organic, neurological, and psychological damage - predicts that personnel will put themselves in the position of "conning the client" into striving for goals she cannot realistically hope to achieve, or, insist on demanding success when success is impossible. This approach begins with the assumption that the child has full control over her environment, when in fact she does not.

According to the philosophy at Skipworth, the Home should be, as much as is possible, a microcosm of that society to which the child must learn to adjust. Most of the staff are sensitive to the need for reducing and minimizing barriers that stand between the child and the community. The practical implementation of this philosophy is hampered, however, by the regimented security measures deemed necessary to protect the community and the child. Administrative staff firmly believe that secure detention is in the best interests of the child because it affords her a climate of insulation, a refuge from the community she

cannot tolerate for a time.

It is the microcosmic construct that bolsters and validates the coeducational concept of detention. The theory has been advanced that only in a coeducational situation is it possible to adequately simulate reality and at the same time sequester the child from the community. We intend to deal with the coed problem at some length below. However, we should note that most of the appropriate referrals to detention do not need, nor can they constructively function in, the inappropriate microcosmic mini-culture of that community with which they are having problems. The assumption of the theory that a microcosmic representation of reality is possible in detention is an assumption that is completely unwarranted from our point of view.

It seems to us that in a time of crisis - the only time detention should be seen as an appropriate alternative - the child needs the most functionally adequate structure available. The concept we would advance, in passing, is that of a 'social emergency room,' where the child's needs are swiftly met and swiftly discharged. When we get fractured in an automobile accident we need crisis intervention, and not necessarily long-term care. It might be well if the long-term care facility were indeed a microcosmic represen-

tation of "out there," but our 'social emergency room' should be set up to deal with problems in a technical, competent way, with all the necessary community alternatives and services available and waiting.

The core of their theoretical framework, at Skipworth, is found in the approach to group dynamics. Through opportunities for achievement and success as a member of the group, Skipworth's program is an attempt to replace the child's delinquency or dependency status with legitimately achieved social status. Insofar as it is possible and within the limits of a child's potential she has the basic responsibility for learning, accepting, and conforming to group norms and expectations. All task and play oriented activities in the program are specifically geared to the diagnostic and treatment goals of the individual - as a functioning member of the group. Group-mindedness is at all times encouraged; isolation - even autonomy - is at all times discouraged, except where isolation is evidently necessary for maintenance of the child's physical or mental well being or for the protection of another member of the group.

The alert participant observer is immediately struck with the idea that the emphasis on group-mindedness and personal responsibility for learning and conformity merely

serves to reinforce the old "problem is in your head, kid" philosophy. In the formal group meeting time - an hour each day is set aside for this - the child is often forced to examine himself until it is clear to him that he is the problem. That is, staff reinforces that type of peer confrontation that directs problems inward, and plays down that type of peer interaction that would attempt to build cases on structural problems that exist as a matter of public record. Therefore, instead of discovering new aspects of the world around her - coping behaviors - the child is more liable to dwell on her inner turmoil. If you tell a child loud enough and long enough that the whole problem is in her head, she'll sooner or later get the message.

This is not to say that the child should not be aided in an attempt to achieve insight into her problems, no more than she should be allowed to point fun at the problems of others. However, to reify failure in the mind of the kid, is to insure it. To blame her for failing home, school, community and herself is to reinforce her status as a loser and drive her self-esteem to a new low. This is one of the ways that detention can be a dehumanizing process, in spite of the loftiest intentions.

THE GROUP 16

The group at Skipworth Home is externally designated. The ceremonial rite of joining the group is consummated, in most cases, by the apprehension and subsequent detention of the new member. His (her) action, in entering the group is usually non-voluntary at first, and at times is even antagonistic. Often the new member feels deprived and/or experiences a great deal of frustration in being forced to join a group that fares badly in "comparison level" with other groups with which the child has been associated in the past. Drawing heavily on the theoretical approach of Homans (1961) and Thibaut and Kelley (1959) we would assert that the child knows that she is experiencing relative deprivation, feels that she has no control over fate, and has little expectancy that group membership will benefit her in this situation. Thus, detention, in the child's initial assessment, falls way below her CL for groups. Exceptions must be noted for the above generalizations, of course. Self-referred children are often found in detention - a good example of the institutionalized - dependent - and these children often seem to prefer Skipworth to home, if only because they are involved in a power struggle with parents.

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16 Some of this material was included in Witzke and Anderson "A Study of Leadership in Relation to Group Dynamics in a Juvenile Detention Facility," 1970, unpublished.

An additional set of problems operates in the case of girls who do not belong in detention, and who know they do not belong there because they have committed no offense and quite possibly are victims rather than delinquents. Observing at Skipworth, we note that their response is often one of acting out in a hostile manner of employing negative verbalizations as a defense mechanism. It is not the "con-wise" girl, so often, who is loud, boisterous, aggressive, hostile, in detention, but, more often the dependent child with relational problems. However when this non-delinquent child acts out in detention, she often gets defined, by staff and significant Others, as "bad," "delinquent," "trouble," "a real tough actor."<sup>17</sup> Detention, then, in the case of the young, relatively innocent<sup>18</sup> girl, is almost always a destructive rather than a constructive experience. Because staff members are not able to sort out their responses, or because they actually do judge a child from the way she is behaving presently, staff responses to the overt actions of the "disturbed," "dependent" child generally reinforce her negative self image and confirm her "badness."

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<sup>17</sup> Refer to pp. 22- 23 above.

<sup>18</sup> Perhaps not innocent regarding sexual matters, but observably innocent regarding criminal actions including drugs.

A principal goal of the whole approach at Skipworth is to make the group attractive to the child so that she will find security in the group and will come to positively evaluate outcomes that derive from group membership. When, and if, the child comes to realize that the incentive properties of the group, its goals and programs, are functionally beneficial to her, she becomes a voluntary member.

One principal criterion for success at Skipworth lies in the necessary ability of staff to effect transfer of positive group evaluation from us (groupworkers) to them (kids). When the majority of the children in the program have a positive evaluation of the group, cohesiveness is apparent in the group. This is all fine in theory. Observation, however, reveals that group cohesion usually occurs on their terms. That is, cohesion occurs when older, delinquent male peers are laying the law down as to what constitutes appropriate behavior. It has been a consistent observation that the most effective peer leaders are the older, highly delinquent, over-socialized boys in the program. The cohesive group, that appears to be quietly and constructively engaged in program activities, are often involved in rap-ins and ad hoc sharing sessions about "what drugs are neat and non-addicting," "what stores in town are



easy places for ripping off stuff," "next time you run, stop at Jack's place in Medford for a flop," "you mean you haven't had sex yet and you're fourteen?" It is very obvious that alliances are formed in detention wherein younger children, disenchanted with school and parents, are coopted into one of the many sub-cultures society defines as delinquent. Detention is a learning experience; the lesson most often learned is "do it!" Younger peers acquire supportive friends, are encouraged to run from home, to join drop-out groups and gangs. Groundwork is laid, in detention for the seduction of girls, kids are turned onto drugs, and children often get their first lesson in political radicalism from an older peer.

It is consistent with the theory that the group-worker must be able to determine where the individual members of the group are at in terms of self-esteem, social interest, marginality, and other dimensions relative to a constructive member interaction, if he is to act as a successful "change agent." It is our hypothesis, at this point, that the severe problems of relating to the troubled children in detention are compounded by the fact that we hold both delinquent and dependent children, both male and females, in the same population and attempt to speak to their diverse needs through identical treatment methods.

This is a ridiculous professional posture to assume. It is compounded by the knowledge that short-term detention provides an inadequate milieu for treatment because of the tenuous nature of the bond between the professional and his client.

STAFF

Staff at Skipworth Home are dedicated individuals integrated into a cohesive treatment team. All of the people at Skipworth voice a sincere concern for the welfare of "their kids." Many of the Staff take the children out into the community and into their homes for short or extended stays. The weekly staff meetings are usually structured around the concept of idea sharing and suggestion making in the area of "making the program more meaningful for the children," or, introducing new techniques for updating child-care work.

Some of the staff members are undergraduate and graduate students working on a part time basis. They usually put in 25-35 hours per week, attend all training sessions and staff meetings and participate in the ongoing program to a full extent. Most of the staff members, however, are career child-care workers, many of them with college degrees. They voice a great deal of pride in their agency, know that it is considered one of the best in the nation, and are

sincerely convinced that their help is the best available to the troubled child.

With few exceptions Skipworth staff accept as valid the mental health model of juvenile care, with its principle premise of individual responsibility for deviance. In the words of Ken Polk, (Lecture: Winter 71)

Delinquency gets located in the head of the delinquent, dumb kid. All efforts toward changing delinquency rates, then, are concentrated at getting to the problem in the kid's head. This is why so many court agencies buy into the mental health model.

Delinquency control and treatment, then, becomes operationalized at the individual level where each actor (their guilt is assumed by the fact that they are in detention) must be "observed," "supervised," "security checked," "structured," "programmed," "modeled for," "confronted," "disciplined," "changed," and "enlightened."

This is the mental health model of rehabilitation. Its underlying assumption has to do, first, with the locus of the problem. All who come under the wing of any mental health program have come short of the glory of individual perfection. By definition, sin and sickness is imputed to their heads. They need clinical service from us, or they wouldn't be within the jurisdiction of the court.

It is an assumption of many that the terms "security," and "treatment" are logically polar opposites, or, at best,

contradictory concepts. This is because security finds its referent in the idea of custody or physical restraint while treatment is equated with aid or help. In the mental health model, security and treatment are not diametrically opposed to each other. This philosophical framework carries along as its principle assumption the idea that helping children with their problems through clinically oriented services is the goal to be achieved. The second assumption has to do with the common knowledge that in order to provide adequate treatment you must get the kid in the "clinic" and keep him there.

Given these assumptions, the childcare worker can logically implement a set of concepts built around the notion that "good treatment is also good security, or "good security is also good treatment." The highly artificial milieu of detention becomes an arena of character modification where emotional security is built in by the consistent application of controls. Through the well supervised application of external controls, the theory goes, the child can develop the necessary inner controls. The operant conditioning methodology which naturally emanates from this perspective is necessarily concerned, primarily, with negative sanctions applied in

response to negative behavior expected. Constantly, one runs across recordings in the child's folder predicting future negative behavior, and requesting oncoming staff to "be alert for John's negative attitude," etc. The idea that "John's negative attitude" may be entirely due to extraneous circumstances such as poor school conditions, father's mental health, sub-poverty living conditions etc. is not considered. John, or Jean, for our purposes must learn to gain the inner controls which will allow him to cope with any living situation. Jean's coping, or failure to cope, is the problem. Shape her head up and she'll cope.

It follows, from this philosophical approach that:

SECURITY = Custody + Clinical Treatment  
for  
Jean and John

Their emotional security is guaranteed only when they learn that the adults in command are, as they ought to be, more powerful than they themselves are. Adults are able to protect, shelter, nourish, diagnose, channel, plan for, dynamically program, create satisfying experiences for, lovingly correct, and lead unerringly toward success.

Given that Skipworth can dramatically improve its technique from the very efficient baseline from which it

now operates, given that the child can learn the utility of coping in the artificial environment of detention, what happens when Johnnie and Jeanie go home again? Consult your local statistics! Parents and teachers are not groupworkers; sometimes they are bastardly people.

EXPLORING DIRECTIONS FOR EMPIRICAL RESEARCH:

The Method:

Boys and girls were selected from the general population of the Donald E. Long Home by Mrs. Lou Ella Warren after a preliminary conference with Mr. Anderson. Mrs. Warren is the Director of Group Supervisors of that facility. We decided that we would follow two main criteria in the initial selection of subjects.

- A. The children must be in their eleventh year, minimally, and under the age of eighteen.
- B. They must possess intermediate (6th grade level) reading and writing skills as a minimum requirement.

In addition, it was decided that since the Donald E. Long Home, hereafter referred to as MJH (Multnomah Juvenile Home), was only marginally coeducational, it would be more reasonable and valid to administer the instruments to the boys and girls separately. Mrs. Warren prepared a Memo for Staff and children that read as follows:

M E M O

TO: Group worker and teaching staff  
FROM: Lou Ella Warren

All children in your unit who can read and write will take part in a survey:

1:00 P.M. Friday, July 24th for girls, who will meet in Girls I dining room.

2:00 P.M. Friday, July 24th for boys, who will meet in Boys III dining room.

Mr. Palmer Anderson from University of Oregon will be conducting a survey for research purposes. The survey consists of a rather simple questionnaire that will take about 45 minutes to complete. Children are supplied with pencils and brought to the designated place at the proper time.

7-22-70

Thank you for your cooperation

I met with the girl's group (N=29) at 1:00 P.M., July 24th, as planned. My Pre-administration remarks were substantially as follows:

My name is Andy Anderson; I am a student in Social Psychology from the University

of Oregon at Eugene. In no way, officially or otherwise, am I connected with the Donald E. Long Home. You kids will be helping me in my school work, and it is possible that I may be able to help you by coming up with some better and more meaningful ways for kids to "rap" with adults, including those adults that you have to be around in a place like this. All that I am asking you to do is to fill out this paper that your teachers are giving you right now. Listen! Because this is important. There are no right or wrong answers. Really! The answers I want are the ones that are in you gut; I want to know how you really feel about the questions and designs that you have there. I don't give a damn how your neighbor feels; that's his business. He can tell me that. You tell me how you feel. If you think that the questions are silly, or meaningless, okay. You may be right. But try to answer them anyway. Go ahead and start working. One more thing! I don't want to see anyone's name on this stuff. I am interested in your feelings as a group, not as individuals. OK? Right on then.

As the girls worked, no advice was given by the group workers, the teachers, or myself that could in any way influence a child's reply to a statement or a design. The children were asked to fill out the sheets which shall hereafter be referred to as the DDS, (The Delinquency Dependency Scores). This instrument, consists of forty questions, some adapted from existing scales in the literature, some devised by myself and George Noblit.\*+\*

\* The DDS was pre-tested on an informal basis by asking "judges" to examine the instrument and assess the relevance and presumed validity of its questions. These

During the Orientation and Testing Phases, I administered to the teachers and group workers, a brief verbal synopsis of my operational definitions of Delinquency and Dependency\* as they applied to this research. As the DDS were picked up I asked several MJH Supervisors and Teachers to "judge" a child's orientation in terms of Delinquency and Dependency according to my criteria, coupled with their objective knowledge of the child's history. I deliberately undertook to do this very casually and informally. An analysis of this method's valid or invalid implications should be derivable from the data. Another method, that may be desirable, is a pre-instrument administration judgement of a subject's orientation through an analysis of his historical "folder," coupled with an interview schedule done by a colleague.

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"judges" were Instructors in the field of Sociology and Psychology, ex-convicts, and workers in the field. Questions were raised that have yet to be answered. Pre-test data analysis should determine validity.

+ One small pre-test was done by administering the DDS to five subjects in a Juvenile Detention Home (Skipworth), followed by a debriefing session when I asked them questions calculated to get at their subjective feelings. Results while ambivalent, were encouraging enough to warrant going on with the design.

x See Appendix for reproduction of instrument.

\* Operational definitions of "dependency" and "delinquency" can be referred to.

It took the subjects about 15 minutes to complete the instrument. We then assembled in an adjoining living area for a twenty minute debriefing session during which I presented them with some information regarding the intent and purpose of this administration. By the amount of interaction between myself and the girls in terms of interest shown and questions posed by them I determined that their replies to the questions posed in the testing phase were substantially valid. The session was terminated with some friendly good-bye waves and asides and I moved on to the Boy's group which was assembled in a distant part of the MJH complex.

The administration and follow through in the Boy's group (N=24) differed from the description above. For the purposes of this paper I will outline these differences and comment on them below.

- a. The boys were not as interested in participating. They were not as attentive to my pre-administration remarks. There was considerably more "horseplay." Some evidences of neo-hostility were apparent.
- b. While the Staff appeared to be interested in my work, to a degree, and somewhat tolerant of the project, they did not lend as much practical assistance in the testing phase.
- c. Staff "labeled" the boys willingly for me in terms of their knowledge of the boy, coupled with my definitions. In this case, the "judgements" were made as a group--five or six Staff commented on a subject's orientation based on my perception of the majority opinion. There was much ambivalence in the case of several boys. However, my observation is that the determinations were essentially valid.

A presentation and analysis of data will follow.

LIMITATIONS OF THE STUDY

It must be realized that due to the nature of the sample we could not justifiably make use of inferencial statistics. Therefore we employed percentages knowing full well the dependence of percentages upon the size of the sample. As this is a preliminary workup we feel we gained not only some knowledge of the phenomena at hand but further some knowledge of data analysis. When utilizing a four group comparison with this small number of cases we realize the lack of stability in the data. But we feel that this is as much a methodological exercise as a data report, and therefore, desire to utilize it as supporting data. We have tried to base our argument not so much on the strict interpretation of the data, but more on the relation it has to the thesis of the paper. The data is not strong or completely consistent. Yet we feel it is significant theoretically. It says nothing about the causes of male or female delinquency, but says much about the factors shaping the content of delinquent behavior.

DATA ANALYSIS I

In order to establish a method of assessing our characterization of "delinquents" and "non-delinquents" in detention, we requested the group supervisors and teachers at the Donald E. Long Home to judge the validity of our definitions of "delinquent" (referred to, in the study as "young criminal, (YC) and "dependent" (referred to in the study as "not-young criminal, (NYC) children who were their charges in detention and our subjects in the study. Our definitions follow:

The dependent (NYC) child is usually a "soft offender." That is, the child is usually held in detention for acts that would not be criminal if one had adult status. Their acts are more in the nature of violations of social expectancies and mores. In the course of interaction, the child usually exhibits relatively poor social skills, both in terms of peer activity and in relation to adults - especially parents and other authority figures. Thus, this child is often judged by others as "out of control," "ungovernable," having "behavioral problems." On the other hand, the child generally considers her or himself to be in complete control of her faculties. For our purposes, he or she is a marginal adolescent, that is, this child cannot be radically differentiated from children randomly selected from the general population. Only their visibility predicts their apprehension and subsequent detention. The marginal adolescent perceives her or his difficulties as revolving around parental authority, sex, drugs, and "pigs" (police). In terms of our recent discussion, the child is disengaged from the larger society.

The delinquent (YO) child, according to our definition, is a "hard offender" and may be appropriately termed a neo-criminal. He or she usually possesses a range of skills in a variety of illegal activities - from stealing to drug taking and selling. This child often has a high level of social skills, especially with peers. He or she rarely acts out in frustration. On the contrary, is usually viewed as being "in control" and prides her or himself as being able to "keep cool." The delinquent (YO) child generally sees himself or herself as delinquent.

We expected that our definitions would more appropriately fit the young female because the definitions are radically dichotomized, as was generalized from our experiences as participant observers when comparing females who had a self concept of delinquency with those who did not.

This was supported by the evaluators (group supervisors, and teachers). For in fact, to get an evaluation of male subjects, we had to assess a majority opinion, as we pointed out above. The female evaluators, however, expressed complete consensus, on almost all cases, in assigning the label to the girl. The definitions, then, appeared to have utility in terms of identifying children who had certain kinds of difficulties, and especially in the case of the female subjects.

In order to assess the appropriateness of the definitions as the supervisors and teachers applied them, we completed a phi coefficient for a correlation of self

definition and other definition. Overall, we found a high correlation (.53) between the application of our definition and the child's self-concept. Our expectations were confirmed that the definition fit the female detainee more accurately than the male. The correlation between the self-other definitions for the females was .65, while for the males the correlation was .39. Thus, the high overall correlation is due to the good "fit" of the definition when applied to females.

TABLE 1 page 96

By looking at Table 9, we see that the higher correlation for females is due to the applicability of our definition to the females who see themselves as not being young criminals (NYC). That is to say that our definition best fits females who are "dependent," "marginal," and definitely non-criminal.

It seems, then, that our definition of delinquency needs some revision for females, and that separate definitional categories are in order between males and females.

IT MUST BE REALIZED THAT BECAUSE OF THE REPRESSIVE AND Destructive possibilities that exist, NO APPLICATION OF THESE DEFINITIONS SHOULD BE UTILIZED IN THE REAL WORLD

TO LABEL AND CATEGORIZE KIDS. THEY SHOULD BE CONSIDERED TO BE JUST WHAT THEY ARE - ANALYTICAL TOOLS IN ROUGHED OUT CONDITION.

DATA ANALYSIS II

The purpose of this survey was to explore, on an individual basis, the child who is thrust into detention. We were particularly interested in examining the child's perceptions and discriminations of the world as he confronts it, and especially his response to those situations and experiences wherein he becomes defined delinquent.

Initially, we wanted to explore sex differences in terms of the relational attitudes and perceptions whereby the child gets labeled "delinquent" or "dependent." We discovered a number of sex differences, but we found something more. We were led to examine the children's self-concepts and the relation of self concept to other variables. This pursuit proved to be of significant importance to our overall study.

Reckless, Dinitz, and Murray (1956) have maintained that the child's self concept may serve as an insulator against delinquency. That is, the "good boy," in terms of their study, appeared to be "insulated" from delinquency by the internalization of non-deviant attitudes. Further,

Reckless and Dinitz (1967) have proposed that the self-concept is an important self-factor that controls the direction of the child. That is, it is a determining factor in the "drift" of the youth towards or away from delinquency. While they defined delinquency as the child experiencing police or juvenile court contact, we felt that the notion of self-concept had some validity in terms of dicotomizing the attitudes and self perceptions of children held in detention. In other words, one question we were asking is how does the child define himself in terms of delinquency or dependency.

We have maintained throughout this paper that differential problems, and therefore differential needs, exist for adolescent males and females. We should note that the female evidenced a specifying effect when the data was broken down by self-concept. That is, a criminal self-concept is a more severe departure from her socially prescribed role than is the case for males. This is to say that it is a much more serious matter, internally to the subject, for a girl to hold a criminal self-concept than for a boy to view himself as criminal.

Jules Henry (1963:9-61) has written: "(American) culture gives women no firm role except an erotic one." Her entire role is directed towards the male, (Parsons:



1942). Thus, in her actions as a youth she is busily attempting to attract the male. But detention and juvenile court action attempt to negate this role achievement for the juvenile girl in trouble. The girl trying to deal with her developing sexuality is asked to come to grips with the actions she has deemed appropriate in terms of the societal prescriptions.

The processes of attaining a criminal self concept, in the case of the female offender, are not a direct issue here. However, we must realize that somewhere along the line between detention and reform school the girl may jump the fence and come to define her problematic affective relations as criminal. The male is not constantly confronted with this problem. He does not have to re-evaluate his entire role in society, to alter his self-concept from criminal to normal for example, but needs only to change the means he mobilizes to achieve the ends consistent with his role. The female, when she has defined herself as criminal, must question the validity of her place in the society. That is, she has to justify her self evaluation by acting out or drawing in. She is forced to achieve cognitive consistency (Festinger: 1957) over her actions, emotions, reactions, and attitudes. In other words she must radically alter her orientation to the world.

On this basis, we predicted that the young female with a criminal self concept would hold divergent attitudes from the female who sees herself as not being a young criminal. Further, she would evidence a more negative relation to those persons in authority who questioned the viability of her being.

Rittenhouse (1951) has maintained that the female delinquent has problems of a relational character. The girl in detention has problems centering around her inability to find appropriate channels for meeting her affective needs. Giallombardo (1966) has shown that the adult female is in a dire situation when she is systematically denied her affective satisfactions. When women are imprisoned, a homosexual kinship system tends to develop which is quite different than that in the male prisons. Extending Giallombardo's thesis somewhat, it has been our observation that situational homosexuality is approved by female prisoners whereas "natural" homosexuals are viewed with some degree of opprobrium. The roles are evaluated just the reverse in the male prison; "commisary punks" (the situational homosexual) are negatively defined while the Queens ("true" homosexual) are accorded relatively high status. Giallombardo's explanation regarding female homosexuality in prison deals with the fact that women, who on the outside are exclusively heterosexual, join in

"marriages" so as to gain some security as well as sexual release. She makes the point that the difference between "easy time" and "hard time" is pretty well predicted by whether or not one becomes an "active marriage partner." This touches on our case by pointing out that the female has severe affective needs which must be addressed no matter where she finds her self; in prison, in detention, or in a "normal" adolescent way of life. These needs, actuated, are not necessarily illegal, but may be viewed by some as immoral. In some cases the act stemming from these needs is perfectly legal or quasi-legal for the adult, but considered illegal and immoral for the juvenile.

THE FINDINGS: SEX DIFFERENCES

In the breakdown of the detainees by sex and self-concept, we found that only 34% of the sample saw themselves as "young criminals." There was a significant difference, male to female. Of the females, only 28% saw themselves as being "young criminals," while 42% of the males indicated that this was their self-concept. For our sample there is

TABLE 2 page 97

less relative frequency of a criminal self-concept among the girls. More males have reason to believe they belong in detention and thus are better able to deal with being there. For the girls, the situation is much more ambivalent. They feel that they are in jail for unjustifiable reasons. We feel that there is some justification for our assumption that girls in detention are marginally defined and define themselves somewhat marginally.

As noted above, we asked the counselors to label the children either "dependent" (relational problems, etc.), or "delinquent" (participation in "hard" crimes, i.e. burglary, habitual larcenies, etc.). We found that the counselors ascribed the dependent relation to a much larger percentage of the girls than boys, 72% of the girls and <sup>62.5</sup>40% of the boys.

TABLE 3 page 98

<sup>59%</sup>72% of the girls and <sup>65.5</sup>42% of the boys reported that they were "not young criminals." Similarly, <sup>43.5</sup>75% of the girls and only <sup>28</sup>28% of the males reported a conception that their

parents thought they were "not young criminals." In terms of a "generalized other," the females (<sup>65.5</sup>73%) believed that other saw them as not being criminal, while only <sup>73.5</sup>10% percent of the males were of this opinion.

It seems, then, that in terms of definition, either by self or others, that the girls are significantly less often termed criminal than the males. According to Festinger (1957:31) when dissonant or "non-fitting relations" among elements exist, pressures to reduce dissonance and avoid the increase of dissonance become pronounced. External and internal manifestations of the operation of these pressures include behavior changes, changes in cognition, and overt self-exposure to new information and opinions. We would submit that when girls are evaluated, and evaluate themselves as "not young criminals" and yet, suffer the obvious societal response to criminality, dissonance ensues and cooptation into the deviant sub-culture becomes more likely. It is a generalization from our experience that when young children, boys or girls, are confronted with the necessity to "choose up sides" in order to achieve cognitive consistency in the detention milieu they will align themselves with the deviant group. In fact, when the child makes a decision to "be straight" in detention, new dissonance

is often aroused and peer pressure to reduce the dissonance causes more dissonance and so on. Our findings regarding sex differences, then appear to add substance to our first proposition to the effect that:

Coeducational detention is detrimental to the rehabilitation of young female offenders.

The second significant finding has to do with Cloward and Ohlin's theory of perceived opportunity as a determining factor in a youth's (male) delinquency or non-delinquency.

Cloward and Ohlin (1960) have maintained that delinquency is related to the availability or inavailability of opportunity structures for the young male. We were interested in assessing this hypothesis in relation to the sex differential. The children were asked to respond to a question aimed at assessing the relative availability of honest jobs for "us kind of kids."

TABLE 4 page 99

We see that the girls, regardless of self concept, are more optimistic than the boys toward the availability of honest jobs. There is an obvious reason for this. Even

the woman in our society has yet to assume a major supporting role in most families, or in society. She works more to assist the husband, and the male is still perceived by most young women as the major breadwinner. Therefore, the female has little apprehension about working, and even less concerning her need to perform the work role to insure a satisfactory standard of living. Projections into the future may well reason a new phenomenon regarding women's roles. It may be that the female will come to be subject to the same pressures in terms of employment. The girl may yet feel the opportunity bite according to Cloward and Ohlin's thesis.

In considering the males in our sample, we did find support for our thesis. While both self concept groups in the male population were pessimistic about the relative availability of good jobs, those who saw themselves as "young criminals" were the most pessimistic. Only 20% of them believed that good jobs were available to them, while almost double that percentage (36%) of the self-labeled "not young criminals" believed that jobs were available to them. It does seem that perceived opportunity and delinquency are related although we have no data to explicate the causal nature, or direction, of that relationship.

We were especially interested in how the children perceived the way that one gets ahead in the world.

We asked them to agree or disagree to the statement that connections or good luck are necessary for one to get ahead in the world. By exclusion, then, we tried to assess the perceived importance of one's personal ability relative to getting ahead, or making it, in the world. We found that the sexes again exhibit a difference in their perceptions. The females exhibit a strong belief that connections or good luck are not necessary to get ahead. It was surprising, at first, to find that the females who see themselves as young criminals (YC) disagreed strongest with the statement it takes good luck or connections to get ahead. Perhaps the YC female does not see herself as locked out of the opportunity structure because she has no perceived need to relate to the world of work. An alternative hypothesis must be advanced however. It may well be that the young female criminal thinks skill is more relevant to successful endeavor than good luck or connections. Either hypothesis, or interaction between the two would not do violence to her projected role.

The males, on the other hand, again express pessimism. They, both YC and NYC groups, tend to see one's success in life as being related to good luck or connections. Again, we see that young males have a much more negative reaction

to a belief in the world of work as given by the Protestant Ethic than do the females.

SELF-CONCEPT AS A SPECIFYING EFFECT FOR FEMALES

The self-concept statement, in terms of feelings of guilt, desirability of home situation, justifications for criminal activities, relations with parents, as well as perceived parental relationships, resulted in wide polarization of the female groups. The female who sees herself as a YC consistently demonstrates a less positive relation to the society at large.

For the most part, we see that across all sex and self-concept groups, offences like Runaway and Out of Parental Control are perceived by them as being the reason for their detention. We see that the highest level of

TABLE 5 page 100

standard perceived criminal activity is indicated by the females who fall in the YC group. This would be predicted from our assumption that the YC self-concept is a "harder" concept for the female to assume than for the male because it is further from her societal role. Therefore, she has either actually been involved in such activity over a long enough period of time to reify the YC label in her

consciousness or has reinterpreted her delinquent incidents in terms of her relationships with significant (punitive?) others so as to justify her detention and self concept.

The YC girl sees herself as being constantly picked up for Runaway and Out of Parental Control (Ungovernable). Further, she sees herself as always being in "big trouble with the cops." In general, then, the YC female perceives herself, more often than does any other group member on the average, as being a participant in illegal, quasi-legal, or prohibited acts. It is suggested that a major part of this self-identification has to do, not with any inherent "truth" or "fit" in her self-assigned role, but stems from the societal response of being picked up, hassled, turned loose, picked up, hassled, turned loose.

However, we must infer, from the participant observation part of this study, that the girl learns "inappropriate" behaviors on illegal dimensions during her several incarcerations so that, often, there is some substance to her self perceived role as a "YC." Evidence from the participant observation study suggests that the YC girl does, at times, serve as a negative influence in detention to both males and females who are not characterized with a negative self-concept in the delinquent sense.

In Table 5 we see that the girl with the NYC self-concept is least often picked up for Runaway, Out of Parental Control, and this type of activity. Further, the NYC girl does not report being involved in statutory criminal activities such as robbery. ( We must note here that the NYC girl is sometimes involved in minor infractions of the law such as Shoplifting and Larceny). However, the NYC girl has little trouble with the cops. In short, she reports that the bulk of her problems lie exclusively in the realm of interpersonal relations.

We tried to assess the child's attitude toward crime. Once again we noticed a wide divergence in the female perceptions according to self-concept. We noted the children relative to their standing on the "Robin Hood complex," and, we tried to get a measurement of their justification for their criminal actions because of a mild paranoia.

TABLE 6 page 101

The Robin Hood complex was assessed by the child's agreement to the statement that stealing from those who can afford it isn't really bad. The males were generally (43% of the NYC to 50% of the YC) in agreement with the

statement, (see Table 6). The NYC females, however, were in basic disagreement with the statement. by implication, and inferring from other responses, the NYC females seem to know the rules. On the other hand, 50% of the YC females believe that taking things from others who can afford it isn't really bad. It is evident that the divergent girl's groups have differential definitions of "bad."

The paranoid "justification for criminal activity evidences a similar pattern to the one above. Responding to the item, "You have to get what you want from the other guy, before he gets it from you," the YC girls were affirmative at the 50% level. The YC girl strongly believes this, compared with the other groups, because she has taken - or been forced to take a strong step in the direction of deviance - or self-evaluation as deviant. This may predict her negative outlook on the world, thus "causing" her to relate to the outside society as a force out to get her, therefore, she must try to best "them" at their own game.

The NYC female, again, is not lining herself up with the remainder of the subjects in detention; she still takes a negative position to this mode of justification. This indicates that she may very well know the rules of the game.

We have noticed that the boys, regardless of self concept indicate a similarity. While noticing in Table 5 that the self concept of the males has little relation to the actual perceived incidence of being "busted for robbery and other "heavy capers," we see that the YC male has a slightly higher frequency of agreement with the "Robin Hood" statement.

He sees that stealing from those who can afford it is not wrong. Yet the paranoid indice seemed to eliminate the difference between the groups. This suggests that paranoid justification for criminal activity is of the same stature in each of the two groups. It may be that the NYC boy steals as an act of self-protection or a "rite of passage" commitment, or something on that order, whereas the YC boy may tend to rely on theft as a self-gain means. This is more consistent with the literature.

It is an interesting sidelight that the self concept groups have divergent opinions concerning the "normality" of criminal activity in the society at large, as a justification for taking part in it. The YC groups believe that it is a "normal" activity. The males of this grouping indicate that 50% of them believe that it is; the females, on the other hand, show 62% agreement that such justification is appropriate. This is in line with our suggestion

that the YC female gets pushed over the line of self-definition wherein she cognitively distorts her own reality and labels herself a "young criminal." Thus, identifications of oneself may be significant in terms of this justification. They may be trying to align the world with their perceptions of themselves. As we tried to show in the previous section, constant detention referrals for "trivial" offences may well lead girl offenders to cognitively distort their self-perception and label themselves "bad."

We have advanced the proposition that the females' principal problem inheres in her relations with others, and particularly to the adult population she confronts in the home and at school. This is the next point of interest.

We tried to assess whether or not the girls were more distant from their parents than the males, according to their differential perceptions. We found that the YC female sees her parents as being interested in her welfare much less often than does any other group in our sample. This may be due to their actions, cause for their actions, or an interactive effect between the two. We do notice, however, that the NYC female had the highest relative frequency on perceptions of parental interest. To confound this relation,

we noticed that when asked if their parents tried hard enough to understand them, they closely resembled the YC males in their responses. Even though their parents are interested in them they still perceive a gap in understanding. It may be that parents, regardless of their professed interest in the child, tend not to understand their children and the world the child is growing up in.

TABLE 7 page 102

Indications from our data tend to confirm the notion that females are in trouble over relational problems. They do not relate well to their parents. In fact, the only group that does not evidence a large discrepancy between interested parents and understanding parents is the NYC males. The NYC boys, see, for the most part, that their parents are interested in them and do try to understand their problems. The YC female, while having a higher frequency of perceived parental interest than parental understanding, evidenced the most negative relation to their parents.

In trying to summarize such data we must view parental interest as a contributing, or at least, a related factor to the child's self-concept. We must refer to parental understanding as the crucial variable because parental interest is high in all three other groups. Lack of parental understanding severely reduces the relational proximity of parent to child.

At this point we would advance the idea, unvarifiable from our data, that relational problems with parents may not necessarily be the prime causal variable for the female's delinquency problems. For example, following the thought of Pearl, and Polk (opts. cit) the principle problem may well lie within the domain of the public schools.



**CONTINUED**

**1 OF 2**

It is reasonable to believe that, if the school were meeting the child's needs in a constructive, fulfilling way, she could cope with whatever relational home problems that came up. In replying to the statement "Teachers try hard to get along with us kids." there was 25% less agreement among the females than among the males, and, the females appeared to have more problems with school (teachers) than did the males.

In trying to check the perceived home situation and the child's reaction to it, we asked the child to compare detention to her or his home situation. But first, we asked them to react to the relative desirability of detention. We feel that by using this index instead

TABLE 8 page 103

of one concerning the direct relation to parent's, we have derived a more accurate picture of what is happening in the home. We see that detention is considered bad by all concerned, but comparing it with home makes it look better across the board, and especially for the YC female. It does seem then, that given all the hassels of adolescent existence on the part of parents, the female YC exhibits a stronger rejection of the parent.

We have shown that the NYC female does in fact know the rules, and, for the most part (see Table 6), the YC female has less adherence to the rules. We tried to assess the YC female's attitude toward wrong doing. We see that the young girl with a self concept of criminality does not, on the large part, feel guilt for wrong doing. This is central to our emphasis in this paper. The YC girl is held in detention with others, in close contact with her non-criminal counterpart, and can exhibit such attitudes and behaviors for all to be affected by and possibly internalized.

This lack of guilt in the YC female may be due to a number of reasons. It may be due to the nature of her offensive acts, but we doubt this because the acts for which YC girls are detained do not differ markedly from those of the NYC girls. The NYC girls commit similar offenses, yet, for the most part, exhibit guilt. It may be that the YC girl has learned that as a criminal she is to feel no guilt. In other words, the YC girl, who has visited detention a number of times, on the average, begins to take on that criminal role generally reserved for tough young males. She learns not to feel guilty, not to mark, not to hold soft attitudes about home. In imposing the sanction of detention for *mala prohibita* acts, we may

well create the few real female criminals with which our society contends.

Since criminality is more foreign to the female role than to the male's, adopting such a self conception has more radical consequences for the girl - less guilt attitudes toward crime, more familial relational problems (whether criminality is cause or effect of poor relations).

TABLE I

Crosstabulation of Sex by Self Definition

row % column % (N)	Self Definition		
	young criminal	not young criminal	total
sex			
male	41.7% 55.6% (10)	58.3% 40.0% (14)	100% (24)
female	27.6% 44.4% (8)	72.4% 60.0% (21)	100% (29)
TOTAL	100% (18)	100% (35)	

TABLE 2

Crosstabulation of Other Judgement via Definition  
by child's self definition

for males (N):		self judgement		$r\phi = .39$
		young criminal	not young criminal	
other judgement	Delinquent	6	3	
	Dependent	4	11	

for females (N):		self judgement		$r\phi = .65$
		young criminal	not young criminal	
other judgement	Delinquent	6	2	
	Dependent	2	19	

Phi coefficients:

overall:  $r\phi = .53$   
for males:  $r\phi = .39$   
for females:  $r\phi = .65$

TABLE 3

% Agreement

	others seeing self as dependent via definition	perceive self as not a criminal	perceive parents seeing as not a criminal	perceive others seeing as not a criminal
Female	72.4% (21)	72.4% (21)	65.5% (19)	65.5% (22)
Male	62.5% (15)	58.3% (14)	43.5% (10)	43.5% (10)

TABLE 4

## Relation to Working World

% agreeing to:

sex and self-concept	availability of honest jobs for our kind of kids	ability is necessary to get ahead
Female criminal	50.0% (4)	87.5% (7)
Female not criminal	53.0% (11)	71.4% (15)
Male criminal	20.0% (2)	30.0% (3)
Male not criminal	35.7% (5)	35.7% (5)

TABLE 5

## % Detainees Seeing Themselves as Being Involved in:

Sex and self-concept	Runaway	Robbery, etc.	Big trouble with the cops
Female criminal	75.0% (6)	50.0% (4)	62.5% (5)
Male criminal	60.0% (6)	22.2% (2)	50.0% (5)
Male not criminal	50.0% (7)	35.7% (5)	21.4% (3)
female not criminal	42.9% (9)	0%	4.8% (1)

TABLE 6

## % Agreeing to Particular Justification for Criminal Activities

Sex and Self-concept	Robin Hood complex	Paranoid Crime justification	Crime as normal activity
female criminal	50.0% (4)	50.0% (4)	62.5% (5)
male criminal	50.0% (5)	40.0% (4)	50.0% (5)
male not criminal	42.9% (6)	41.7% (5)	28.0% (4)
female not criminal	4.8% (1)	28.6% (6)	15.0% (3)

TABLE 7

## Relations with Parents

Sex and Self-concept	See Parents as Interested in Self	Parents Try Hard Enough to Understand
female criminal	28.6% (2)	0%
male criminal	60.0% (6)	30% (3)
male not criminal	71.4% (10)	61.5% (8)
female not criminal	76.7% (10)	33.3% (7)

TABLE 8

## Relative Desireability of Detention When Compared to Home

sex and self-concept	detention bad	detention bad when compared to home
female criminal	62.5% (5)	37.5% (3)
male criminal	70.0% (7)	60.0% (6)
male not criminal	100.0% (14)	64.3% (9)
female not criminal	81.0% (17)	52.4% (11)

TABLE 9

sex and self-concept	% feeling guilt for wrong-doings
Female criminal	25.0% (2)
Male criminal	60.0% (6)
Female not criminal	81.0% (17)
Male not criminal	78.6% (11)

INDICATIONS FROM THE HISTORICAL DATA\*

Of course, we have presented a substantial amount of general historical data in previous sections of the paper. However, there are some specific things that we can get at in the data from Skipworth that are a matter of public record.

Our central emphasis, in this portion of the paper, is to indicate, as a matter of fact, that we are exposing a naive population over long periods of time to a multiplicity of actors who are much more potentially criminal than the others. Further, there are reasons to believe that the YC child teaches the NYC youngster techniques for initiating, and improving on, a range of illegal activities. Perhaps the most important factor we should consider regarding the detention milieu is the ongoing process of socialization on a sub-rosa level whereby the

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\* The data used in this section for the paper comes from Lane County Juvenile Court. It is not meant to be supportive of the survey data since that data were gathered in another institution. However, the present data can be construed as being supportive of the participant observation section of the paper. It may be most appropriate to merely view this section as additional support for the more general argument. The data presented here are drawn from the 1969 Lane County Juvenile Court Center Annual Statistical Report, the 1969 Annual Report (general), and "Historical Detention Data Study," by James W. Adkins, 1970, mimeo.

relatively innocent female learns new behavioral patterns. The child often learns a whole new outlook on how and why to behave in certain ways toward certain people; on how to get along in the world with less physical and mental effort. Children often come to exhibit new cues as to the meaning of their existence after exposure to the detention setting, cues when observed by the police agents, parents, and teachers serve to further stigmatize the child.

All of the above is of course premised on the assumption that the naive child is held in detention for longer periods of time, initially, for less than criminal activities. We will attempt to show that this is the case for Lane County Juvenile Court.

Adkins (1970) states that between 1966 and 1970 there has been a marked change in the age distribution at Skipworth. In 1966, 23% of the detainees were 17 years of age. By 1970 only 16% detained were 17 years old. The 16 year olds in detention dropped 5% between 1966 and 1970 to a low of 24%. Fifteen year old children remained fairly stable over this time period. Fourteen year old detainees showed an incrementing curve of 8% to reach the 20% figure in 1970. Further, while the sample size of 13 year olds and younger is small, they all still display increases. The only conclusion one can draw from the data is that



younger children are more often detained in 1970 than were in 1966.

Adkins (opt. cit) concludes from his comparisons of the two years that for runaway and ungovernable offences, younger children, especially 13 and 14 year olds are more likely to be involved in stays of over 29 days. Researching the raw data from detention, we found that over 80% of those children detained for more than sixty days in 1969, were kept in Skipworth for non-criminal offences. All other age groups show little difference in length of stay. Overall, considering the four years between 1966 and 1970, Adkins shows that longest detention is in order for runaway and ungovernable offences.

In 1969, we see that, in fact, approximately 1½ as many girls as boys are likely to be of ages 13 and 14.

TABLE 1 page 113

We see, then, that more girls than boys have extended stays in detention. In fact, in the ordinary year, according to the Skipworth literature, girls account for twice as many supervised man hours as do boys.

Further, we see that in 1969, almost three times as many girls as boys were detained for periods of over three weeks in length.

TABLE 2 page 114

In Table 3 we can see that referrals for problems between parent and child are highest for 15 year olds. By referring to Table 1 again we see

TABLE 3 page 115

that age 15 is the peak age for females in detention, and is a higher percentage of the detained than is the 15 year old males.

The Statistical Report for 1969 indicates that the first offense of males is vandalism (as it is characteristic of the lowest age group for males). Females enter detention from 6 months to 1 year earlier than boys; their characteristic first offenses are runaway, ungovernable, and larceny.

Adkins indicates in his analysis of November and December 1970, and January, 1971 that girls, even though their offenses are generally non-criminal in nature, have similar to an equal percentage detained when compared with males.

Implications to be drawn from these data are as follows:

- 1) Due to the fact that younger children are held in detention more often than in 1966, are more likely to be held longer, and are most likely to be held for charges like runaway and ungovernable, the Court is serving up the same dispositions (periods of detention, and at times, institutional commitment) in the case of these children as would be authorized for juveniles who have committed acts which would be crimes if committed by an adult.
  - a. Children who have not indulged in criminal conduct are drawn into the correctional system and at times institutionalized.
  - b. Children who have not indulged in criminal conduct are denied the same rights as are extended to adults.
  - c. Children who have not indulged in criminal conduct are exposed to young men who are highly sophisticated in many areas of criminal behavior.
- 2) Younger children, predominately girls, are held for longer periods of time. Therefore, we are not only discriminating against girls, but we are exposing them to a negative environment unnecessarily.
- 3) With few exceptions, girls are detained, initially, for less criminal acts.

This points to a truism which finds little popularity among detention and court personnel. The fact that little effort is made to collect and analyze data by sex differences demonstrates their lack of sensitivity as to the existence of these differences.

Thus, it appears that the Court is attempting to function in a dual capacity. It has assumed two functions, that of the adversary and that of the advocate. Its role of adversary, of course, is to find the child guilty and dispense punishment,

therefore protecting the community and supposedly, acting as an agent of deterency. As an advocate, the role that the Court would like to be identified with, the function inheres around the in loco parentis principle, wherein the Court stands at the side of the child in place of, or supporting, the parental role.

It is ironic that, in acting as a punisher on the one hand, and as a advocate on the other, the Court feels that it is serving the best interests of the community. The Court has maintained that they are able to operationalize these highly differential functions within the same institutional structure. Thus, we see that they are acting, necessarily, against the criminal, and, probablistically, for the troubled child by detaining them. The problematic distinction is hardly reconciled by applying similar techniques to resolve each.

FROM THE "LOG" \*

These following data were gathered from the Skipworth Log for the year 1970. We gathered these data to support

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\* The names used in the incidents drawn from the log are fictitious. The incidents themselves while reflecting the true situation are paraphrased for obvious reasons.

our observations regarding the nature of coed group interaction. Out of 1460 possible recordings in 1970, (each shift records twice in the Log, one male supervisor, and one female) I counted 547 recordings which cited problems in group interaction specifically due to coed. Other than this comment, we will let ~~the~~ data stand for itself.

... coed not too bad, except Marge and Alice are awful loud and are bugging some of the guys.

Today's group was chaotic since coed interaction is playing high around (older boys and girls). The level of language is dropping to the point where girls and guys are talking with sexual overtones.

Coed interaction promoting peer conflicts all over the place.

The only alternative is to reduce coed interaction and bring the group back to normal.

The shift was planned in a manner to cut down coed but not eliminate it.

Watch peer conflicts around coed activities. They are high; zero in on tension building activities.

Very hard children to classify. Some of the most dependent kids are quite stable apparently while sophisticated delinquents causing problems centered around inappropriate.

Coed gym resulted in a great deal of arguing, infighting, name calling on part of girls. Girls, however, are experiencing some serious problems in areas of support and basic ability to get along.

At this point the inter-peer coed competition is barely manageable, however, anticipate problems staff!

Negative behavior of certain group members definitely has coed implication.

Many conflicts precipitated by boys infighting for girls attention. How can we relate to these kids with the high coed interaction level?

Maximum control needed to get program oriented around acceptable coed interactions.

Group seems to be more of a group today with less silly and "frustrating" coed activity.

Impulse control dropped 100% with introduction of Deb and Constance into group. The shake it but don't break it syndrome has completely fractured consistent programming.

The ladies did fairly well today, however, sex is in, and any constructive coed activity is severely hampered by Ginger's full-blown sexiology.

The coed activity is pretty high level and relatively mature. No problems with it but it should be watched.

Genivive is very aware of the male species. Coed problems lend to little cohesiveness in group in general.

Definite sub groups are emerging in the boys group around who gets the girls. This problem hampers effective programming. Suggest damping out coed activities for a few days.

Macro-hostility directed toward Dave who is being very physical with all the girls.

Coed is wilder than ever, but its the Junior High pattern with much pairing-off. Terrie has the boys in hysterics.

Scapegoating and subtle but strong staff avoidance seen as a result of coed interaction.

WANT TO BE A BOSS!

TABLE 1

% Population Distribution by Age and Sex

<u>Years of age</u>	<u>Males</u>	<u>Females</u>
8	0%	0%
9	.2%	0%
10	2.0%	0%
11	.4%	0%
12	3.0%	1.0%
13	8.8%	7.0%
14	12.2%	23.3%
15	22.5%	27.1%
16	29.1%	25.8%
17	21.5%	16.0%
18	<u>.2%</u>	<u>.2%</u>
	99.9%	100.4%

(adapted from L.C.J.C.C. Annual Report)

TABLE 2

% Population Distribution by Length of Stay and Sex

<u>Length of Stay</u>	<u>Males</u>	<u>Females</u>
1 - 3 weeks	89%	79%
3 - 6 weeks	7%	15%
over 6 weeks	<u>4%</u>	<u>6%</u>
	100%	100%

(adapted from L.C.J.C.C. Annual Report)

TABLE 3

% Referred for Problems Between Parent and Child by Years of Age

<u>Years of Age</u>	
12	30%
15	45%
16	30%
17	25%

(adapted from L.C.J.C.C. Annual Statistical Report)

WHAT CAN WE DO ABOUT IT?\*

It is characteristic of studies of this kind that few concrete recommendations are advanced by the experimenters regarding what to do about systems or organizations they have debunked. It is one thing to point out what you believe are the logical inconsistencies in systems of relationships; it is another, equally important matter to be concerned with providing possible techniques for innovative action. The existence of inherent incongruities and functional specificities within a division of labor would predict that one of these two sociological jobs would receive less attention. Such is the present case.

We have advanced some theoretical ideas along with various bits of evidence to show that female delinquency should be viewed differentially from male delinquency. Logically, we could conclude our paper at this point. However, as scientists concerned with tracing linkages between the "private troubles" of juveniles and the "public issues" (Mills: 1961) of juvenile delinquency we would attempt to bridge the very real gap between the theoretical and applied

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\* This chapter represents an extension of, and a sort of proto-model drawn from, a number of theoretical perspectives. It will be obvious to many that we have referred to the work of Talcott Parsons, Edward Shils, John Homans, Kenneth Polk, Arthur Pearl, and writers in the field of distributive justice. Unless we quote directly, this will serve as acknowledgement of our debt. We should mention that parts of our text are paraphrased from Chapters 6 and 7 of The Social System. This chapter should not be construed to be anyone's full or final thought on the subject. It is only taken to be a crude outline by its writers.

worlds. Therefore, briefly, without a highly developed rationale for logically defending our assumptions and assertions, other than what has gone before, we would advance some ideas toward a possible alternative method of defining and relating to female juvenile delinquency.\*

First, involved parties in the field of delinquency prevention and control should buy into the philosophy that all deviant behaviors originate in a breakdown of one process of socialization and the initiation of another. ("Involved parties" is no exclusive category restricted to law enforcement people and child-care workers. In the broad sense of the word, involvement has to do with all members of society).

Contrary to the "educated" opinion of many parents, police officers, social workers, and next-door neighbors, delinquency has nothing to do with "inherent traits," "instinctual drives" (apart from the obvious sexual function), "perversity," "willfulness," "perverted nature," "demonic possession," "incorrigible tendencies," "habitual criminality," or the like. The citizen who accepts any of these notions is a very real part of the problem he would confront.

Delinquency should be viewed as a special case of the breakdown of socialization processes; processes that take

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\* The use of "female" in this section reflects only the central emphasis of this paper. It would certainly be appropriate to use the masculine gender in much, but not all, of what we say in this chapter.

on particular forms relative to the social and cultural environment.

Any community approach to relating to individuals with problems in delinquent behavior must be holistic, as opposed to symptom oriented. Deviant behavior must be seen as a logical or illogical response to cues and events confronting the individual. Each act is the expression of the integrated personality of that moment (influenced by all the moments that have gone before) as she relates to the social whole she perceives.

Social development, then, cannot be seen as a wholly purposive, wholly self-actualizing activity any more than it can be viewed as wholly deterministic, that is, wholly externally shaped. The self-actualizing kind of social development begins to mature only within a community wherein the possibility exists for all its members to actualize the emerging needs and capacities within them. The assumption is that the self-actualization of a wide variety of its members, wherein they become constructive and fully socialized members, can only take place in a community wherein norms, roles, statuses, conventions and opportunities are non-arbitrarily defined.

Deviant behavior of all kinds - including a high incidence of female delinquency flourishes in an unhealthy

community, life with strict social conventions, pseudo-theological sanctioning, and an arbitrary and unrealistic normative structure relative not only to legalities but to opportunity structures as well.

Instead of sequestering the "problem girl" in a warehouse facility where "somebody else can deal with her," "treatment" should begin by providing an interactive atmosphere, with potential for her, right in the community, buttressed by an exceptionally healthy environmental structuring of interpersonal relationships whenever necessary. Obviously, the delinquent child can never unlearn unhealthy social attitudes, inappropriate behavioral techniques, and warped self-perceptions if the community she resides in, or returns to, is basically unhealthy in terms of other related patterns of communication, the role models it presents, and, most important, the opportunities for self-actualization it emphasizes.

Rather than focusing our attention strictly on the juvenile delinquent, we must consider societal wide roles, conscious and unconscious motivations for those in power to respond negatively, inequities in status and hierarchy levels, social discrimination, and so on. As pearl and Riessman point out (1965). The idea that there are common pathologies in delinquent kids or poor kids must be

replaced by community-wide education regarding community problems, i.e., drugs, crime groups, discrimination, schools, etc.

We must attempt to define, measure and interpret the dynamic interpenetrating forces that inveigh on the individual from the social structure and culture. Therefore, in terms of specific treatment oriented relationships with the "delinquent" child, we should locate the visible means of treatment not in the therapeutic applications of individual specialists, but in a holistic sphere of healthy social interaction of community living. Specialists have vital functions and roles, but only as they play a supportive part within the dynamic aggregate of all functions and roles, as organized and interdependent entities. Recalling Durkheim, the sum of interacting functions and roles is newer than and superior to the simple sum of all the particulars. Thus, a holistic field of interacting, interpenetrating forces must affect societal treatment as much as attend the individuals under treatment.

It follows from this theoretical perspective, then, that before the social agent gets involved with the child he should realize that an adjustment of relevant opportunity structures within the community - beefing up the child's

proximity to and affinity for them might well solve her "problems." This is not often different than saying that the denial of opportunity may well have been the problem in the onset..

One extremely viable plan, in our way of thinking, to open up meaningful pathways of opportunity is the "new careers" program which had its genesis in the highly constructive book New Careers for The Poor, (Pearl and Riessman: 1965):

The central thesis of this book is that in an affluent automated society the number of persons needed to perform these tasks (adequate health, education, and welfare services for all) equals the number of persons for whom there are no jobs. p.6.

The use of girls, both delinquent and non-delinquent in interacting groups, to tutor and advise both delinquent and non-delinquent children could make a significant contribution to (1) the field of education, and (2) the reduction of delinquent behavior by:

1. Helping to create a sharing, understanding, relevant climate for learning.  
Inspiring a wide range of students to achieve through a friendly competitive reciprocity across "class" lines.  
Opening up the gates of understanding about other peoples' culture, ethos, spiritual beliefs, color, etc.
2. Providing full and fair employment for kids still in school, thus giving the kid a "stake" in his own and others education and life perspective.

New careers, as we understand the concept, introduces into "rehabilitation" the idea of reciprocity which replaces a kind of benign condescension. If girls with the "delinquent" label were introduced into community help roles with a team of girls, all earning their way, reciprocal relationships built around friendship, ability, willingness to help would replace the condescending attitudes delinquents now face when they are trying to "make good."

We should emphasize though that subprofessionalism for the poor or the deviant "ex" should only be a phase in transition or else it may become a label fully as onerous as the one he has overcome.\* Care must be exercised in defining roles as "subprofessional" in the first place. Further, care must be taken lest "paraP or "sub" categories become, not the vehicle for change, but its goal. The idea that the delinquent may be able to achieve no higher than "sub" status is prevalent in Court professional circles at this time. It is an infection which can sap the strength of the "new careers" program.

Paul Kurtzman (1970:22-27) points to another, yet related, problem that all administrators of the "new careers" type programs must guard against. We call it the

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\* Project Newgate is generating some para-counselors who are facing this problem. Newgate itself is in the community, but not of it.



LINT syndrome. LINT uses ex-narcotic offenders and ex-in-on-the-know-people to set up, frame, capture, and convict narcotic users and passers. Kurtzman said in "New Careers Movement and Social Change," that in re-introducing a social action model back into the social service framework we must guard against cooling out the poor by making them "indigenous stool pigeons." In reading Pearl's and Riessman's book, we find they are well aware of this problem as far as the non-criminal poor are concerned. Another dimension is added, however, when you apply the model in a setting using "delinquent" kids. If they have been detained for any length of time they may already be embryonic "company girls," or "stool pigeons." The detention environment encourages this kind of "sharing."

Returning to our central theme, then, we would point out that every juvenile court should have as its primary goal, the identification, development and utilization of all available opportunity structures within the community. Any court that neglects this function should be suspect of harboring a strong punishment bias, or, it would appear, is guilty of disseminating negative sanctions in a random and senseless fashion. It is incumbent on a child-care agency to create opportunity structures within

the community it would serve. By create, we mean to say that the juvenile court should research and plan for the development of new careers, shelter care facilities, foster homes, guided group interaction programs, and all types of community services that might provide alternatives to the detention and incarceration of juveniles.

At this point, we will state the principal "domain assumptions" that influence the development of the paper so that it is clear where we stand on the important issues, and so that the somewhat ambiguous nature of what is to follow will be understood in terms of our sociological perspective. Society is sui generis. Individuals within society have, or should have, a basic commitment to the exchange of information with the others in society. Society can only be understood through understanding the patterns of communication which belong to it. Social control has to do with the interpersonal communication of information that make society work - that contributes to a dynamic equilibrium. Within any system, information is subject to disorganization in transit. The information we send is always received with its form distorted and content depleted. Others certainly do not receive more than is sent, either in content or form, except they cognitively distort the original information. From this perspective, then, deviance can be seen

as the "natural" phenomenon of information decay inherent in nature's tendency toward entropic disorder whenever social feedback loops are filled with static, or breakdown altogether. Deviance would be drastically reduced in society if all of us were informed, participating members.

The child should never be "treated" in social isolation. We can never be successful in locating the problem of delinquent behavior in the head of the individual actor. So long as we try to do this, we will fail to understand this kind of deviance. Feedback mechanisms effecting social control are woven throughout the fabric of society. If the individual is to live effectively, for himself and for others, he must have adequate information; he must have it free, and under no duress. In many cases, adequate information in this society is a product for exchange. Information is bought and sold on the open market like apples and bananas. Bits of useful information are communicated first to the man with price and station. Certain circuits of the societal feedback loop are jammed to those who lack coin or station. Kenneth Polk states this same idea in another way.

Ours is a nonredemptive society. Rather than seeking to bind an "outsider" more closely to the system, i.e., approach the problem of

alienation through the implementation of integrating mechanisms, we cast him further out from the community. This systematic exclusion process has the immediate effect of stigmatizing and degrading the deviant . . . \*

The manner in which we react to individual criminal deviance in our society demonstrates an assumption that the world is a sure and certain place ruled by immutable laws, and yet, we know, from history and from theory, that even law cannot escape considering uncertainty and the contingency of events, Duster (1970). Many jurisdictional laws are inequitable because they assume a freedom of choice on the part of the "offending" party, which under existing social circumstances, is not there. Even if we admit the "freedom of choice" premise has relevance in adult criminal proceedings, (which we don't), we would emphatically insist that the notion has no place in dealing with "deviant" juveniles. With this in mind, we will unfold our schema for action.

In the ideal sense, Ego and Alter represent a reciprocal system in perfect balance, in other words, in a state of dynamic equilibrium. In the real world the conditions for this relationship are more or less approximated, they are never perfectly met. Socialization of the

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\* Polk, Kenneth, Nonmetropolitan Delinquency, (1969), p. 6.

deviant actor, in our case, resocialization, if you prefer, has to do with initiating new patterns of action directed toward realigning her priorities toward a position more consistent with reality as defined by the society of which she is a functional part.\* Recall, lest the reader attach Orwellian connotations to our concept of resocialization, that we are talking about opening up channels of communication in a feedback loop with built in static resistors, making information for living available to all publics within the society+. Further, as will be developed below, it is only by providing access to all major societal institutions that we provide access to an acceptable conformity wherein our youth, in gaining their maturity, are free to pursue a nondelinquent career.

The interdependent nature of social differentiation, as well as a range of personality differences, preclude across the board egalitarianism in interpersonal relationships. Appropriate behaviors are most likely to occur when each party in a social situation is able to realistically assess her inputs into that situation and her outcomes

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\* If the child does not consider herself a "functional part" of the social unit it is more society's problem than hers. Whether we have not been speaking, or she has not been listening is moot. The feedback mechanisms whereby information is communicated to her have failed.

+ The "new-careers" program is by far the best vehicle yet devised to fulfill this function.

deriving from it, in comparison to Other's inputs into, and outcomes derived from, the same situation. To the extent that balance within a range of tolerable deviation is achieved, equitable relationships should occur. It is a general assumption that, when equitable relationships occur, higher levels of felt satisfaction occur for the concerned actors.

However, person and other do not interact in a vacuum. They look to society ("significant others," "relevant others," "generalized others") for acceptable definitions of what constitutes appropriate inputs and compensatory outcomes in social interaction. So long as our legal system, and its stepchild, juvenile corrections, define reality posthumously, society will continue to punish, alienate, and destroy the children she attempts to save.

It is crucial for us to realize that we cannot logically initiate integrative processes bent on realigning the child to a position relatively consistent with our belief structure if we initiate our process with a mandate for punishment, or, if we view them as inferiors and us as superiors. Nor can we progress with our job if we fail to understand that behavioral change in population subsets should be viewed as necessary, and at times sufficient,

criteria for cultural change. This notion is implicit in the notion of dynamic equilibrium.

In other words, it may well be that we will have to reassess our notions of what constitutes appropriate behavior in certain situations. In fact, children considered to be deviating are often acting inherently rational, given their cues and alternatives for action. Parsons has said that significant alterations in the mechanisms of motivation occur. Relatively speaking, it is possible sometimes that we are the "inferiors" and they are the "normals," and that we arbitrarily define some situations inverse to reality.

Socialization processes can institute and maintain deviant patterns for the good of the few, as well as modify or realign them for the benefit of all. This is to say that our legal system defines what is delinquent. These definitions should be open to perpetual reassessment; actually they are not. Societies approximate equitable relationships only by temporal arrangement. Thus, justice is both a source of legitimacy and the enemy of society. Our system of distributive justice, in its formal Court manifestation, not only fosters social stability, but is an agent of alienation, disintegration, and destruction.<sup>4</sup>

<sup>4</sup> Ralf Dahrendorf, principally in Class and Class Conflict, and Fred Dallmayr, "Functionalism, Justice, and Equality," Ethics, October, (1967), pp 1-14.

Another crucial point for us to keep in mind, is that much juvenile delinquency, especially of the female variety, is simply conduct imitative of widespread adult behavioral patterns considered normal in our society. We should not only abolish jurisdictionally differentiated ordinances defining appropriate behavior, we might well look at the advisability of doing away with arbitrarily imposed age barriers as sole criteria for the assessment of deviant acts. The entire concept of mala prohibita ordinances should be reviewed and changed.

We should systematically analyze our motives for the imposition of restrictive limitations on juvenile behavior, especially since our society has increasingly broadened our definition of what is acceptable and appropriate in media dissemination, as well as what is "right" in the context of our interpersonal relationships.

We should remember that within the society there has been a continual narrowing of escape mechanisms, ways of committing "appropriate" deviant actions, such as marrying early, running away to new frontiers, obtaining a supportive job at fifteen, going sexually commercial where there was demonstrated need for such services, etc. Over time we have acquired a relatively rigid code of laws to which we refer systematically, and from which we are able to generate

negative sanctions mercilessly, when we must, in order to coerce publics. At the same time, we have progressively eliminated viable, and to a degree, socially acceptable alternatives to conformity.

Getting down to cases, then, when we have fairly and objectively determined that a child is out of line, or out of touch with reality,<sup>5</sup> our first move should be one of support.<sup>6</sup> Rather than removing her from the situation (if she is not in real<sup>7</sup> physical or mental danger) out of a motive to "correct," "punish," "deter," or force conformity to a legal code, we should extend total support for the child in her present living situation whenever possible. Referring to an earlier section of this paper, we should substitute total community support for total institutionalization.<sup>8</sup> We should permit certain deviancies without encouraging them. We should refuse to reciprocate either by punishing, protecting, or by approving her deviant actions.

When we have empirically defined a baseline for analysing her behavior (which may help us double check the degree of deviance inherent in her acts) we are ready

<sup>5</sup> It goes without saying that our definition of reality must be unbiased, consistent, within limits, and non-selective.

<sup>6</sup> total support, including physical, psychological and economic.

<sup>7</sup> "Danger to self" as an unfounded allegation should be highly suspect.

<sup>8</sup> It may be somewhat difficult to make a case for "total institution" in Goffman's sense for some detention homes. However, all detention homes are potential "total institutions" by definition and description.

to sit down with the child (not "confront" her) and mutually explore a number of important areas.

What is involved in a consideration of the nature and content of her deviations; their effect on her, as she perceives it; their effect on her as we perceive it; their effect on others; possible behavioral alternatives open to her; behavioral alternatives she is willing to accept on trial? At this point, our part in the relationship should not be "parent," "counselor," or "judge." We should be one-half of a dyadic relationship, undifferentiated as much as possible by status and role considerations, bent on exploring present actions and alternative actions in terms of inputs into and outcomes deriving from social interaction. In Parsons' and Shils' framework, we are setting up a methodology whereby we can relate the motivational mechanisms of the larger society to the mechanisms of the child's personality system. In Pearl and Riessman's framework we are setting up a methodology whereby we can involve the child with the total community and involve the total community with her. We are exploring the possibility of our child's acquiring new elements of action orientation, new values, new objects of affectation, new expressive interests. Then, we are looking for ways to reinforce or

reconstruct her mechanisms of defence, whereby conflicts internal to her personality, that is, between differential dispositions and sub-systems of them are dealt with. Following this, we are identifying mechanisms of adjustment whereby processes are developed enabling the individual to learn to deal with strain and conflicts in her relations to objects, that is, to the situation of action.

While permitting the child to remain in her present living situation, we should attempt to develop, with her, potential, viable alternatives that she can accept as appropriate from her frame of reference, so long as this is possible. In order to avoid an aura of imposition, we must demonstrate that life is a process of complementary interaction of two or more actors in which each conforms to the expectations of the Other(s) in such a way that Other's reaction to Person's actions are positive sanctions which serve to reinforce her need-dispositions and thus, fulfill her given expectations.

We must work toward a community-wide framework for realistically defining appropriate rewards for voluntary commitment. We should operationalize a consistent methodology for the egalitarian distribution of these rewards.

Our manipulation of rewards should exclude the possibility of applying sanctions negatively. Our emphasis should be toward the maximization of rewards and the minimization of reward denial.

In applying these value orientation patterns to specific cases, we may assume the existence of the "basic personality," which is a function of socialization within our system. However, we must remember that broad differentiations of basic personality structure exist (among) societal types, and, narrower differentiations, by these status categories, exist within societies. Each personality is its own distinctive action system with its own functional imperatives.

Social laws are by their very nature relative. It is true (Duster, 1970) that the moral order, underlying the formation of law, is not fixed or unchangable. It follows that legal statutes, defining criminal or delinquent behavior are not absolute or immutable. They possess no elements of eternal quality. Legal rules make sense only in terms of things to which they relate.

In the design and implementation of specific programs for delinquency prevention and the reintegration of juvenile offenders (allocating to them meaningful roles within the interactive system), we should concentrate on

the needs of the delinquent rather than on the nature of her<sup>10</sup> delinquency. This is not to say that we should neglect to consider the degree of effect the child's delinquent acts have on all concerned parties. However, we stress that our consideration of "nature" or "degree" should be divorced from all considerations having to do with negative sanctioning - as they are not in juvenile court proceedings.

On the level of church philosophy, Protestant belief would have us regard the sin as offensive rather than the sinner. Transposed into juvenile philosophy, offensive elements are imputed to both the "sin" and the "sinner." When we put all our righteous effort into stomping out juvenile "sin," we forget the child with problems, or we remember her too well as a target for punishment.

Borrowing heavily from Parsons<sup>11</sup> here, it is clear that under juvenile court conditions the interactive system ideally operates to organize the motivational systems of the actors in such a way as to build up motivation to conformity with the expectations of a shared system of normative patterns. However, the court does not operate in

<sup>10</sup> The use of the term "her" reflects only the central emphasis of this paper. It would certainly be appropriate to use "him" in this statement, but not all statements, in the specific sense, above.

<sup>11</sup> Ibid, p 273.

response to "normal" conditions or acts. Court "Alters" should not expect that the application of a "normal" set of sanctions will necessarily furnish enough motivation to conformity to "bring Ego back."<sup>12</sup> When the Court (Alter) closes the door to a wide range of variability in Ego's responses, the question arises as to whether Alter's reactions are such as tend to "bring Ego back" toward the societal midline. We would suspect that, to the contrary, Alter may well motivate Ego to diverge erratically toward inappropriate extremes of a range of possible actions.

Our argument is rooted in the assumption that we must adopt the "situational ethic" in theory and practice. We must replace the rock-bound code of legal norms, from which we permit little or no deviation, or, from which we permit random and senseless deviations, with the judicious exercise of discretion that goes beyond the strict adherence to a set of legal rules for decision making toward a practical framework for implementing integrative techniques made meaningful by the application of a significant element of trained personal judgement.

<sup>12</sup> Of course, the implicit assumption is that our world is the best of all possible worlds for Ego to come back to, an assumption that needs constant critical assessment.

In relating to juvenile girls, we should begin with the criterion of their demonstrated need. We should consider the overt act only insofar as it furnishes us reliable information regarding the demonstrated need.

We must insist on greater clarity in the definition of the jurisdiction of the juvenile court. A reasonable and sophisticated definition of delinquency must be universalized so that the "powers of the tribunal" will extend only to those juveniles who clearly fall into a delinquent category.

Evidence brought before the court in a delinquency hearing should suffer the same rigorous examination as does evidence in adult court. Evidence of a problematic nature, having to do with biased perception, memory-lag, prejudice, and the like should not be admissible in juvenile court even if it can be demonstrated that formal treatment can be extended to the child in no other way but by conviction. The "for the good of the child" concept should not be grounds for finding a child delinquent.

Care should be taken in the use of the "informal assignment" procedure as a response to the Gault decision. The court has developed a method for making an "end run" around the court hearing, sometimes evading the judicial function by allowing the parents and the child to sign an

informal assignment commitment whereby they consent to come under the jurisdiction of the court without a formal hearing. Using this method, the court is permitted to "label" children delinquent without formal adjudication. It is our feeling that the informal assignment method is not amenable to the court setting and function.

Finally, juvenile workers should take a position in the community that communicates the attitude that juvenile court is not the appropriate resource for most referrals. Screening processes should be tightened up at the precinct level, and at intake so as to eliminate inappropriate admissions.

The Court should be in the forefront of a strong community effort to create reasonable and effective alternatives to detention and adjudication, i.e. New Careers programs, Day Care Centers, Family Centers, professional living situations, shelter care facilities and so on.

The professional juvenile worker should assume a philosophical position within the department and the community that communicates the sure knowledge that incarceration of children is detrimental to their health and welfare. A viable and workable change in detention philosophy can develop out of a pattern of decisive administrative



action in detention procedure and the implementation of dynamic policies. Administrative action is the key to a dynamic philosophical orientation which leads to the reordering of structural and functional priorities consistent with a changing reality. Only an aware community will provide and sustain such administrative leadership.

SPECIFIC RECOMMENDATIONS

Characteristic patterns of behavior radically differentiate disturbed adolescents. These differential behavioral patterns can be empirically shown to exist especially along age and sex dimensions. The social response, then, rather than reflecting a uniform thrust and drive, i.e., secure detention for all ages and both sexes for all kinds and varieties of criminal and non-criminal behavior, should seek the level of need as each case is referred, having an unlimited assortment of alternatives from which to make an acceptable choice according to the child's need. The concept of sentencing should be eliminated in juvenile court.

Whenever possible the detention alternative should be rejected. The community should be forced to deal with its own, in the community. In many cases, the chaotic sexuality of the female and the poorly controlled aggressiveness of the male characterizing many of the children we hold and cheat, are only reflections of the world of their referent adults.

We should rarely, if ever, detain female juvenile "offenders." Girls seldom commit crimes against victims; they are often detained as victims. Detention implies

rejection; it is the denial of opportunity; it causes moral stigmata which heals with difficulty; it deepens and gives substance to neo-deviant behavioral patterns. Detaining the girl who flaunts her chaotic sexuality places her in the same category as the young man who assaults and robs mom and pop in their grocery store.

Few girls ever require security custody for the protection of the community. By assuming the in loco parentis custody of girls whose only crime is living out a disturbed adolescence, the court presents to them, not only a contradiction, but a lie. The contradiction inheres in the act of detention without the need for secure custody; the lie is found in a philosophy that punishes the young matured for yielding to impulses that adults make little effort to control.

"ACTION ALTERNATIVES" TO DETENTION (tentative Outline)

1. Establish a formal moratorium on the detention and incarceration of female offenders. Exclude from the provisions of the moratorium only those cases where extremely serious violations of the criminal code have occurred, and then, only if it can be conclusively established in court that the offender's needs cannot be met except by detention. It would not be enough to assume, in this case, that the child might commit another crime, or might abscond from the jurisdictional area. The burden of proof should be upon the court.
2. Create a "Community Family Life Services Organization," at the state level, if possible, tying in funding mechanisms from the available sources in the community, and at the state and federal levels.
3. Coordinate all available community resources behind the "New Careers" concept (outlined in Polk, Nonmetropolitan Delinquency & Pearl & Riessman, New Careers For the Poor).
4. Abolish the juvenile court as it is presently constituted. Reassign, after the proper training procedures, the counselor, volunteer, and secretarial units to the Community Family Life Services Organization.
5. Abolish legal statutes that artificially dicotomize offenders by age. The problems of citizens under the age of twenty-one should be handled by CFLSO unless:
  - a. A criminal behavior pattern begins after the child's eighteenth birthday.
  - b. It can be conclusively demonstrated in court that CFLSO is unable to meet the child's needs.
6. Extend CFLSO services to include all juvenile "problems" of a legal and quasi legal nature.

SUMMARY

It was our purpose in this study to show (1) coed detention is illogical, (2) females should not be detained in juvenile court facilities.

Certain weaknesses in the study should be recognized.

- (1) The size of our population for survey administration was small, N=53.
- (2) The individual cells under analysis were small.
- (3) We cannot make any strict inferences from the survey data.

Certain strengths of the study should be stressed.

- (1) We addressed ourselves to the problem as a public issue.
- (2) We outlined a theoretical framework.
- (3) A diversity of methods was used to effectively underline certain problems.
- (4) Certain inferences, supportive of our propositions were made from the historical and observational data.
- (5) An outline for action was presented.

PLEASE DO NOT WRITE YOUR NAME ON THIS PAPER

AGE \_\_\_\_\_

GO TO SCHOOL? \_\_\_\_\_

SEX \_\_\_\_\_

LIVE WITH PARENTS? \_\_\_\_\_

Please indicate whether you agree or disagree with the statements below. Remember, there are no right or wrong answers.

	AGREE	DISAGREE
1. With everything so uncertain these days it almost seems as though anything could happen.	_____	_____
2. In our area it is easy for a kid to stay in school. It's up to him.	_____	_____
3. What is lacking in the world today is the old kind of friendship that lasted for a lifetime.	_____	_____
4. For us kind of kids, honest jobs don't pay very well.	_____	_____
5. With everything in such a state of disorder it's hard for a young person to know where he stands from one day to the next.	_____	_____
6. Guys and girls in this town have to have connections to get good paying jobs.	_____	_____
7. Everything changes so quickly these days that I often have trouble deciding which are the right rules to follow.	_____	_____
8. Some of the most respectable people in this part of the country make their money illegally.	_____	_____
9. I often think that many of the things our parents stood for are going to ruin before our very eyes.	_____	_____



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