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College of Juvenile Justice & Psychology
Texas Juvenile Crime Prevention Center**

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The Boston Miracle Version 2.0: The Organizing Role of Technology in the Boston Police Department's Community Problem-Solving Strategy by Jenkins.....	5
Understanding the Role and Decision-Making Process of the Juvenile Court Judge: A Descriptive Survey by Lowe, Matz, and Messer	17
The Border of Juveniles and Criminal Justice by Mellenberger	27
Delinquents After Exile: A Review of Aftercare Programs by Olson and Lee	37
The Phenomenology of the Nonsharing Environment within the Law Enforcement Community after 9/11: An Empirical Investigation by Whitehurst.....	47
An Examination of the Code of the Street in the Most Popular Rap Lyrics 2001 to 2009 by Scott and Gibson	57
Students' Perception of Application of Confidentiality in Councelling Practices in Selected Secondary Schools in Rivers State, Nigeria by Ubulom, Ubulom, and Eremie	67

The Boston Miracle Version 2.0: The Organizing Role of Technology in the Boston Police Department's Community Problem-Solving Strategy

Michael J. Jenkins
University of New Haven

The Boston Police Department (BPD), in the 1990s, successfully implemented a community problem-solving strategy to reduce juvenile violence (e.g., a 63% reduction in youth homicides between 1996 and 2000). The subsidence of the "Boston Miracle" (i.e., 160% increase in youth homicides from 2000-2006) is documented in later research. The current study follows the qualitative, case study approach. It presents the results of an analysis of twelve semi-structured, in-depth interviews with police personnel, personal observations of patrol and community meetings, and department archives. This paper shows how the BPD borrowed from the past and incorporated new technologies to implement their latest iteration of a Community Problem-Solving (CPS) strategy. It demonstrates the challenges and best practices in CPS for large, urban police departments.

Keywords: community policing, problem-solving, juvenile, technology, Boston

A review of policing in the modern United States reveals a dynamic evolution in strategy, technology, authorization, demand, function and structure (Kelling & Moore, 1988), and is defined most conspicuously by police relationships with the community. In the early years of policing in the modern United States, indignation with the corrupting closeness of police, politicians, and the public sparked drastic moves to "get the politics out of the police and get the police out of politics" (Miller, 1977, p. 11). However, the police estrangement from the community that resulted from this new Reform Era of policing came to a head in the 1960s. Riots and police inability to successfully combat crime and work with the community challenged the police to find new ways of relating to the community. Rising crime rates, the fear of crime, and emerging research on the ineffectiveness of principal police tactics (i.e., preventive patrol and rapid response) assisted the police in reappraising their profession (Kelling & Moore, 1988). The community problem-solving (CPS) era resulted, and is the period in which this study of the Boston Police Department (BPD) is situated.

Racial tensions between the BPD and its citizens mark the history of Boston's police-citizen relations. Significantly, in 1974, a federal court order to desegregate Boston's public school system resulted in riotous outbursts and racially driven assaults. The busing riots, as they came to be known, underscored police-citizen hostilities that arose from the police de-

partment's alienation from its citizens and moved the BPD closer to its CPS era. Though calls for the BPD to become more involved in the community followed, harsh police tactics and corrupt practices in the BPD continued to strain police-citizen relations (Braga, Hureau, & Winship, 2008).

In May 1991, the St. Clair Report reviewed the BPD's management and supervisory systems and recommended an overhaul of BPD's leadership to implement vast changes in hiring, training and promotional practices, strategic planning capabilities, technological innovation, CPS policing, case management, and internal affairs (St. Clair, 1992). By 1995, Commissioner Paul Evans was beginning his tenure as leader of the BPD. He oversaw the creation of a "locally-initiated, neighborhood-driven" strategic plan for neighborhood policing (which included input from police personnel, citizens, and other stakeholders) (Strategic Plan for Neighborhood Policing, 1996, p. 2). This "Boston Miracle" embodies the value of these changes and is the lens through which this research is presented.

The following questions guide this research on the BPD:

1. How does the BPD reflect a CPS organizational strategy (as evidenced by changes in their legitimacy, function, organizational structure, administrative process, external relationships, demand, technologies, tactics, and outcomes)?
2. How do BPD police personnel view the effect of this strategy on the work they do?

This research demonstrates the BPD's most recent attempts to reestablish the community and law enforcement collaborations of the Boston Miracle, in order to successfully combat rising violent crime rates (for which juveniles were again increasingly responsible). By placing the BPD experience within its recent historical context and presenting the reflections of BPD personnel, this study offers a snapshot of one police department's experience using new technologies to refocus their CPS strategy.

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Theoretical Framework

Community problem solving. Police personnel, academics, policy analysts, and the public often conceive of and operationalize CPS differently. CPS represents different tactics, philosophies, and organizational strategies to different people, sometimes even within the same police department. Terms used in discussions of CPS include, community-oriented policing, problem oriented policing, neighborhood policing and team policing. These terms encompass various policing philosophies, strategies, and tactics. CPS specifically describes the most recent era of modern policing. The term captures both the policing organizational strategy and the wide range of activities explored in this study. In conducting a case study, this research explores the BPD's police personnel's views of their CPS organizational strategy. Specifically, the role of technology and community collaborations in reducing violent crime is analyzed.

Skogan (2006a, p. 28) states, community policing is "an organizational strategy that leaves setting priorities and the means of achieving them largely to residents and the police who serve in their neighborhoods... [It] is a process rather than a product." It is a philosophy that undergirds all aspects of police operations, including how the department is organized, how police spend their time, how police measure their performance, and how police view their relationship with the people they serve. Though little evidence supports the crime prevention benefits of community policing, research examines the ability of a community oriented police department to improve their relationships with citizens and to assist them in community-based activities.

Problem-solving policing is a process by which the police department works with the community to respond proactively to a wide range of problems, and is a tactic used by community oriented police departments (Reisig, 2010). Eck and Spelman (1987) advanced and refined Goldstein's (1979) ideas in their research on the successful implementation of a problem-solving model that included scanning, analyzing, responding, and assessing (or, the SARA model). This model has become the most accepted understanding of how police departments implement problem-solving policing. Problem solving is a method used by a community-oriented department to respond to a variety of community needs. Clarke (2002) differentiates between community-oriented policing and problem-oriented policing, noting, community policing "seeks to strengthen relationships with communities and engage their assistance in the fight against crime. Problem-oriented policing, on the other hand... is mostly directed to reducing opportunities for crime through environmental changes and criminal or civil enforcement" (p. 3). Research confirms the success of police problem-solving in a number of communities and for a range of crimes and problems (Braga et al., 1999; Hope, 1994; Sampson & Scott, 2000; Braga, Kennedy, Waring, & Piehl, 2001; Weisburd, Telep, Hinkle, & Eck, 2010).

This paper adds to the knowledge of successful crime prevention by exploring the BPD experience implementing the CPS organizational strategy and by interpreting police personnel's perceptions of their specific problem-solving efforts. The

present research not only offers examples for police practitioners, but also gives police researchers, and professionals, insight into how police personnel understand and implement a CPS organizational strategy to effectively reduce juvenile violent crime.

Organizational strategy. Organizational strategy describes the business of public service agencies (e.g., the BPD) (Andrews, 2003).¹ Elements of a police organizational strategy (i.e., legitimacy, function, structure, administrative processes, external relationships, demand entrance and management, tactics, technologies, and outcomes), adapted from Kelling and Moore (1988), inform this study. Moore, Sparrow, and Spelman (1997) offer a similar typology, distinguishing between four types of innovations: programmatic, administrative, technological, and strategic. This paper explores the most pertinent aspects of the BPD's CPS strategy.

The function of a police department operating within a CPS strategy, manifests the successful establishment of positive working relationships with citizens and other community groups, in responses to lower level offenses (as defined by the community), and in connecting these relationships and responses to reductions in crime, disorder, and fear. Data on citizens' perceptions of the police department, and on citizens' compliance and cooperation with the police reflect the department's legitimacy in the community; it also suggests that how police perform their duties (e.g., procedural justice) may show to be more important than the outcomes of their work (i.e., order maintenance or crime reduction) (Tyler, 2002; Fagan & Tyler, 2004). Therefore, for police legitimacy, the traditional ways of measuring what police do, and their effectiveness in doing it, may not account for its most pertinent aspect; that is, the manner in which they fulfill their responsibilities, an integral element of the successful implementation of the CPS strategy.

A police department's relationship to its external environment refers to the department's social, political, and economic situation (specifically, the police department's access to economic resources, the political context in which the department operates, and the department's relationship with the union, the community, and other law enforcement agencies). A police department operating under the CPS organizational strategy should have a sustained, sincere, and productive working relationship with citizens and other community groups, as well as support from local politicians (Kelling & Moore, 1988). Such relationships defined the successful efforts of the Boston Miracle.

The avenues in place for an organization to receive demand for their service as well as the interpretation and management of that demand, speak to how the police department views their relationship with the aforementioned groups. Demand enters the police organization through contacts with citizens, while on patrol or in the precinct house, formal meetings and collaborations with community groups, citizen calls to 9-1-1, local politicians, or general surveillance (and crime analysis) technologies. In a CPS strategy, demand enters the organization at all levels and lines, and mid-level police personnel have the authority and resources to work within limited geographic areas to manage and

¹For a brief discussion of how corporate strategy applies to public institutions, see Kelling (1989).

respond to that demand in neighborhood-specific ways. Additionally, contact with citizens and community groups would be increased and calls for service prioritized based on seriousness and time since occurrence. Finally, avenues should be put into place by which line personnel are freed from responding to non-emergency calls for service, thus using their time in other community building and problem-solving activities.

Tactics used in the CPS era include, police-community meetings, foot patrol and arrests for misdemeanor offenses. Braga and Bond (2008) and Braga et al. (1999) discuss other effective tactics used in a problem-solving process (e.g., dealing with problem properties, civil remedies, collaborations with community groups, and environmental design changes). Police operations should include these tactics and should evidence the proper use of technologies in support of them, such as at CompStat. Though CompStat aids police departments in creating (and holding commanders accountable for) problem-solving strategies at the highest levels of the police organization, problem-solving at the line level often takes a different form (e.g., interacting with citizens, community groups, and other law enforcement or city agencies to respond to geographic hot spots of crime and disorder as determined by multiple data sources). These patrol and investigative tactics are further supported by new technologies, on a real-time, daily, and long term basis.

Nearly 60% of police agencies with 100 or more sworn personnel claim to follow some version of a CompStat process (Weisburd, Mastrofski, Greenspan, & Willis, 2004). Police departments use CompStat in various ways (e.g., as a management tool, as a problem-solving exercise, to transmit the executive leader's values to command staff, and to hold personnel responsible for using their own problem-solving skills to respond to data-derived crime and disorder problems) (Willis, Mastrofski, & Weisburd, 2007). Thus, the CompStat process (and the technologies involved in it) may directly relate to a police department's implementation of CPS.

The "Boston miracle." The Boston Miracle refers to the period in the 1990s when the BPD successfully implemented their Operation CeaseFire and Ten Point Coalition programs to dramatically reduce rising juvenile violent crime rates. As part of the Operation CeaseFire approach, community groups offered services to seriously involved gang members, while criminal justice agencies collaborated to provide assured punishment if said gang members continued on their criminal path (Kennedy, Piehl, & Braga, 1996). The Ten Point Coalition was an unprecedented collaboration between the BPD and leaders of relevant Black clergy, which lent legitimacy in the historically strained Black communities to the crime-fighting and community-building efforts of the BPD (Braga et al., 2008). These efforts, in conjunction with the citizen-initiated neighborhood-based policing strategic plan, formed the organizational and functional basis by which the police began to work with citizens to respond to an array of neighborhood-specific and citywide problems. As a result of the programs, after a steep rise in youth homicides (both as homicide victims and perpetrators) in the early 1990s, Boston saw an even greater decline in the number of homicides in the latter half of that decade. The drop in youth and adolescent homicide (victimization and perpetration) contribut-

ed overwhelmingly to this decline (Braga et al., 2008). Kennedy et al. (1996) attribute part of this decline to the collaborative efforts of academics, community groups, and federal, state, and local law enforcement agencies.

The miracle, however, did not last. Braga et al. (2008) document the breakdown in collaborations between the BPD and community groups and the coinciding increase in violent crime. With the success of the 1990s as a reference point and prelude, the current research continues Boston's policing narrative and illuminates the role of a CPS police organization in responding to citizens' needs. As violence rates fluctuated through the first decade of the 21st century, the BPD and their community partners have undergone a number of administrative, staffing, technological and strategic changes. This study will offer insight into these changes and how they were viewed by police personnel.

Method

Sample

Though scholars debate the role of CPS in lowering crime rates, a large majority of police departments have implemented some form of CPS (Skogan 2006b; Hickman & Reaves, 2001; Erickson, 1998). This paper presents the findings of an in-depth case study of the BPD to explore how one police department interprets and implements a CPS strategy to respond to violence in their community. By looking inside the elusive "black box" (Braga et al., 2004, p. 219) that often arises in evaluations of police activities, this paper illuminates the processes by which a CPS strategy can lower juvenile violence. King (2009) noted that while previous research has "disregarded the importance of history, process, and the temporal dimensions of organizations" (p. 213), the current study's review of past research, and a retrospective analysis of the department's experiences, enhance this study's contribution to the field by "including time and process" (p. 229), and "introducing an historical and temporal element to organizational studies" (p. 232).

Procedure

The BPD case study consists of semi-structured interviews; observations on ride-alongs with patrol car units; walk-alongs; inter- and intra-agency meetings; nearly 1,500 online local news articles; and unrestricted access to the BPD archival documents.² Departmental data were collected during a field orientation in spring 2009 and during intensive research visits in summer 2009 and spring 2010. The main data collection source is twelve semi-structured, face-to-face interviews with key personnel within the BPD. With the initial assistance of

²Disagreement among the various unions prompted the police commissioner to prohibit this researcher from administering a survey to their personnel. Though the Office of the Police Commissioner was willing to assist, Union representatives cite two reasons for not allowing the researcher to administer surveys (a fear that the information obtained from a survey can be used negatively against their personnel and a desire to keep their personnel from becoming "survey monkeys," expected to assist with the many requests they receive for survey data).

my department contact, a purposive and snowball sampling method was used to select interview participants from the BPD, based on their history with (and the positions held within) the department. Interview subjects consisted of the following ranks: six superintendents, three captains, one lieutenant, and two sergeants. The interview transcripts and the researcher's field notes were analyzed using the coding and node schemes offered by NVivo 8.0 (a computerized qualitative data-management program). Online news articles and BPD archives supported, refuted, and contextualized the findings.

Results

The analysis of interviews with command level personnel, BPD archives, observations of BPD personnel, and a review of online news articles clarifies the BPD's recent experience with CPS. It also reveals BPD personnel's views on their department's efforts, and offers suggestions for how the BPD re-iterated a CPS organizational strategy in response to the community's calls for the BPD to reduce violent crime. The BPD's implementation of a CPS organizational strategy is one that wrestled with their violent crime reduction goals while maintaining their CPS focus.

Function

About his first full year as Commissioner of the BPD Edward Davis wrote, "We enhanced that commitment [to community policing] by ensuring that its philosophy informed all of our decisions and guided all of our actions" (Boston Police Department, 2008, p. 3). The BPD official mission statement read, "We dedicate ourselves to work in partnership with the community to fight crime, reduce fear and improve the quality of life in our neighborhoods. Our Mission is Community Policing" (Boston Police Department, 2010, p. 2). The BPD's successes in combating youth gun violence in the 1990s epitomized for many the CPS strategy. The BPD, like many police departments, has been, at different times, more and less committed to a community policing philosophy.

The BPD personnel interviewed in this study clearly articulated the multifaceted function of the BPD. In-depth interviews with BPD command staff contextualized the BPD mission statement and revealed a community-based, neighborhood-specific, problem-solving function. The police department, through various tactics, worked with the community to define problems (ranging from loud neighbors to gun violence) and created and implemented solutions (from removing a bench from an apartment complex to arresting neighbors). The interview data reflected BPD's balance of working with the community to fight crime, reduce disorder, and improve the quality of life.

As respondent BOS_05³ first admitted, "Our mission has always been to protect the public, reduce crime." He then explained:

³These codes are used to keep the interview respondents' identities confidential and correspond to an interview log that can only be accessed by the researcher. This interview log contains respondent identifying information such as name and rank.

Where I think we're getting better is, we understand we have to deal with all the little issues too, the gang disturbances, the kids in the park, the problems of that particular neighborhood...let's address their concerns, whether it's gang caused, or kids drinking down the park...We know what the neighborhoods want by talking to them, going to the community meetings, working with their neighborhood advisory groups, and listening to them day in and day out. Community policing and problem solving in policing hot spots, it all works, but the main parts of this is dealing with the community and working with them to solve the community's problems, not just the police problems-the community's problems.

Although people often view crime control and community policing as opposites, this quote displays the BPD's recognition of the need to respond to a variety of citizen concerns, the most pressing concern being public safety. What is noteworthy, given the traditional emphasis on crime control through arrest and rapid response to calls for service, is the baseline acceptance of the need for police to work with the community in policing signs of physical and social disorder and other low-level forms of community offending.

Another respondent (BOS_01) portrayed the BPD's history with community policing as auguring the current iteration of that strategy, which relied on the crime and disorder control function of police. This foundation, he stated, brought the BPD to a clearer understanding of the many functions of the police department. He relayed:

The first basic tenet of community policing is, you got to go out there and arrest the fucking bad guys. If I'm trying to walk up and down the street and get everyone jobs and alternative programming and they're slanging dope and carrying guns and shooting kids, the community is not interested in that. They need to have the crime stopped first. Some people confuse community policing with not arresting people. The first tenant, stop the disorder and that means making arrests, and then talk to kids about alternatives.

Concerning community policing, this respondent portrayed the role of an initially strong police presence (i.e., arresting) in creating perceptions of safe and orderly neighborhoods. Respondent BOS_11 added:

An important part of [community policing] is that we arrest criminals, we want people to feel safe in their neighborhoods. That message needs to be promoted among the officers. Then, additional messages (looking at quality of life issues, problem solving with the community, and doing prevention work with youth) will really start to form nice.

These statements reflect an understanding of the role of citizens' perceptions in forming productive problem-solving relationships with the BPD and evidence their mission to reduce crime and fear and improve the quality of life, while first emphasizing the police responsibility to arrest those who break the law. Respondent BOS_05 went on to explain:

Police presence is probably the biggest that make people feel, if they see the police officer and they know the police officer on the beat, if they have a relationship with the district and they feel like they could call somebody like the community service officer, that makes people feel better.

Respondent BOS_01 explained the challenge of getting BPD officers to understand their proper function, within the community policing strategy. He states:

I have a challenge, even today, where officers feel we don't want them to make an arrest up there. That's not the case, if an arrest is warranted, it's warranted. I don't need you to arrest just for the sake of an arrest. The community sees us more problem solving in dealing with quality of life issues than they do arrest because we talk to them, we survey them. If areas with major crimes going on (whether it's homicides, ton of youth violence) and we'll survey the community and ask them what the issues are, and they'll tell us, abandon cars, speeding cars, people illegally dumping stuff. Jesus, what about the homicide? Yeah, that's a problem, but we got to get rid of these kids that graffiti up the place. So, you know, they'd rather us focus on quality of life stuff too.

Although police maintain the sole ability to enforce the law and to legally arrest a suspected lawbreaker, the community expects the BPD to also assist in maintaining order by dealing with quality of life concerns. The BPD works with the community to reduce crime and disorder, which enhances citizens' perceptions of their city and of the BPD. A biannual survey of a representative sample of Bostonians contextualizes these findings (Pulavarti, Bernadeau, Kenney, & Savage, 2007).⁴ The 2006 survey asked respondents to state how serious a problem is each of fifteen conditions listed (ranging from noise to gun usage). The top five conditions that the highest percentage of respondents listed as somewhat serious or serious included: a) litter and trash lying around; b) cars broken-in; c) drug sales; d) burglary; and e) vandalism. These problems reflect the variety (and notably nonviolent nature) of problems the BPD respond to in fulfilling their problem solving and crime and disorder reduction strategy. The data showed that the BPD did in fact work with the community to define a wide range of problems and to respond with a variety of solutions. Therefore, though the BPD functions to reduce crime, it also works to lower the fear of crime and to enhance citizens' quality of life. The BPD's use of external relationships, demand management, and other tactics and technologies are discussed below.

External Relationships

Data from this study revealed the BPD's response to quality of life concerns, thus enhancing their relationship building mechanisms from the 1990s and finding new ways of relating to and working with a number of external entities. Upon taking office, Commissioner Davis, charged by the mayor with reducing violence and enhancing community relationships, discussed his commitment to the community policing philosophy as one that is not only a "specialized program," but one that ensures all units within the BPD "operate with a community-policing philosophy" (O'Brien, 2007, p. 1). Interview and archival data posited mechanisms that support the BPD in working (and building relationships) with the community: expanding the community service officer within each district; training in the academy; a BPD blog and Twitter site; a Text-a-Tip pro-

gram; attending community meetings to receive advice and feedback about BPD efforts; and the Safe Street Teams (SST). Respondent BOS_05 commented, "We can put all these elaborate names on [these programs], theories and different strategies, but the plan is, working with the community, working with your neighbors, in development, using the resources..." These programs increase the amount and quality of the BPD's positive contacts with their citizens.

Though beat integrity and police collaboration with citizens, to define a variety of problems and responses to those problems in areas of crime and disorder hot spots, are features of the SST (discussed below) and Street Outreach Team (SOT), the remaining patrol force works under a similar neighborhood and citizen interaction focus. Respondent BOS_13 reported:

It's just talkin' to people, talkin' to the community, and listenin' to what their needs are, because just because we're the police, and we're here, doesn't mean that we know what's goin' on, and what the issues are in different communities, and the thing is, different communities have different issues, especially with a city like Boston which is very divided.

Like, in West Roxbury, their needs might be very different than Roxbury is, given the populations in those two areas. So, you have to talk to people and find out, what are their needs, not tell them what you wanna do for them, but tell me what you need from me. This will build a good relationship...Before we just went and did police work and responded to calls, then see you later! Now it's like, almost, we go to different meetings, different functions, like this [cookout] today.

In discussing the role of quality of life enforcement, and the need to place that enforcement within its proper neighborhood context, he continued, "Quality of life is number one...Every community has their own idea of what quality of life is."

Respondent BOS_09 added, "It's the quality of life issues that's driving them crazy. Not the things that happen to a particular person, but the things that affect the greatest amount of people." Working with the community to define problems generates a police response to quality of life concerns. Field Interrogation Observation (FIO) forms, Code 19's (also known as "walk and talks"), the Reporting Area Project (RAP),⁵ the SOT, SST, attendance at community meetings, a biannual survey of citizens, and data management and analysis technologies assist the BPD's efforts in measuring and implementing solutions to crime and disorder problems (as defined by the community). They also provide evidence of the BPD's efforts to reduce crime and enhance relationships with the community.

The FIO forms and Code 19's are carry overs from the 1990s push for community policing and are meant to increase the quantity and quality of police interactions with citizens. The FIO forms document these interactions and any information gained from the interaction, and Code 19's and the RAP provide ways for patrol officers to call in their time to dispatch, making the walk and talk a viable and formally acceptable method of patrol. The "relationship based" focus of the BPD improves community relationships, assists with crime prevention efforts, and helps after a crime is committed. For instance,

⁵The Reporting Area Project expands on the "walk and talks" by assigning patrol officers to small, geographic areas in which they must spend at least one hour of their patrol time interacting with citizens and solving problems.

⁴This survey was conducted just prior to Commissioner Davis' appointment to the BPD. However, the findings are still worth exploring in lieu of data from the yet to be published 2010 community survey. The 2006 data are especially relevant, given the fact that Commissioner Davis' tenure began that year. Also, presenting aggregate level survey data makes it difficult to disentangle the neighborhood level issues and concerns that this paper explores (Pulavarti et al., 2007).

respondents noted how positive relationships come into play, after an egregious crime or BPD mishap, to ease tensions in the community and to more quickly rebound from such incidents. As respondent BOS_07 stated, "There's community leaders that we could reach out to explain what happened, to ask for time to correct the situation." Observations during a walk-along in one of the SST areas revealed the genuine relationships the officer had with various people during the walk. The amount of knowledge that the officer and citizens had of each other's lives and their discussions on various community programs and detailed neighborhood happenings evidenced the authenticity of these relationships. The officer gave numerous examples of the payout of the BPD's relationships with that neighborhood. These relationships created knowledge sharing and empathy and gave officers an understanding of the social geography of those hot spot areas, thereby facilitating neighborhood-specific, community-based responses to problems of crime and disorder.

Bi-weekly Operation Impact meetings represented a more law-enforcement bend to community collaborations in which, as respondent BOS_12 explained, the BPD focuses on "high propensity kids." This signaled a return to the successful collaborative and "pulling levers" approach of the BPD that led to the Boston Miracle and evidenced the BPD's attempts to focus on high risk people and places. In cases where the BPD felt they had "done all we can with the carrot on" these repeat offenders (or, "impact points"), officers, based on information shared at bi-weekly Impact meetings, may use "minor arrests" to get a potential violent crime suspect (or victim) off the street. He further stated, "We work hand in hand with the housing officers, the Safe Street Teams, the street workers, the federal prosecutor's office... We'll work with parole, we'll work with probation-and a lot of these kids are on probation..." Though this unit (i.e., the Youth Violence Strike Force) collaborated with various agencies to provide a "carrot" to known high propensity for violence individuals, it also acted as the strong arm of law enforcement (the "stick") when information led the officers to believe that putting an individual in jail would reduce the person's likelihood of being a violent offender or victim. Arrests for a minor offense triggered a known offender's violation of probation or parole conditions and, in turn, prevented (or at least delayed) a violent act or acts. The YVSF's regular tactical-planning and information-sharing Operation Impact meetings represented the BPD's attempt to institutionalize the "pulling levers" approach of Operation Cease-Fire, made famous in the 1990s.

Demand

Building relationships with the community takes time-whether a patrol officer builds a one-on-one relationship with a citizen during a walk and talk or a detective attends a multi-agency information sharing meeting (such as Operation Impact or YVSF meetings). For most patrol officers, the time they have to put in to building relationships is secondary to responding to calls for service. Though training in problem-solving at the academy, walk and talks, the STT, the SOT, and the RAP encourage BPD officers to take time to work with the community, it remains up to the individual officer's discretion

and capabilities to use that time wisely. As one police supervisor (respondent BOS_09) told his officers:

You have to write reports, you got to answer calls, you got to bring the car over to the shop; there's all kinds of things you have to do, but ultimately, you're going to have a lot of free time. And that's going to determine the kind of police officer you're going to be, is how you handle your free time, the decision making you make, the discretion that you use, that right there is sort of like the core of the community policing, the rest you just have to put up with.

Other respondents discussed how technology (e.g., communication and CAD systems) gave supervisors a clearer picture of how their officers spent time responding to calls for service. This information gave supervisors ammunition to help their officers see that they had the time to partake in these community-building activities (when not responding to the radio). Another respondent (BOS_10), however, described the reality faced by officers who must respond to calls for service, while also trying to work with the community:

The majority of the work of the patrol officers in the cruiser is still somewhat reactive. We're trying our best to shift that over, but it's hard to do it when you have minimum staffing levels, and you have to answer X amount of calls, all day long... The way the free time is broken down, it's not spread out all as much as we would like it to be. It would be great if we just had 4 hours of calls and four hours of free time, but you get forty minutes of good time, and then 15 to 20 minutes of down time. You continue that throughout the day, and that's where you come up with your 40%. They don't really have as much free time as you would think to really go out and target some of these things. So, we're still kind of married to the radio response.

The respondent acknowledged the common perception that patrol officers had a large percentage of "free time" and pointed out that how that free time was allocated (i.e., by dispatching officers to respond to calls for service) could determine the quality of the officer's community building responses, for even the most motivated of officers.

Another way in which the BPD formally works with the community is through Constituent Response Teams (CRT). These collaborations between the BPD and other city agencies were created by Mayor Menino in 2009 and were aimed at using data on problems of disorder and quality of life to proactively and comprehensively respond to such problems. The SST and SOT, already discussed, also represent units whose main responsibility is to proactively interact with citizens to prevent (and respond to) problems. These collaborations have the authority, resources, and time to receive and manage the demand that arises for their service in their (geographic and content) areas. Respondent BOS_12 explained:

The guys in the blue and whites, the uniform guys, they do it [make referrals to other agencies] to a limited degree, just because they're busy on certain radio calls. They're not really given the same kind of leeway we have in Safe Street Teams. The Safe Street Teams are basically on the bikes, they don't get a lot of radio calls, they aren't being pulled all over the place where the uniforms, got cars, and the service calls are wrapping you up in the one man cars. So, you've got walkin' beat guys, they're comparable to the Safe Street Teams.

The respondent noted the benefit of having officers assigned to the SST and to walking beats, where they were free from responding to many calls for service. Respondent BOS_01 added:

Now we have 13 teams of six officers and a supervisor walking in the hot spot areas, all driven by our crime data, and that's it, that's their job. We don't take them and put them in the wagon, we don't take them and put them to watch prisoners one night if we're short. Every night, it's those officers. Now if they're on vacation we don't replace them, but those guys, 'You own it. You own this geographical area, you deal with everything in there. Speeding cars, drug dealing, homicides, you own it all.'

Technology and meaningfully organized data on crime and disorder hot spots served as the initial reason for allocating these resources to those specific parts of the city. A captain (respondent BOS_10) explained how direct input from the community and mapping technologies guided the BPD's ongoing allocation of resources:

I think we've gotten more into lookin' to proactive type policing where we're targeting hot spots in response to hot spots based on crime mapping, and input from other sources, the community, community meetings and complaints from the various constituents, we tend to target things in response to that.

In addition to units that have the leeway to get involved with the community, the BPD encourages all of its patrol officers to proactively work with citizens. These interactions inevitably place a demand on the officer's time—whether by stopping an individual for a low level offense in a high crime area or conversing with a local business owner about problems affecting his patrons. The Reporting Area Project and Code 19's (walk and talks) encourage all officers to take the time to get involved with the community. Respondent BOS_05 noted the difficulty in getting the personnel to understand the need to balance the radio and community responsibilities:

We're trying to make them do their Code 19's, get out, talk to people in the community, go to community meetings. It's always a fine balance between answering their radio calls and dealing with issues. But making sure they stay within their sector in dealing with their problem areas, that's what we're trying to instill now, dealing with issues and the really hot spot areas of the city at every district.

Though the BPD has specific units that problem solve with the community, the BPD is also finding ways to encourage a CPS mindset for all personnel within the organization. This section concludes with BPD tactics that indicate a CPS strategy and the technologies that support such a strategy within the organization.

Tactics and Technology

Various tactics and technologies are used to fulfill the BPD's function in the CPS organizational strategy. Respondent BOS_11 gave a brief history of the BPD's community policing philosophy, reporting that the BPD moved from an arrest-based approach in the 1980s and early 1990s to one where "we really saw the need to expand the way we viewed policing" and "we started to think more comprehensively—enforcement, intervention, and prevention, as well as forming partnerships with law enforcement agencies, the community, clergy, and the business community." Though the strength of and reliance on these tactics and collaborations have changed over time, the BPD's most recent strategies represent a return to the successful efforts of the Boston Miracle. They included, increased, formal and informal community contacts, real time data analysis, and violent and disorderly hot spots policing. The influence of bro-

ken windows policing, CompStat, and supporting technologies underscore these tactics.

Broken windows policing. Operating with a belief that relationships matter and that "small things lead to bigger things" (respondent BOS_13), the BPD instituted SST and a SOT. These teams focus police attention on the high-risk people and places that contribute to disproportionately high levels of violence. Policing low level offenses against high risk criminals and in high risk places (and using non-arrest alternatives for those offenses) assists police in sending signals of neighborhood control and may increase citizens perceptions of the BPD. Discussing the BPD's response to lower-level offending and acknowledging the need to respond to these "smaller" quality of life offenses without relying too heavily on arresting individuals, respondent BOS_10 reported, "[We use] some of the smaller issues to address some of the bigger issues."

Beginning in 2007, and borrowing from the earlier idea of "Same Cop, Same Neighborhood" (or beat integrity), and from Commissioner Davis' time as Superintendent in Lowell, MA, the SST are now involved in 13 violent crime hotspots in Boston (as directed by crime mapping techniques).⁶ Patrol officers in these teams maximize their positive interactions with citizens in high crime neighborhoods by patrolling on foot and bicycle, attending various community functions, and by working with citizens to respond to specific problems of crime and disorder. Their visibility serves not only as a deterrent to those who would wish to disturb the evolving control mechanisms in the neighborhood, but also as reassurance to citizens who expect to see a police presence and who view the BPD as a legitimate source of assistance, and as a necessary form of formal social control in otherwise disorganized neighborhoods.

Respondent BOS_05 detailed the officers' experiences as members of the SST:

... they're realizing that there's more than just runnin' and gunnin'. It's getting out there, riding bicycles, talking to people in the busier districts to working with their issues and staying in that spot where they're seeing the patterns and the times that things happen or the people who belong and the people who don't, the crimes that are happening and how they prevent them, how do they help stop them, work with different community groups, whatever issue it may be. But yeah, the younger officers always want that—they're going to always strive to maybe go to a drug unit or a gang unit or some other unit to do something different.

The deputy's excerpt corresponded to this researcher's observations of a captains' meeting, in which the captains in attendance agreed that many young officers were not suited to work with the SST because they did not appreciate the work the teams did. In other words, the captains believed the younger officers preferred the "runnin' and gunnin'" aspects of police work. The deputy's discussion also echoed observations from a meeting of the SST commanders who valued having the same officers in the same neighborhoods doing "hot spot policing," "at the problem locations and at the right times." Similarly, the captains enjoyed having officers take ownership of a small geographic location, which, they reported, allowed the officers

⁶See Braga & Bond (2008) for a more in-depth explanation of the Safe Street Teams' Lowell, MA ascendants.

to focus on and prevent specific problems of disorder and violence.

CompStat. Technologies used in CompStat, Boston Regional Intelligence Center (BRIC) and the Real Time Crime Center (RTCC), assist the BPD in measuring the outcomes of their work and in focusing police efforts on high risk people and places. Respondent BOS_11 described some new technologies and the institution of the BRIC and RTCC:

The ShotSpotter (identifies locations of gunfire), the development of the Boston Regional Intelligence Center in 2005 as a central depository for analyzing and evaluating and distributing information to the department, and, most recently, the Real Time Crime Center, which monitors different locations in the city, has had positive benefits for the department. Cameras in the neighborhoods, things like that have played a part. I think sometimes they're looked at as these new silver bullets to deal with crime, and I don't think it's that, but it's a good addition that allows for a timely response to some issues of crime in neighborhoods.

Additionally, respondent Bos_06 explained how the data gathered and analyzed by these technologies helped to focus BPD resources on hot spots:

You know what I think is pretty effective, hot spots through crime analysis. We have a unit downstairs, they take all that information as it becomes available. That information is sent back to the different commanders, they have their meetings on it. You know exactly where your problems are, you don't have to guess. Anytime something happens, we have that information right from the computer. I open up my computer now and I can tell you what's going on in any parts of the city. The hot spots know where they are, now let's develop a strategy. What do we need to do here, what's going on here. You got shots fired, got drugs, you got petty theft, you got people stealing cars and stripping them, whatever the problem happens to be, where they're happening at. And you've identified those so-called hot spots. Now you have resources. Put together a plan or strategy, how you're going to deal with it...And don't forget, always involve working with the community, you still have your community meetings, you still have your crime watchers, you still are working with a lot of your outside agencies, parole, probation, you name it.

These technologies have given the BPD detailed information on incidents. This information is then used to make decisions about tactics and resource deployment to crime and disorder hot spots.

Respondent BOS_10 explained how the real-time reports offered by the BRIC assisted his personnel in getting information from the detectives to patrol officers on a frequent basis:

The BRIC, the supervisors all read it. We have the detective supervisors, and basically their responsibility is when a flyer comes out that we're lookin' for a certain guy that pertains to our district or even remotely, they'll make up several copies, and they'll mention it at roll call. We don't so much hand it out individual, but we'll put a stack of them on the desk and they'll grab them. Watch out for this guy, watch out for that guy. It happens on robberies, happens on car breaks, or things like that. We get the information to the BRIC; they get back to us a nice flyer, with nice pictures. They'll take the crime mapping portion of it, and put that on the one piece document. We'll have a description of the problem, a little map of where it's happening, if we have any type of indication of time of day. That gets handed out and the guys, they'll take that, and it's very helpful. That's what I mentioned earlier, where it took weeks before, we could get that in hours now. In most cases, the very next day we'll get somethin' back from the BRIC. The detectives are responsible for getting that out, and they've done a great job.

When needed, the BRIC is able to get information to all relevant personnel about a specific problem place or problem person. Respondent BOS_04 gave an example of how BPD's school resource officers were able to notify BPD personnel when a school fight may have implications for violence in the street, or when an incident in the street involved gang-involved youth, which could result in school violence.

Respondents discussed other uses for these technologies; for example, computerized report writing that save officers time and in-car mobile data terminals that increase patrol officers' access to information. The time and information gained from these technologies improves the patrol response to neighborhood problems. However, respondent BOS_07 summed up the incongruity of technology's role in community relationship building:

So much of [the 'community-oriented policing philosophy] is relationship based. I mean, can we take the information the community gives us and use technology to try to categorize it and sort it and spit it back out in a meaningful way, can we develop strategies through technology? Yeah, I guess so. We can analyze crime trends and crime data and stuff like that so, I don't know. Those things are very valuable, but I don't know that they enhance community oriented policing more than just the attitude of the officer or again, about discretion of what's he going to do with his time, and the relationships that he forms...

The abilities of these technologies to receive, store and process large amounts of information is indeed valuable to police work. New technologies also give supervisors insight into how their patrol officers spend their time, which can be used to train an officer in how to spend his or her time problem solving and interacting with citizens. Nevertheless, respondent BOS_03 added, "Technology will help us, but it's really understanding your people, the people you service." Both respondents identified the danger of losing the interpersonal basis of their work and the need for officers to properly use their discretion and form productive relationships with citizens.

Finally, these technologies help the BPD in reporting their "performance statistics." For example, the SST tracks numbers of moving violations arrests, FIOs, and city ordinance violations in reporting changes in Part I and Part II crimes. With regards to the SST, the FIOs and ordinance violations "are used quite a bit because that's their strategy on the so-called 'broken windows'- the public drinking and the panhandling, along those lines" (respondent BOS_10). The BPD is still searching for ways, however, to measure the relationship building aspects of police work. As respondent BOS_03 stated, "Most of the things we measure are things that we can count. It's much more difficult to measure the intangibles."

Furthermore, respondent BOS_13 relayed, "CompStat doesn't measure the things that we're talking about, community policing type of things, and that's what [one high ranking BPD official] is trying to get to." Respondent BOS_01 added:

It's based on building relationships. Ordinarily in police work, we measure cops on how many arrests did you make, how many tags did you do, how many motor vehicle stops did you make, how many stops to people did you make on the street where you filled out a field interrogation observation form and you pat for someone (if you thought you needed to) for weapons...That's what we measure at CompStat. Where are the arrests, where are the tags, where are the FIOs? We don't measure how many

community contacts you have, how many positive things have you done for the community, how many community meetings did you attend, how many disputes did you mediate and resolved without law enforcement action being taken, how many friends have you made out there?...So then try and build a relationship with the community when their only experience with a police officer is they're getting a ticket, they're getting arrested, or they're getting tagged...No one, until recently, have we started defining good cops, the officer who's working with the kids and the community doing community service. We don't give out medals for that. We give out medals for getting guns, and engaged in shootouts and getting kilos, we don't give out medals for taking kids to summer camp, and teaching kids how to write a resume, and talking to a gang kid in a mediation out of not going over and retaliating and trying to get himself focused on positive stuff.

This respondent explained the various interactions the BPD had with its citizens and the affects of those interactions on BPD-citizen relationships. He suggested that new training, department recognition, and new ways of measuring police work could facilitate a more neighborhood-based, citizen-focused function.

CompStat does, however, help personnel to "coordinate on trends and patterns of investigations" and to "paint the big picture, the broad picture of what is going on" (respondent BOS_11) by bringing together representatives from drug and gang units, district detectives, specialized units and the uniformed branch. In addition to CompStat's role in facilitating information sharing, respondents also view it as a setting for holding commanders accountable. Respondent BOS_11 also described CompStat as fulfilling the role of an "accountability process at the district level" and as an:

Open problem process, not a punitive process, but the expectations are clear on whether it's lookin' to reduce crime by 10% or looking to how we deal with the issue of gangs, how we work with schools, whatever the priority might be for that particular district, there are discussions about what the best way to go about that is, and then make a clear message that once the meeting's over, that you've got to deal with that issue.

Respondent BOS_02 discussed both the accountability and information sharing function of the CompStat process, "I see it as accountability, but it's also good to share information with folks across the board of what's working and what's not working." All of these factors contributed to the BPD's move toward getting officers to take ownership of specific areas and indicated the BPD's focus on high risk people and places.

Discussion

This study demonstrates the BPD's continued move to a CPS organizational strategy, highlighting the department's perceptions of the relationship between CPS and crime control, and discussing the role of technology in organizing these functions. Many scholars and practitioners believe the policing profession to be operating under the precepts of the CPS strategy. Though this research displays the BPD's definite and purposeful moves toward such a strategy, it also portrays the primacy of crime control as the continued end to the BPD's CPS actions. Furthermore, this research shows how the BPD uses technology to organize and enhance its CPS activities. It also demonstrates the primacy of arrests and crime reduction as the purpose for such technologies, and cautions that the BPD

should not rely on technology at the expense of their relationships with the community. This case study of the BPD has presented the remarkable acceptance of the CPS organizational strategy as a driving force in the BPD's operations. It also suggests that the community policing philosophy that led to the Boston Miracle has been born again—a relationship based incarnation that is now being assisted by evolving technologies.

Though this study did not give evidence of the BPD's renewal of the same kind and quality of ongoing, formal relationships with community groups, it does show how the BPD has used the legitimacy and success of their past community relationships to improve their policing service. The BPD has incorporated new technologies and positive interactions with individuals in specific neighborhoods. Technology may be used to increase the BPDs number of positive contacts with citizens; organize real-time intelligence on hot spots and repeat offenders; and track the crime control effects of the BPD's CPS efforts. Commanders in this research also suggest technology be used to monitor officer's time and to facilitate more formal recognitions of officers' CPS activities.

In addition to walk and talks, SST, SOT, and RAP, the use of technology to organize and interpret large amounts of data helps to manage officers' time. It offers information to act upon and may solve accountability issues. Together, these efforts allow the BPD to manage emergency calls for their service as well as the on-going neighborhood specific problems affecting their citizens. New technologies assist department personnel in informally teaching others about this new role. Personnel within the departments show how data and communication technologies allow supervisors to explain the "who, what, when, where, why and how" of their actions, facilitating a shared understanding of their mission. It also serves as a response to officers and supervisors who would argue that there is not enough time to be involved in such CPS activities. Access to data on how officers spend their time gives supervisors the opportunity to discuss with their officers ways in which that time could be used in a manner consistent with a CPS strategy.

Respondents described the incorporation of technology, and the data they produce in the CompStat process, as assisting them in identifying trends across districts, and as enhancing the accountability of district captains. These indicate a problem-solving element at the higher levels of the BPD (though often centered on more serious crime problems) (Braga & Weisburd, 2006). At the lower levels of the organization, mostly informal interactions and the use of daily information from the BRIC encourage both the patrol and investigative units to work together in maintaining responsibility for their geographic areas. The current challenge facing the BPD is getting all police personnel to understand their role in the CPS strategy, or as respondent BOS_11 stated, "The challenge for us is just to...empower the officers at the front lines to be problem solvers within the community."

Finally, based on respondents' interviews, it is suggested that the BPD use their cutting edge technologies to better organize and highlight the CPS activities of their personnel. Issues involving supervision of police and accountability speak to the ways a police department measures their personnel's efforts and outcomes. As respondent BOS_07 noted, "You have to be

able to tell [officers] how that [change] affects their experience, how that affects their job performance, how they're going to be judged on it with meaningful metrics." People respond to what gets counted, documented, and rewarded. Using technology to create new outcomes and measurements can change the work environment for a police department's personnel. It assists the department in making tactical decisions and can even shield the police department from accusations that would hurt their legitimacy with the community (Reuss-Ianni & Ianni, 2005; Sparrow, 1988; Alpert & Moore, 1997).

Though this research contributes to the understanding of the strengths, challenges and activities facing police today, it is not without its limitations. Yin (2003) explains the value and limits of case study research. For instance, while the findings of the current research may not be statistically generalizable to all police departments, they are analytically generalizable and, therefore, useful to police departments and their leaders when deciding among possible paths on which to move their organizations (Yin, 2003). Nonetheless, this study presented the findings of a case study of a police department widely recognized for both its CPS and technological endeavor. It serves as an example for police and criminal justice professionals as they continue to recognize the role of neighborhood-specific, quality of life enforcement, and new technology in maintaining legitimate working relationships with citizens to prevent crime in the current era of policing.

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Understanding the Role and Decision-Making Process of the Juvenile Court Judge: A Descriptive Survey

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The role and decision-making process of the juvenile court judge continue to remain important areas of both research inquiry and judicial practice. These areas, however, have remained understudied within the research literature. The current study attempts to extend the research surrounding this topic by surveying a sample of juvenile court judges (n = 40) from Kentucky. Judges were asked to respond to a series of questions to gauge their attitudes and perceptions on factors that influence their decision-making processes, as well as how they define their role in the juvenile court system, with the goal to inform judicial research and practice for the betterment of juvenile justice. Our findings suggest that judges perceive their roles as being unique and distinct from their counterparts in adult criminal court, and that judges place a great deal of weight on individual behaviors of juveniles in making disposition decisions. Strengths and weaknesses of this study are discussed, in addition to areas for future research.

Keywords: judges, juvenile justice, judicial roles, decision-making, survey

The role of the juvenile court judge has undergone significant changes over the years, and it seems these changes have been driven mainly by changes in the juvenile court system. Since its inception, the juvenile court has placed emphasis on the offender and his or her rehabilitative needs in contrast to the adult courts' emphasis on the offense and a "just deserts" judicial philosophy (Farnworth, Frazier, & Neuberger, 1988). This changed in large part, however, with *In re Gault* (1967) when the U.S. Supreme Court (the Court, hereafter) granted numerous constitutional rights to juveniles, more consistent with adult rights, which many believe has moved the juvenile court towards operating like criminal court (Hemmens, Steiner, & Mueller, 2004; Sanborn, 2001). The Court further reiterated the need for juvenile court judges to operate as impartial fact-finders, more so than parental figures. *In re Winship* (1970) raised the burden of proof necessary for adjudication from "preponderance of the evidence" to "beyond a reasonable doubt." Despite these changes, many of the workers in juvenile justice still feel the rehabilitation of juvenile offenders should remain the juvenile court judge's top priority (Bazemore &

Feder, 1997; Cullen, Latessa, Burton, & Lombardo, 1993; Sanborn, 2001; Whitehead & Lindquist, 1992).

Similarly, the decision-making process of the juvenile court judge has undergone changes over the years as well. Although there are many people whose decisions will impact juvenile justice, none are more pronounced and set the tone for the system at large as the juvenile court judge (Edwards, 1992). Beyond the judge's impartial legal fact-finding role, the juvenile court deviates somewhat from this purpose to include the general welfare and well-being of the offending juvenile. This may involve consideration of services or treatment to be rendered in order to best meet the needs of the juvenile. In many respects, the juvenile court judge serves as a "gatekeeper" for youth to access various social service organizations, detention centers, community corrections, and correctional institutions. The ways in which the judge handles delinquency sets the precedent for responses from other justice professionals in the field (e.g., police, probation, etc.) and, unless contested by a court of equal or greater authority, will remain the standard for juvenile case processing.

What the juvenile court judge perceives as his or her role in the court system, and the factors that influence the judge's decision-making process in handling cases, remains important areas of both research inquiry and judicial practice. These areas, however, have remained understudied within the research literature. The current study attempts to extend the research surrounding this topic by surveying a sample of juvenile court judges. Judges were asked to respond to a series of questions to gauge their attitudes and perceptions on factors that influence

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their decision-making processes, as well as how they define their role in the juvenile court system, with the goal to inform judicial research and practice for the betterment of juvenile justice.

Role of the Juvenile Court Judge in a Dynamic System

Juvenile court was created as a separate entity from adult criminal courts amidst the recognition that youth are developmentally different from adults (Lewis, 1999). Judges typically handle a wide range of cases to include child custody and support, truancy, and delinquency. The court has typically rested on the notion that delinquent youth are more amenable to treatment and rehabilitation than adult criminals, which has created a separation function, if you will, of the court altogether. With this as a focal point, the juvenile court developed with an emphasis on rehabilitation as opposed to punishment and incapacitation as has been traditionally found in adult criminal courts (see Bartollas & Miller, 1994; Krisberg, 2005; Parry, 2005; Siegel, Welsh, & Senna, 2006).

Despite its early premise, however, the juvenile court has suffered criticisms that the courts are, at times, "too soft" on offenders, which has led to a greater emphasis on "criminalization" of offenders in juvenile court. As a result, changes in state legislatures have altered the juvenile courts' scope, diminished its discretionary powers, and hardened its punitive practices (Arthur, 1998; Lewis, 1999). For example, in *Wilkins v. Missouri* (1989), the Court did not find the death sentence of a 16-year old to be unusually cruel or unconstitutional despite not finding a similar sentence since 1959 (Hurst, 1999). As with any decision made by the Court, the *Wilkins v. Missouri* decision set a precedent for future harshness.

Additional evidence can be found at the state level. In the mid-to-late 1970s, New York State made various revisions to its felony statutes to encourage the practice of giving harsher sentences to offenders in the juvenile court system, including sentencing juveniles to five years of incarceration for certain felonies and reclassifying any offender age 13 or older charged with a class A or B felony as criminal. Similarly, Florida was one of the first states to implement a mandatory waiver for juveniles to be transferred to adult court.

The change in focus from rehabilitation to criminal accountability was motivated by a growing perception of youth violence across the country. From the early 1980s to the 1990s, arrest rates for juvenile crimes increased by an alarming 41% (Hurst, 1999). Though adult arrest rates increased at a similar rate (43%) over the same time period, there was a stark increase in juveniles charged with homicides of 93%, compared to the adult homicide increase of 11%. This increase garnered much attention and legislative changes were put into motion that still affect juvenile courts today despite changing trends in juvenile homicide since the mid-1990s. This philosophical shift in policy clearly has an influential impact on judicial practice. For example, how have changes in policy altered judicial decision-making, if at all? Are judges predisposed to be harsh towards juveniles or does a *parens patriae* philosophy pervade? How have dynamic factors such as prior record, gender, race, and perceptions of youth coalesce to form the crux of a

judicial decision? Answers to these questions require further inquiry by researchers.

Factors that Influence Judicial Decision-Making in Juvenile Court

The factors that impact the decision-making process of the juvenile court judge are wide-ranging. Research has found interesting relationships between specific factors and the outcomes of delinquency cases. For instance, legal factors such as the severity of the offense and history of detention placements are consistently more predictive of severity in dispositions than other social and situational factors (Applegate, Turner, Sanborn, Latessa, & Moon, 2000; Bortner & Reed, 1985; Campbell & Schmidt, 2000; Leiber & Mack, 2003; Leiber & Stairs, 1999; Schwalbe, Hatcher, & Maschi, 2009; Wu, 1997). A juvenile's prior record in general has been found to be a strong factor to impact decision-making among judges (Champion, 1989; Butts, 1997; D'Angelo, 2002; Nimick, Szymanski, & Snyder, 1986; Rubin, 1985; Torbet et al., 1996).

Demographic characteristics have been shown to have an impact on juvenile justice decision-making as well. In the case of gender, scholars have found girls to receive more restrictive dispositions than boys, although females with severe family problems and substance abuse issues typically receive less restrictive sanctions than males (Schwalbe et al., 2009). With regard to race, African American youth are also at risk of more severe dispositions than European American youth (Bishop & Frazier, 1988, 1996; Leiber & Fox, 2005; Schwalbe et al., 2009). Specifically, African American males who are older and living in impoverished home environments have been found to receive more severe dispositions (Poole & Regoli, 1980).

A youth's risk to public safety, responsiveness to rehabilitation, and availability of treatment has been found to be influential as well (Shook & Sarri, 2007). Some research has found that juveniles with a history of alcohol and drug abuse are more likely to receive harsher dispositions (Campbell & Schmidt, 2000; Fader, Harris, Jones, & Poulin, 2001; Schwalbe et al., 2009). In addition, Campbell and Schmidt (2000) found the parent-child relationship, parental substance abuse, parental supervision, and prior involvement with child protection is associated with institutional placement. Fader et al. (2001) also found maternal substance abuse, history of family violence, and history of dependency referrals to be related to institutional placement. Moreover, several studies have found that the amount of prior services utilized and a history of chronic offending were predictive of disposition severity (Sanborn, 1996; Lyons, Baerger, Quigley, Erlich, & Griffin, 2001; Schwalbe et al., 2009). Finally, factors such as the parents' willingness to cooperate and the youth's responsiveness to rehabilitation can also have some effect on judicial decisions (Applegate et al., 2000). The juvenile court judge's own demographic characteristics (e.g., race, gender, political beliefs, etc.) have been shown to lead to discrepancies in judicial decision-making (D'Angelo, 2002). Other research suggests that the more years a judge has served on the bench the more their decision-making tends to be more punitive (Sanborn, 2001; Schumacker & Anderson, 1979; Susman, 1973)

In furtherance of the literature pertaining to the role of juvenile judges and their decision-making processes, this study examines the perceptions of a sample of juvenile court judges from Kentucky. A series of items were constructed to gauge judicial perceptions of various factors, informed by the literature, known to influence decision-making. Given this, several research questions guided the construction of the survey items and the study altogether:

1. How do the judges generally view juvenile justice matters, including the interventions used to deter future delinquency?
2. What factors do the judges consider important in making decisions at dispositions for cases involving juvenile offenders?
3. What factors external to the court do the judges perceive as affecting the amount and use of their judicial discretion?
4. How do juvenile court judges conceptualize their role in the juvenile court system; that is, should judges espouse a *parens patriae* disposition or focus strictly on accountability more consistent with adult criminal courts?
5. Finally, how do the judges' own demographic factors impact their decision-making processes?

Method

Sample

The sample of this study is comprised of Kentucky district court judges. In Kentucky, district court judges handle juvenile matters, city and county ordinances, misdemeanors, violations, traffic offenses, probate of wills, arraignments, felony probable cause hearings, small claims and civil cases involving \$4,000 or less, voluntary and involuntary mental commitments and cases relating to domestic violence and abuse (Kentucky Court of Justice, n.d.). Between July and September of 2009, all district court judges who held judgeships across the state's eight regions and 60 districts ($n = 103$) were sent an invitation letter via postal mail to participate in an online survey. Contact information for all judges in the state is in the public domain. The names and mailing addresses for the judges were obtained on the website of the Kentucky Court of Justice. In addition, all judges who were currently enrolled in the state's senior judge program (i.e., retired judges who fill open judgeships) and who had experience as a judge in district court matters ($n = 65$) were invited to participate in the survey. The contact information for judges in the senior judges program cannot be accessed via a public web domain. In order to obtain this information, the researchers contacted the Kentucky Administrative Office of the Courts (AOC). The names and mailing addresses for these 65 judges were provided by an AOC employee.

Of the final original sample ($n = 168$), approximately 40 participants provided a usable survey, which yielded an overall response rate of 23.8%. Such a low response rate was surprising, as the researchers implemented a methodology similar to Dillman's tailored design method (see Dillman, Smyth, & Christian, 2009). Initially, informative letters were sent via postal mail to the eight chief regional district court judges across the state. The primary purpose of the letters were to inform these judges of the forthcoming commencement of the study in case any judge within their district posed questions or

concerns to them upon receiving the invitation to participate in the study. As the first follow-up, invitation letters were sent via postal mail to all of the respondents in the sample. These letters provided the link to online survey for the respondents to complete. All respondents were provided with unique identifying numbers in order to track the completed surveys. All respondents who had not completed the online survey were then sent postcard reminders via postal mail. As a final point of contact, invitation letters were once again sent to all non-responsive respondents via postal mail.

Table 1 (below) provides the descriptive statistics of the sample. The sample was mostly male (72.5%), white (92.5%), married (95.0%), and between the ages of 45 and 59 (67.5%). Approximately 90% of the sample had children. Respondents varied to some degree across their political beliefs at the time of completing the survey. Over a third of the sample (37.5%) indicated their political beliefs as "somewhat liberal," while about one-third of the respondents (32.5%) reported their political beliefs as "moderate." Eleven respondents (27.5%) reported their political beliefs as either "somewhat conservative" or "very conservative." Interestingly, most of the respondents were retired judges in the senior judges program (40.0%). About half of the sample (47.5%) indicated having practiced law less than 10 years prior to becoming a judge, while a majority of the respondents (62.5%) reported having been a judge for well over a decade and, in some cases, about three decades. When asked about the types of positions they held throughout their professional careers prior to becoming a judge, nearly all of the respondents indicated having worked in a private law practice (95.0%). In addition, about one-third of the sample reported having working either in the adult criminal justice system (30.0%) or juvenile justice system (30.0%). Finally, when asked whether they would like to continue to serve as a judge in juvenile court, many of the judges reported wanting to remain in this role throughout the duration of their careers (59.0%).

Measures

The measures used for this study were developed based on previous studies of the decision-making processes of judges and probation officers in the juvenile justice system (Lowe, Dawson-Edwards, Minor, & Wells, 2008; Sanborn, 2001; Sarri et al., 2001). The survey was comprised of four areas of data. The first area pertained to the respondents' general views on juvenile justice and the types of state and community intervention that juvenile delinquency might require, in addition to the respondents' opinions on factors that help juveniles turn away from further involvement in delinquency and crime. Respondents were asked to indicate how much they generally agreed or disagreed with approximately 20 statements to assess their general views. Their responses were measured using a Likert scale ranging from "strongly disagree" (= 1) to "strongly agree" (= 5). Respondents were also asked to rate the importance of 10 factors in helping juveniles turn away from further involvement in delinquency and crime. The respondents rated the factors using a Likert scale ranging from "not important at all" (= 1) to "very important" (= 5).

Table 1.
Descriptive Statistics of Sample

Variable	N (%)
Gender	
Male	29 (72.5)
Female	11 (27.5)
Age	
30-44	9 (22.5)
45-59	27 (67.5)
60-70	4 (10.0)
Marital Status	
Married	38 (95.0)
Separated	1 (2.5)
Divorced	1 (2.5)
Race/Ethnicity	
White	37 (92.5)
Black	1 (2.5)
Other	2 (5.0)
Have Children?	
Yes	36 (90.0)
No	4 (10.0)
Current Political Beliefs	
Very Conservative	2 (5.0)
Somewhat Conservative	9 (22.5)
Moderate	13 (32.5)
Somewhat Liberal	15 (37.5)
Very Liberal	0 (0.0)
Formal Job Title	
Retired Judge	16 (40.0)
District Judge	15 (37.5)
Chief District Judge	3 (7.5)
Vice Chief District Judge	6 (15.0)
Chief Regional District Judge	0 (0.0)
Number Yrs Practiced Law Prior to Judgeship	
1-10	15 (37.5)
11-20	19 (47.5)
21-30	6 (15.0)
Work Prior to Judgeship	
Prosecutor?	23 (57.5)
Public Defender?	14 (35.0)
Private Law Practice?	38 (95.0)
Adult Criminal Justice System?	12 (30.0)
Juvenile Justice System?	12 (30.0)
Social Service Agency?	2 (5.0)
Other Professional/Voluntary Activities?	19 (47.5)
Job Satisfaction - Continue to Serve as Judge in Juvenile Court	
Duration of Career	23 (59.0)
Beyond Current Term, Evaluate Re-Election	1 (2.5)
Complete Current Term, Not Seek Re-Election	0 (0.0)
Retired Judges' Program	15 (38.5)

The second area of the survey pertained to the respondents' opinions on factors they considered in making decisions at dispositions for cases involving juvenile offenders. Respondents were asked to indicate how much they generally agreed or disagreed with 13 statements to assess the factors they considered to be critical at the time of dispositions. Their responses were measured using a Likert scale ranging from "strongly disagree" (= 1) to "strongly agree" (= 5). Additionally, respondents were asked to rate the importance of 22 factors in helping make decisions for adjudicated juvenile offenders in most cases. The respondents rated the factors using a Likert scale ranging from "not important at all" (= 1) to "very important" (= 5).

The third area of the survey pertained to the respondents' opinions on factors external to the court that may affect the amount and use of judicial discretion, in addition to the respondents' opinions on the role of the juvenile court judge. The judges were asked to indicate how much they agreed or disagreed with six statements to assess the factors they deemed to affect, or to not affect, the amount and use of judicial discretion. Their responses were measured using a Likert scale ranging from "strongly disagree" (= 1) to "strongly agree" (= 5). Respondents were also asked to indicate how much they agreed or disagreed with 12 statements to assess their opinions on the role of the juvenile court judge again using the five-point Likert scale.

Several factor-weighted attitude scales were created based on the items from these three areas of data using principal components factor analysis. The formation of the scales was guided in part by previous research, as mentioned above (Sanborn, 2001; Sarri et al., 2001). Two scales were created based on the judges' orientations toward juvenile justice. *Punitive orientation* is a nine-item additive scale, ranging from 16-35 ($\alpha = .75$), computed to represent factors in which respondents' degree of punitiveness could be ascertained (see Appendix A for all scales). *Rehabilitative orientation* is also a nine-item additive scale, ranging from 26-40 ($\alpha = .71$), computed to represent factors which respondents deemed important and statements with which respondents agreed that were more generally rehabilitative.

Four scales were created based on factors the judges' considered when making disposition decisions on juvenile offender cases. *Legal* is a three-item additive scale, ranging from 10-15 ($\alpha = .61$), computed to represent legal factors which respondents considered important when making disposition decisions. *Victim* is a four-item additive scale, ranging from 13-20 ($\alpha = .64$), computed to represent factors related to the victims of delinquency and crime which respondents considered important when making disposition decisions. *Individual behavior* is also a four-item additive scale, ranging from 14-20 ($\alpha = .67$), computed to represent factors pertained to the attitudes and behaviors of juvenile offenders which respondents deemed important when making disposition decisions. Finally, *family* is a three-item additive scale, ranging from 10-15 ($\alpha = .66$), computed to represent factors related to juvenile offenders' families which respondents deemed important when making disposition decisions.

Two final scales were created based on factors the judges thought may affect judicial discretion. *Legal code and resources* is a three-item additive scale, ranging from 6-15 ($\alpha = .59$),

computed to represent factors related to the juvenile code and appropriate, available resources which respondents indicated may affect judicial discretion. *Politics and public opinion* is also a three-item additive scale, ranging from 3-14 ($\alpha = .67$), computed to represent factors related to politics and public opinion which respondents indicated may affect judicial discretion.

The final area of the survey pertained to demographic and background information of the respondents. Table 1 provides many of the variables under this area. General demographics included: age as of last birthday in years; sex (male = 1, female = 2); race/ethnicity (African American/Black = 1, Non-Hispanic Caucasian/White = 2, Hispanic/Latino = 3, Asian American/Asian = 4, American Indian = 5, other = 6); marital status (single = 1, married = 2, separated = 3, divorced = 4, widow/widower = 5); no children (no = 0, yes = 1); number of children under age 6; number of children between ages 6-10; number of children between ages 11-15; number of children between ages 16-20; number of children ages 21 and over; field of study of Bachelor's degree; field of study of Master's degree, if applicable; and current political beliefs (very conservative = 1, somewhat conservative = 2, moderate = 3, somewhat liberal = 4, very liberal = 5). Additional background information gathered on the respondents included: type of college/university where law degree was received (public = 1, private = 2); formal job title (retired judge = 1, district judge = 2, chief district judge = 3, vice-chief regional district judge = 4, chief regional district judge = 5); length of time respondents practiced law prior to becoming judges, in years; length of time respondents have been judges, in years; worked as a prosecutor prior to or in addition to your duties as judges (no = 0, yes = 1); worked as a public defender prior to or in addition to your duties as judges (no = 0, yes = 1); worked in a private law practice prior to or in addition to your duties as judges (no = 0, yes = 1); worked in the adult criminal justice system prior to or in addition to your duties as judges (no = 0, yes = 1); worked in the juvenile justice system prior to or in addition to your duties as judges (no = 0, yes = 1); worked in a social service agency prior to or in addition to your duties as judges (no = 0, yes = 1); participated in other professional or voluntary activities involving child caring, development, or youth services prior to or in addition to your duties as judges (no = 0, yes = 1); and how long would respondents like to continue serving as judges (duration of career = 1, beyond current term and evaluate seeking re-election = 2, finish current term and not seek re-election = 3, retired judges' program = 4).

Analysis

Analysis of the data was performed using the SPSS[®] version 18 data analysis and statistical software program. Due to the small sample size in this study, we were unable to use advanced and multivariate statistical techniques to examine the relationships between the data; thus, we performed descriptive and, where applicable, bivariate analyses on the data. The primary goal of the data analysis was to examine the variation in how the respondents perceived their roles as juvenile court

judges. A secondary goal of the analysis was to examine the bivariate relationships between the factor-weighted attitude scales and selected demographic and background variables. In the end, the underlying intent was to gain a better understanding of the respondents' attitudes and perceptions regarding their roles and decision-making processes as judges in the juvenile court system.

Results

Building on previous research (Sanborn, 2001), the primary goal of the data analysis was to examine the variation in how the respondents perceived their roles as judges in the juvenile court system. The respondents' perceptions were assessed by asking them to respond to 12 statements; these statements were then categorized into three areas. Table 2 provides the means and standard deviations of the 12 items as categorized into the three areas.

The first area was comprised of six items that pertained to the special roles, conflict, and concerns of juvenile court judges. Respondents were first asked whether they believed the role of the juvenile court judge should be different than of the judge in adult criminal court. The respondents overwhelmingly agreed ($\bar{X} = 4.05$) that their roles as juvenile court judges should be different from adult criminal court judges. This finding was reinforced when respondents were asked whether there is anything special about the role of juvenile court judges, as they disagreed ($\bar{X} = 2.08$) with the provided statement, "There's nothing special about a juvenile court judges' role." Additionally, respondents undeniably agreed ($\bar{X} = 4.38$) that it is good practice for judges to study each case on an individual basis. These responses collectively seem to indicate that the judges perceived their roles as unique in the juvenile court and that their approach to cases should be systematic. Interestingly, respondents were mixed ($\bar{X} = 3.49$) in their responses to whether the best interest of the youth should be the paramount concern. They were also mixed on whether judges typically experience role conflict ($\bar{X} = 2.80$) and whether judges should always follow the juvenile code ($\bar{X} = 3.20$), although the former had the most variation ($SD = 1.04$) among the six items.

The second area was comprised of only two items, although they represented the special relationships, status, and training of juvenile court judges. When asked about the training of juvenile court judges, respondents disagreed ($\bar{X} = 2.23$) with the statement, "'Special training' is not needed for juvenile court judges." Such an overall response by respondents within the sample was indicative of their favorability for juvenile court judges to undergo specific training to conduct their judicial duties in the most effective ways. Respondents were also asked whether judges should be more involved with opposing counsel and juvenile probation officers; they were mixed ($\bar{X} = 3.37$) in their responses, which may mean they believed they were involved enough or that they preferred to remain neutral with all members of the courtroom workgroup.

Table 2.
Means and Standard Deviations of Judges' Perceptions of their Roles (N=40)

Variable	Mean	SD
Special Roles, Conflict, and Concerns		
Role should be different than in criminal court	4.05	0.82
Best interest of the youth should be paramount concern	3.49	0.97
Judges typically experience role conflict	2.80	1.04
Judges should always follow the juvenile code	3.02	0.97
Nothing special about juvenile court judge's role	2.08	0.92
Good practice for judge to study each case on individual basis	4.38	0.59
Special Relationships, Status, and Training		
"Special training" is not needed for juvenile court judges	2.23	1.10
Judges should be more involved with opposing counsel and PO	3.37	1.10
Types, Power, and Needed Changes		
Judges have too much power in juvenile court	1.73	0.55
Different types of judges appear in juvenile court	3.95	0.86
Should be more uniformity and consistency across judges	3.18	0.93
Not enough oversight of juvenile court judges	2.20	0.76

Note. Range of Mean: 1 = Strongly Disagree; 2 = Disagree; 3 = Neutral; 4 = Agree; 5 = Strongly Agree

The final area of examining the respondents' perceptions of their roles was comprised of four items that pertained to the types and power of judges in juvenile court, as well as needed changes among judges in juvenile court. Respondents strongly disagreed ($\bar{X} = 1.73$) with the statement that judges have too much power in juvenile court, while most of the judges agreed ($\bar{X} = 3.95$) that different types of judges appear in juvenile court. So while judges in general do not bestow a great deal of power in the juvenile court system, there is a variation among the orientations and judicial styles of judges in the courtroom.

A secondary goal of the data analysis was to examine the bivariate relationships between the factor-weighted attitude scales and selected demographic and background variables. This allowed us to gain a better understanding of whether statistical associations existed between the respondents' judicial orientations, the factors they deemed important at the time of disposition decisions, the factors they believed affected judicial discretion, and certain demographic and background variables. Table 3 provides the Pearson bivariate correlation matrix between these variables. As would be expected, respondents with rehabilitative orientations were less inclined to also have punitive orientations with regard to their judicial approach. Respon-

dents who indicated that factors relating to victims' rights are important in making decisions at juvenile dispositions tended to take on more punitive orientations. The individual behaviors and attitudes of juveniles, such as their attitudes and demeanors toward intervention efforts and school performance, appeared to be among the most important factors that respondents considered in making disposition decisions; that is, in relation to other factors. For instance, respondents who favored the individual behaviors and attitudes of juveniles also considered factors relating to a youth's family, victims' rights, and legal factors as important in making disposition decisions. With regard to the selected demographic and background factors, surprisingly, there were not any statistical differences between the respondents' ages or gender. Statistical significance was reached, however, regarding the respondents' political beliefs and the number of years they have held a judgeship with the attitude scales. Respondents who indicated more liberal political beliefs were less inclined to have a punitive orientation, nor consider victims' rights as entirely important in making disposition decisions. Finally, respondents who had served longer times as judges were more likely to be older and have liberal political beliefs.

Table 3.
Cohen's *d* Effect Size Difference Scores

Variable	1	2	3	4	5	6	7	8	9	10	11	12
1. Punitive Orientation	--											
2. Rehabilitative Orientation	-.374*	--										
3. Victims' Rights	.572**	.045	--									
4. Individual Behavior	.209	.235	.522**	--								
5. Family	.037	.205	.204	.593**	--							
6. Legal Factors						--						
7. Legal Code and Resources	-.070	-.009	.242	.220	.064	.213	--					
8. Politics and Public Opinion	.035	.008	-.103	-.284	-.114	-.078	.017	--				
9. Age	-.014	.218	-.062	.033	.018	.101	.022	.178	--			
10. Gender	-.133	.215	.100	.084	.112	.267	-.186	-.008	-.304	--		
11. Political Beliefs	-.580**	.234	-.476**	-.081	.032	.124	-.216	.029	.295	.153	--	
12. Years Been Judge	-.179	.111	-.185	-.078	-.174	.020	.258	.061	.559**	-.86	.383*	--
M	2.94	3.75	4.13	4.24	4.25	4.42	3.17	2.56	52.30	1.28	3.05	12.98
SD	0.52	0.41	0.46	0.43	0.46	0.40	0.79	0.77	8.26	0.45	0.92	7.85
Range	1.8-3.9	2.9-4.4	3.3-5.0	3.5-5.0	3.3-5.0	3.3-5.0	2.0-5.0	1.0-5.0	33-70	1-2	1-4	1-29

Note. **p* < .05; ***p* < .01

Discussion

This study began with the focus to gauge a sample of judges' attitudes and perceptions on factors that influence their decision-making processes, as well as how they define their role in the juvenile court system, with the goal to inform judicial research and practice for the betterment of juvenile justice. Our analysis produced several points of interest in relation to this focus. Firstly, the judges who comprised our sample indicated that the role of the judge should be undoubtedly unique and distinct from their counterparts in adult criminal court. This supports the limited research that has investigated the perceptions of juvenile court judges with respect to their roles in juvenile court proceedings (see Sanborn, 2001). The characteristics that should constitute the juvenile court judge's role, however, remain somewhat unclear from our data. We can only surmise that judges should study each case on an individual basis, thereby possibly investing more time and exhausting resources than judges in adult criminal courts. Obviously, such a conclusion cannot be generalized to represent the perceptions of juvenile court judges, altogether. Thus, further research needs to be conducted in order to continue to investigate this inquiry.

Secondly, somewhat in relation to the characteristics that comprise the juvenile court judge's role, the judges in our sample indicated that "special training" would be beneficial to juvenile court judges. As we did not clearly define "special training," we were left with yet another area for future research to explore. One way to gain a better understanding of such train-

ing is to develop a survey question that asks judges to rate the level of importance for a number of different factors that are necessary for judges to effectively manage cases in the juvenile court. Future research should also continue to investigate role conflict among juvenile court judges and their relationships between other courtroom workgroup members, such as attorneys and juvenile probation officers. It seems by further investigating these areas we will eventually be able to more accurately depict the underlying role of the juvenile court judge.

This study was also interested in learning more about the factors that influence the decision-making processes of juvenile court judges. By examining the relationships between the respondents' judicial orientations, the factors they deemed important at the time of disposition decisions, the factors that affect judicial discretion, and certain demographic and background variables, we were able to gain a better understanding of such decision-making processes. For instance, we found that judges believed the individual behaviors and attitudes of juveniles are among the most influential with regard to making disposition decisions. This is consistent with the finding of the respondents stressing the need for juvenile court judges to individualize cases, rather than having a fairly discrete approach in determining appropriate outcomes for juvenile offenders. Overall, it seems the judges in our sample believed in the practice of taking comprehensive approaches in making decisions in the juvenile court. This finding seems to hold true with the nature of the contextual factors and dynamics that are evident with juvenile court cases, such as family relationships,

the offenders' legal history, and the nature of committing offenses (e.g., was anyone hurt?).

With respect to the demographic and background variables, although we were not surprised that the respondents' gender did not impact the decision-making processes of judges, we were surprised that statistical significance was not achieved for age. We hypothesized that age, along with the number of years that respondents have served as judges, would influence the decision-making processes; as those judges who are older and with more experience in the courtroom would have a different approach in making decisions for cases. Of course, this may be a result of our sample. Future research should continue to examine this issue, among others discussed above.

The drawbacks of this study are noteworthy. Our small sample size, as a result of a low response rate on the survey, was not ideal. This greatly limited our ability to examine the relationships among the variables statistically, which had weight on the conclusions that we may draw from our research. It may be that judges are a secretive population to survey and they have difficulty in providing information about their job duties and processes, as they deal with sensitive materials; therefore, face-to-face interviews may just be the most appropriate methodological technique for collecting data from this population. Furthermore, of the respondents who comprised the sample, a sizable number of judges surveyed were retired. This may have been due to the lack of time constraints among retired judges. This may have greatly influenced the overall responses to the survey among the sample. Future research should develop more rigorous methods in collecting data from juvenile court judges, specifically survey data. This is an area of scholarship that needs further investigation in order to address more high-level research questions, as was attempted in this study.

Another drawback is with respect to the measures used in this study. Although we built upon previous research to develop many of the measures employed in the survey, some of the measures seemed incomplete in overcoming the ambiguity surrounding the roles and decision-making processes of juvenile court judges. For instance, rather than simply asking whether juvenile court judges need to undergo "special training," researchers should ask the possible factors that comprise such training, as described above. Again, this may be an issue of methodology where interviews would work better than surveys. Only future research will be able to answer these questions and concerns.

The roles and decision-making processes of juvenile court judges are undeniably important for the purposes of case processing and outcomes in juvenile court and the juvenile justice system. Unfortunately, research is limited in this area and is deserving of further attention. It seems we are only in the early stages of fully understanding these issues; yet, these issues are imperative for us to continue to investigate in order to gain a comprehensive understanding of how the judge's role and decisions ultimately affect individual cases and the process of the juvenile court system altogether.

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Appendix A: Factor-Weighted Attitude Scales

Orientation towards Juvenile Justice

Punitive (Alpha=.75; Range=16-35; Mean=26.45)

- ♦ Deterring juvenile offenders through punitive punishment practices and protecting the community should be the primary principles of juvenile court
- ♦ Many community-based programs for juvenile offenders in secure placement is a serious problem facing juvenile justice decision makers today
- ♦ Fearing more severe punishment
- ♦ Losing freedom through restrictive supervision
- ♦ More emphasis should be placed on the extent of harm or loss to victims
- ♦ Too much emphasis is placed "least restrictive" and de-institutionalized approaches to disposition
- ♦ Too much emphasis is given to the "best interest" of the juvenile offender
- ♦ More emphasis should be placed on punishment
- ♦ More juvenile offenders should be transferred to the adult system

Rehabilitative (Alpha=.71; Range=26-40; Mean=33.73)

- ♦ Sympathetic understanding is the key to helping juvenile offenders
- ♦ Juvenile offenders do not need to be punished in order to be rehabilitated
- ♦ Many juvenile offenders currently placed in secure institutions could be adequately handled in less restrictive programs
- ♦ Receiving counseling, therapy, or mental health services
- ♦ Having positive work or employment experiences
- ♦ Increasing community service and involvement
- ♦ Improving the family environment
- ♦ More emphasis should be placed on the juvenile's need for treatment and social services
- ♦ More emphasis should be placed on the dangers to the health and safety of youth in disadvantaged homes

Factors Considered when making Disposition Decisions

Legal (Alpha=.61; Range=10-15; Mean=13.26)

- ♦ Seriousness of present offense
- ♦ Prior offense record
- ♦ Placement history

Victim (Alpha=.64; Range=13-20; Mean=16.52)

- ♦ Understanding that offenses harm other people
- ♦ Being required to pay back their victims
- ♦ More emphasis should be placed on the extent of harm or loss to victims
- ♦ Loss or harm to the victim

Individual Behavior (Alpha=.67; Range=14-20; Mean=16.95)

- ♦ Attitude and demeanor towards intervention efforts
- ♦ Level of drug use
- ♦ School attendance and performance
- ♦ Peer group associations

Family (Alpha=.66; Range=10-15; Mean=12.75)

- ♦ Stability of the family
- ♦ Parent's/Parents' presence in the court
- ♦ Degree of parental cooperation with intervention efforts

Factors that may affect Judicial Discretion

Legal Code and Resources (Alpha=.59; Range=6-15; Mean=9.53)

- ♦ Changes in the juvenile code have significantly restricted judicial discretion
- ♦ Changes in the juvenile code have reduced the ability of judges to order the most appropriate program for a juvenile offender
- ♦ Range of available and appropriate resources significantly restricts effective judicial decision-making

Politics and Public Opinion (Alpha=.62; Range=3-14; Mean=7.67)

- ♦ Public opinion influences judicial decision-making
- ♦ Current national trends in juvenile justice influence judicial decision-making
- ♦ Local and/or state political climate influences judicial decision-making

The Border of Juveniles and Criminal Justice

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Many would argue that moving away from and then moving back to treating juveniles as adults in criminal court, demonstrates that society has come full circle with beliefs about juvenile accountability and punitive justice. Juvenile transfers (juveniles transferred to adult court from juvenile court) exemplify this movement. For many, juvenile transfers are a necessity, not only within society, but also in the court system and in the name of justice. For others, juvenile transfers to criminal court, shows society's inability to understand the psychological needs and the overall well-being of juveniles. This paper sought to evaluate the cost and utility of juvenile transfer policies. Although these transfer policies were discussed at a nationwide level, consideration of transfer policies within the State of Washington was also presented to demonstrate how transfer policies were being utilized within the author's state of residence. Conclusions based on how different types of transfer policies should be evaluated, and what the different evaluations suggested, led to the understanding that there is not a clear and direct answer regarding the cost and benefits of transfer policies. Based on the evidence presented in the essay, an argument for further exploration of blended systems was advocated. Preliminary findings of blended systems showed a compromise between those who sought punitive punishment and those who sought to rehabilitate juveniles.

Keywords: juvenile court, juvenile justice, criminal justice, juvenile transfer, blended systems

Many argue that the juvenile system has come full circle in how it deals with its population of young offenders. The juvenile system has moved from being nonexistent and treating juveniles in much the same light as adults, to a separate system, which emphasizes rehabilitation, treatment, and education, and now back to holding the most serious and chronic offenders to the same standards as adult offenders. Treating juveniles as adults is accomplished by transferring the specific juvenile to criminal court, thus allowing for adult sanctions. This essay seeks to evaluate the overall cost and utility of transfer policies. The background information provided will give light to the treatment of juveniles throughout the last 100 years, as well as the differences between juvenile and court systems, and different types of transfer policies.

How transfer policies have been implemented on a national level, and how the laws operated within the State of Washington, will be considered in this paper. How to evaluate transfer policies, whether on a legal, empirical, or on a psychological level is assessed to demonstrate how they look better in one light and much worse in another. Finally, an argument for blended systems is put forward, which provides a compromise between the need for punitive punishment and the ideals of rehabilitation within the juvenile courts.

History of Juvenile Justice in the United States

Understanding the history of anything is important when trying to understand its current state of being. Not only does

history provide a chronological order of events, but history also assists in reflecting on the current thought process of society. The juvenile justice system in the United States is no exception to this concept. The evolution of the juvenile justice system not only paints a picture of what society deems acceptable in the treatment of juveniles, but it also demonstrates which ideals have been kept and which have been discarded. This section seeks to provide a brief account of the juvenile justice system in the United States to demonstrate how we have come full circle in our treatment of juveniles. This section will also show that even though the creators of the juvenile justice system sought to be separate from the criminal system, ensuring juveniles were rehabilitated rather than punitively punished, these ideals were never fully developed and a clear distinction between the systems was never clearly established.

Treatment of juveniles in a punitive fashion is far more common than not. Dating back to the 14th Century, courts have used numerical age to determine culpability of criminal acts (Tanenhaus, 2000). Under common law jurisdiction juveniles under the age of seven were immune to criminal prosecution. Tanenhaus (2000) noted that children in that age bracket were presumed to be incapable of having any real capability to commit criminal acts. Juveniles aged seven to fourteen were presumed to be incapable of intent to commit serious criminal acts. The caveat to this, however, according to Tanenhaus (2000), is that juveniles in this age bracket were able to be tried as adults if the court saw fit. He also noted that once juveniles became fourteen years of age and older, they were presumed to be adults under the law and were tried as such.

The Illinois Juvenile Court Act (1899) would demonstrate a change in how some experts thought juveniles should be dealt

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with (Bartol & Bartol, 2009). According to Bartol and Bartol (2009), this act created the juvenile court system and established this system's jurisdiction over delinquent, neglected, and dependent children. More important to this discussion, they posited that the Act provided a basis for the Progressive Era to place greater emphasis on rehabilitative initiatives, rather than punitive punishment. Also important to the discussion of forming a juvenile justice system in the United States is the establishment of the fundamental distinction between juveniles and adults. Bartol and Bartol (2009) also noted that those who believed and supported the Progressive movement, thought many juveniles would benefit from a more informal, less stigmatizing system. They further noted that this system was operated under the *parens patriae* model, which suggests a need for the state to take over the parental role and teach delinquent juveniles the proper way to behave (see also Tanenhaus, 2000).

The rehabilitative process of the Progressive Era continues, but has been bombarded by the constant pull of the criminal court system and the need for punitive punishment pushed by public and political pressures. The push pull relationship between the juvenile and criminal system really began to take shape when the United States Supreme Court began granting to juveniles the due process rights that were normally afforded to those only in criminal court (Bartol & Bartol, 2009). Such rights were previously only awarded in criminal court, because of the juvenile justice system's continuous attempt to keep the process as informal as possible (Bartol & Bartol, 2009).

Two significant cases brought juvenile due process rights to the forefront. First, *Kent v. United States* (1966) provided new guidelines for transfers from juvenile court to criminal court and also focused on establishing a concept of what was procedurally fair with respect to the parental model of the juvenile system (Tanenhaus, 2000). What may be most important to this discussion is that *Kent* brought attention to the study of juvenile transfers among criminologists (Tanenhaus, 2000). The second Supreme Court case, that is note worthy in the due process rights of juveniles, is *In re Gault* (1967). In this case, the Supreme Court ruled that juveniles should enjoy the right to an attorney, the right to confront, as well as cross-examine witnesses, and the right to not incriminate themselves (Bartol & Bartol, 2009).

The "get tough" movement would bring society full circle in the treatment of juveniles in a punitive fashion, as well as continue the push and pull relationship that currently exists between the juvenile and criminal justice systems. This movement provided a basis to do away with the rehabilitative efforts, which had been advertised to be ineffective in many notable works, including, "Nothing Works Doctrine." Following such works, as well as the public's perception of the emergence of the super predator, many states would expand their statutes in order to transfer more juveniles who were committing the most serious crimes, reached a certain age bracket, committed an offense that is excluded from juvenile jurisdiction, or were constant recidivists (Department of Justice, Office of Juvenile Justice & Delinquency Prevention [OJJDP], 1997).

Juvenile System vs. Criminal System

The juvenile and criminal systems are quite different within their structures. Both the juvenile and criminal justice systems

seek the same end goal (crime reduction), but the paths to the end goal are unique in each system. The juvenile system seeks to keep the young offender as the center of concern, while the criminal system emphasizes punitive punishment and accountability. This section seeks to demonstrate general differences between the juvenile and criminal justice systems.

According to Kupchik (2006), the juvenile justice system is an informal system which seeks to rehabilitate delinquents following specific standards of treatment and decision making based on age. He further posited that rehabilitative efforts of the juvenile courts sought to take delinquents and provide them with tools to seek a pro social and moral lifestyle. The individual needs of each juvenile are seen as the top priority of this system, rather than following adversarial rules and procedures (Kupchik, 2006).

Kupchik (2006) also postulated that the criminal system, on the other hand, was very formal in its processes and sought to punish criminals by following adversarial and due process laws through interactions from court room actors. He believed that judges, prosecutors, defense attorneys, administrative staff, juries, and outside personnel interacted in a cooperative fashion to get criminals in and out of the system as quickly and efficiently as possible without violating individual rights and liberties. He also believed that the individual needs of criminals were not the focus of the criminal system, as it was an offense-based system. The degree of punishment was not based on the character of the offender as much as the offense which was committed (Kupchik, 2006).

Different Types of Juvenile Transfers

There are numerous avenues taken to move jurisdiction from juvenile court to criminal court. The criminal court is also afforded the opportunity to move jurisdiction back to juvenile court when it is thought that the person would be better served there. This portion of the essay seeks to identify the different types of transfers that exist.

Judicial transfer/judicial waiver. Most states have some form of judicial waiver process that is utilized within their juvenile justice system (Dawson, 2000). In a judicial waiver, a judge may choose to move jurisdiction from a juvenile to a criminal court (Feld, 1981). There are three main considerations that a judge takes into account before the juvenile is waived to criminal court. The first is the juvenile's age. Many states have some sort of age requirement that needs to be met before juveniles can be waived to criminal court by a judge. According to Dawson (2000), in most states, this age is 17 or 18 years, with only three states with the age set at 16 years. He noted that the age of the juvenile at the time of the offense was generally considered to be the boundary age, with only a few states referring to the age of the juvenile as the time in which the court proceedings began. Feld (1981) noted that the second consideration of the judge in a judicial waiver proceeding was the juvenile's ability to be rehabilitated by the juvenile system. He further noted that this consideration brought about much debate as to "what works" in rehabilitating both juveniles and adults alike (p. 503).

Finally, Feld (1981) postulated that judges must evaluate whether or not the juvenile was going to be a danger to society.

He noted that, with this, the judge will consider previous offenses or seriousness of actions of juveniles in the context of public safety. He further noted that if the offender was a chronic offender or participated in a serious crime, the judge could move for jurisdiction to be moved to criminal court. Feld (1981) believed that, for chronic recidivists, there was some sort of understanding that the judge would be able to predict the future actions of juveniles and those actions were far too serious for the juvenile justice system to handle. He also believed that juveniles were transferred more under the concept of being a danger to society, than their ability to be rehabilitated.

Legislative or statutory exclusions. Legislative and statutory exclusions place automatic jurisdiction of a juvenile into criminal court based on the severity of the offense or the offender's prior record (Feld, 1981). In this type of waiver, a juvenile offender never goes before a judge for a transfer hearing or sees juvenile court. Juveniles who commit a specific offense or who are constant recidivists are sent directly to criminal court (Feld, 1981).

Legislative and statutory exclusions take the focus off the offender and place it on the offense and the prior record of the offender, or a combination of both (Feld 1981). Although this sort of thinking is counterintuitive to the juvenile system, legislative and statutory exclusions allow for retribution and incapacitation of those who commit the most serious acts or are chronic offenders (Feld, 1981).

Direct file/prosecutorial transfers. Direct file and prosecutorial transfers serve as yet another way in which juvenile jurisdiction can be moved from the juvenile justice system to the criminal court system. In roughly 15 jurisdictions, depending on the offense and the juveniles, prosecutors are given the ability to file charges in either system (Dawson, 2000; McCarthy, 1993). Dawson also noted that under this provision, the prosecutor was the sole decision-maker as to which jurisdiction charges would be filed. He further noted that the defendant, defense attorney, and juvenile judges had no right to participate in this process. In essence, the jurisdiction of juvenile courts was considerably limited under this type of transfer.

Reverse waivers. Roughly 23 jurisdictions have some type of reverse waiver (Dawson, 2000). In its most basic form, juveniles who are not of age to be tried in criminal court, but are being tried in criminal court because of exclusions, may be transferred to juvenile court jurisdiction (Dawson, 2000; McGowan et al., 2007). Such transfers take place when the criminal court finds it inappropriate for the offender to be tried as an adult (McGowan et al., 2007).

Furthermore, Dawson (2000) noted that although reverse waivers offer some sort of individualized treatment of juveniles in criminal court, these waivers were not easy to secure. He noted that the burden of proof was set on the side of the defendant and his/her attorney. Therefore, the defense must prove that the juvenile will not be adequately served by the criminal court and will be better served in the juvenile court (Dawson, 2000).

Blended systems. In the most basic form, blended systems offer an opportunity for juvenile and criminal systems to work hand in hand. Currently, 15 states offer juvenile blended systems, while 17 states offer criminal blended systems (Griffin, 2003). Within the concept of the blended system, the juvenile

may be sentenced in juvenile and criminal courts (McGowan, et al., 2007). This alternative to the above waivers allowed for juvenile treatment with a potential criminal sanction, if the juvenile did not follow the treatment plan or if there were re-offenses (Dawson, 2000).

Blended systems also offer a reevaluation of the disposition at a later time to determine if there is some reason for the juvenile to be placed in the criminal court system (Dawson, 2000). In whatever capacity, the blended system offered juveniles one last chance to be treated under juvenile jurisdiction before being placed in the criminal court setting (Dawson, 2000).

How Transfer Policies have been Implemented

The all around effects of transfer laws on the juvenile and criminal justice system can differ from jurisdiction to jurisdiction leaving much of the variance due to different types of implementation. The purpose of this section is to look at how transfer laws have been implemented in different states. Looking at Wisconsin, New Mexico, and Minnesota, there is an ability to see three very different types of transfer laws. Transfer policies in these states will be discussed in detail, with respect to the legislation itself, as well as the impact of the new legislation.

Wisconsin. Torbet, Griffin, Hurst, and MacKenzie (2000) noted that, in response to the increase in visible juvenile crime, Wisconsin lowered the age of adulthood from 18 to 17 years of age. They also noted that, in the same policy, the age at which the juveniles could be brought under juvenile court jurisdiction changed from 12 to 10 years of age. Aside from creating uniformity among neighboring states, the overall goal of this transfer policy was to increase accountability among the older juvenile offenders, as well as make resources more readily available to Wisconsin's younger juvenile population (Torbet et al., 2000).

Moreover, Torbet et al. (2000) noted that once the age was lowered, it decreased the number of youth eligible for adjudication in Wisconsin's juvenile court by 12%. They further noted that even with lowering the age in which the juvenile could be brought into the juvenile justice system, the work load in the juvenile system decreased significantly with the new transfer policy. Wisconsin's work load in the criminal system increased significantly, increasing the jail population by 40% between 1996 and 1997 and increasing the prison population by 70% between 1995 and 1997 (Torbet et al., 2000).

According to Torbet et al. (2000), the policy and programming for prisons and jails and the juvenile system, in Wisconsin, saw significant impact. They noted that many suggested this transfer policy may have relieved the juvenile population, as intended, but passed additional constraints to criminal court. They further noted that the criminal court experienced issues in trying to accommodate the educational and treatment needs of the young criminals. In addition, Torbet et al. (2000) noted that the probation and public defenders expressed difficulty in working with these young offenders because of their immaturity and dependence on their parents. Finally, they postulated that those in the juvenile system felt frustrated in their attempts to assist a younger juvenile population because resources did not materialize as intended.

New Mexico. New Mexico took a different approach to the implementation of transfer laws than Wisconsin and every other state in the Union. New Mexico's unique policies sought to repeal the judicial waiver and grant power to judges in juvenile court to impose either juvenile or criminal sanctions (Torbet et al., 2000). This policy also excluded juveniles aged 15-17 years from juvenile jurisdiction for first degree murder, as well as giving the title of "youth offender" to those aged 14-17 years who committed certain felony offenses (Torbet et al., 2000, p. 9).

New Mexico's drastic policies saw many implementation issues, as well as having significant impact on both justice systems. In regards to implementation, there was no training, no new resources allocated, and no new programs implemented to assist the affected juveniles and corresponding court systems (Torbet et al., 2000). In all reality, those who had to actually work with the program were left with little to no resources to handle the differing case loads.

The impact of this new legislation was felt on every level. Torbet et al. (2000) posited that there was much confusion in how to properly detain juveniles prior to trial, as well as who fit into the categories of juvenile, "youth offender", or adult (p. 9). They noted that there was a lacking in uniformity depending on urban or rural setting, as well as increased plea bargaining from prosecutors by juveniles who feared criminal sanctions. They further noted that those sentenced under the youthful offender status were predominantly Hispanic males and they were sentenced to straight prison terms. Additionally, there was confusion and frustration with judges and their lack of confidence in the new system, as well as with other staff in regards to lack of training, resources, and inability to deal with the new offender population (Torbet et al., 2000).

Minnesota. In 1994, Minnesota created new legislation expanding its abilities to try juveniles in criminal court. Under a blended system model, Minnesota sought to provide juvenile offenders who committed a serious offense or who were repeat offenders a "last chance" option to stay under juvenile court jurisdiction (Torbet et al., 2000, p. 10). With the Extended Juvenile Jurisdiction (EJJ), Minnesota provided for compromise between the need for punitive punishment and the last efforts to keep the juvenile in a rehabilitative model (Torbet et al., 2000).

Although this new policy sounds good in theory, there were some serious implementation and impact issues. Torbet et al. (2000) noted that, in regards to implementation, the lag time in enacting these new policies had an effect on funding in the next year. They also noted that the lack of community planning allowed for much confusion among those who would have been using it. They further noted that case processing was impacted by the new legislation, in regards to those who were chronic recidivists and those who committed serious crimes. Torbet et al. (2000) further postulated that each district saw serious or chronic offending in a different light, leveling the community at risk. They also noted that case processing also saw a significant increase in plea bargaining when EJJ status was used to plea down from criminal sanctions.

Sentencing and correctional systems felt significant impact with the new legislation. According to Torbet et al. (2000), in regards to sentencing, there was a great difference between urban and rural judge's decisions to place juveniles under EJJ ti-

tle, 2% vs. 28%, respectively. They noted that placement issues for juveniles under EJJ title were also evident. In terms of corrections, there were issues in implementing proper services for both juvenile and adult settings, as well as license and safety issues with the EEJ in either setting (Torbet et al., 2000).

Washington State and Juvenile Transfers

As many other states have in the last 20 years, Washington State has formalized transfer laws for juveniles whose crimes warranted criminal intervention. Formalization of transfer laws in Washington State have sought to single out juveniles who committed the most serious crimes, who were chronic recidivists, as well as those who were unable to be properly treated under the rehabilitative model of the juvenile justice system. Evaluation and analysis of transfer laws in Washington State will be discussed in this section.

Housed under a division of the state supreme court and one of the most structured courts in the country, Washington State's juvenile justice system developed the get tough movement and increased punitive punishments for young offenders (Leib, Fish, & Crosby, 1994). Beginning in 1977 with the Juvenile Justice Act, Washington State began to place more emphasis on legislature-authorized punishments (Barnoski, 2003). These punishments were structured with sentencing grids, as done in the criminal court, allowing for sanctioning such as mandatory minimums, as well as safe guards such as administrative guidelines (Barnoski, 2003). The use of sentencing grids offers advantages to the courts by providing guides to imposing punishment as well as making sure punishments are fair across the board. Although there are guidelines to make punishments fair, they do take away from the individuality that other types of waivers may offer.

According to Barnoski (2003), expanding punitive punishment for juveniles would continue in Washington State through the 1990's with legislation taking place in 1994 and 1997. He further noted that, in the 1994 legislation (the Violence Reduction Act) jurisdiction was given to criminal court for 16- and 17-year-olds who committed specific violent acts. Legislation, which took place in 1997, expanded the instances where juveniles could be transferred to criminal court from juvenile court (Barnoski, 2003).

Washington State employs two forms of transfers from juvenile to criminal court. Barnoski (2003) noted that the first was through the *discretionary transfer of jurisdiction*. The discretionary transfer of jurisdiction was similar to the prosecutorial transfer described above. He also noted that in this type of transfer the prosecutor could move to have jurisdiction waived in juvenile court, placing jurisdiction in the hand of criminal court. According to Barnoski (2003), the second form of transfer used in Washington State was the *automatic transfer of jurisdiction*. This type of transfer is similar to legislative or statutes exclusions as described above. He noted that the *automatic transfer of jurisdiction* provided juveniles aged 16 to 17 years with direct placement into criminal court for serious and violent crime. He further noted that serious violent crimes were a part of automatic transfer to criminal court. These included murder, rape of a child in the first degree, and violent felony with allegation of use of a firearm (Barnoski, 2003).

Although both types of transfer waivers sought to place juveniles into criminal court, targeting the most serious and chronic offenders, the reality was that the demographics and amount of persons sent to criminal court was quite different under each transfer mechanism. Barnoski (2003) noted that discretionary transfer of jurisdiction sought to target offenders who the prosecuting attorney saw fit to place in criminal court. He also noted that this was more of an abstract type of transfer, where the decision about who stayed in juvenile court and who went to criminal court was left up to the prosecuting attorney. He further noted that such cases consisted of violent and non-violent offenses, with some offenders on the higher side of recidivism rates. Furthermore, Barnoski (2003) postulated that *automatic transfer of jurisdiction* was a more structured type of transfer, which had a specific criterion that needed to be met before the juvenile could be placed in criminal court. He believed that this type of transfer sought to single out juveniles who were 16 to 17 years of age. Once juveniles reached this specific age group, they had to commit one of the serious violent crimes that enjoyed the liberty of the automatic transfer (Barnoski, 2003).

Juvenile violent crime trends in Washington State matched trends at a national level. Barnoski (2003) noted that, at the national and state level, juvenile violent crime arrest rates peaked in 1994 and then began a steady decline through the turn of the century. He further noted that automatic transfer rates of violent offenders in Washington State also mirrored this trend. Barnoski (2003) posited that although transfer rates increased dramatically after the 1994 and 1997 legislation, which allowed more juvenile violent crime into criminal court jurisdiction, the increase had remained stable, but decreased slightly in 2002. He also posited that cases transferred under the discretionary model have decreased significantly since the enactment of automatic transfers.

The 1994 and 1997 legislation changed the characteristics of who was being transferred to criminal court. With the automatic transfer legislation more juveniles aged 16 years have been transferred to criminal court (Barnoski, 2003). There was an increase in the transfer to criminal court of females and Whites, while there was a 9% decrease in Blacks being transferred to criminal court (Barnoski, 2003).

According to Barnoski (2003), characteristics of confinement, costs, and other related topics have also changed with the new legislation in Washington State. He noted that although conviction rates had been lowered, confinement rates had increased. He further noted that minimum lengths of confinement had increased, as well as longer sentences for juveniles convicted of serious violent crimes. Finally, the costs of housing juveniles had increased with this legislation (Barnoski, 2003).

A final note about Washington States legislation, with regards to transfer policies, is recidivism rates. Early results of juvenile transfers to criminal court showed neither an increase nor a decrease in recidivism rates (Barnoski, 2003). What this may indicate is a greater importance placed on retribution and the public's need for punitive punishment, rather than on effective crime control and reduction practices. This assertion should be cautioned though, as the full effect of the new legis-

lation has yet to be seen. Juveniles in criminal court are incarcerated far longer than those in juvenile court, thus it will take time for the full effects of the legislation to be seen and understood (Barnoski, 2003).

Costs and Benefits Associated of Juvenile Transfers

Considering the costs and benefits of transfers of juveniles into criminal court is an important element in understanding this policy's full effect. Demonstrating the costs and benefits explains what is useful and what is not when it comes to transfers of juveniles to criminal court. With such explanations, we are able to see how we can improve or change to better serve juveniles and society alike. This section seeks to demonstrate a few of the costs and benefits associated with transfer policies.

The costs and benefits of transfer policies can be hard to sort out. Whereas one area seems like a cost, it may also be a benefit depending on which way a person looks at it. Monetarily speaking, it is cheaper to house juveniles in adult correctional facilities than in juvenile facilities (Fass & Pi, 2002). Does this mean that juvenile facilities should be abolished? In terms of immediate out of pocket cost, this is possibly so. Nevertheless, there are other factors to consider when making the argument for or against transfer policies.

Other factors, such as the development of the juvenile, should be taken into account when considering the cost and utility of transfer policies. The juvenile system allows for a juvenile's developmental needs to be taken into account where the adult system does not (Scott & Steinberg, 2008). Within the juvenile system, there are educational, therapeutic and other intensive programs that, when implemented properly, have been shown to have a positive effect on young offenders (Scott & Steinberg, 2008). In short, for many, transfer policies are seen as a policy that undermines the entire concept of being a juvenile and, in turn, the juvenile system.

Ignoring the developmental needs of juveniles can have consequences that are not fully understood. Scott and Steinberg (2008) argued that proportionality and an understanding of the juveniles' developmental capabilities should be used to determine punishing young offenders, rather than transfers to a court system where, in theory, little is known about the juvenile offenders' needs. In essence, it is suggested that there are no good reasons to send juveniles to criminal court, as they should have the opportunity to be rehabilitated in the ideal juvenile system.

The overall welfare of juveniles in adult correctional facilities is another important factor to be considered when looking at the utility of transfer policies. Redding (2003) painted a bleak view of how juveniles were being treated within adult correctional facilities. He noted that juveniles that were being housed in adult facilities were at greater risk for suicide, as well as sexual and physical abuse from other older inmates, as compared to those housed in juvenile facilities. Statistically speaking, he further noted that juveniles were five times more likely to be abused sexually and twice as likely to be abused with a weapon or assaulted by a correctional staff in adult facilities. In addition, juvenile inmates reported a need to become more violent in order to survive and to adjust (Redding, 2003).

On the other side of the coin, many see transfer policies as a twofold necessity. First, many argue that the juvenile system is not equipped to handle the tough cases (e.g., murder, rape, etc.); hence transfers are a must (Zimring, 2000). Transfers allow for the juvenile system to treat juveniles who are amenable to treatment, while excluding those who either commit a serious offense or those who are repeat offenders (thus not amenable to treatment) (Zimring, 2000).

The second major reason for transfer policies is the public's perception that justice is being done and their safety insured. With the general public's thoughts being driven by policies of just deserts and punitive punishments, it is only natural that the public will not be as accepting of rehabilitative methods that the juvenile justice system emphasizes. Thus, punitive punishment and incapacitation of juveniles who meet transfer criteria are entertained because they meet the public's criteria of safety and justice.

There are a few potential burdens of transfer policies where continued research is necessary. Scott and Steinberg's (2008) theory regarding development warrants further exploration, more specifically, their concept of proportionality includes a gradual level of culpability until the brain is finished maturing. A second area for further consideration is the concept of labeling and transfers. Redding (2003) noted there was a need for more research on the manner in which juveniles perceived self and others after being tried and convicted in criminal court. Another area for further consideration and one which is explored in the next section is recidivism and transfers to criminal court. Although a conclusion is already drawn as to whether or not transfers to criminal court deter future offending, understanding why is worthy of future research. Finally, specific states, such as the ones discussed above warrant further study of what provides the most all around benefit.

How Transfer Policies should be Assessed and the Associated Effectiveness

Up until this point, transfer policies have been explained in the context of what they are and what they entail. There has also been a discussion of the possible cost and utility that transfer policies hold. The question that remains is how transfer policies should be assessed and how effective these policies are in relation to such assessments.

No matter how one looks at this particular policy, each form of analysis can paint a one sided picture. For instance, one could assess transfer policies based on empirical analysis of recidivism rates by comparing criminal versus juvenile sanctioning of 16-17-year-old offenders. Although this may show the ineffectiveness of transfer policies based on recidivism of the studied offenders, it leaves out the possible utility of transfer policies based on public perception of safety and justice. The overall goal of this section is to examine how legal, empirical, and psychological roles affect how we see the usefulness of transfer policies. In conveying the effectiveness of transfer policies based on legal, empirical, and psychological stand points, the author would suggest the importance of coming to a general consensus on criteria for evaluating transfer policies. A gen-

eral consensus would allow for better evaluation of the effects of transfer policies.

Legal. From a legal standpoint, there are various benefits of transfer waivers. First, the transfer waiver assists in demonstrating the limitations of the juvenile court system. According to Zimring (2000), the purpose of the juvenile justice system was to deal with young offenders under a rehabilitative concept that was administered in a far less formal type of system. He further noted that because of this purpose, the juvenile system was not equipped to handle the toughest cases (i.e., serious and violent felonies). Zimring (2000) argued that this should not be seen as a flaw in the juvenile system, but in reality it was one of the juvenile systems' strengths. Furthermore, he noted that transferring 16-17-year-old serious, violent, often times repeat offenders, preserved the juvenile system abilities to help many other young offenders.

Discretionary challenges are another important topic when it comes to the legal analysis of juvenile transfers. According to Zimring and Fagan (2000), discretionary challenges suggested flaws within judicial and prosecutorial waivers, which allowed for specific subsets of persons to be transferred at higher rates than others. They further noted that although discretionary transfers held two major utilities, one in keeping with the individuality as set forth by the juvenile system and the other transferring the least amount of juveniles to criminal court, racial disparities among African American juveniles had increased. This then gave an advantage to systems that employed direct or legislative transfers because it lowered the severity of racial concentration of transferred juveniles, even though more juveniles would be transferred to criminal court (Zimring & Fagan, 2000).

Within the concept of just deserts, transfer policies can hold a large amount of utility. Zimring and Fagan (2000) noted that the utility was formed through the eyes of the general public who were viewing a glorified case of juveniles who were committing serious violent offenses and demanding action. They also noted that this particular utility may not have made sense to those educated in the field, but for the majority of society, it enhanced the perception of safety, as well as the need to voice outrage. This form of policy making is completely haphazard and only furthers failed ideas; but, it allows the public to feel safe. Society wants justice for the wrong that was done, furthering harsher punitive punishments across the board for juveniles. Politicians then fuel the fire with the energy of emotion and anger over these "super predators." The beauty of all of this is that society does not know or understand how to get to the end result. Zimring and Fagan (2000) posited that this brought in political leaders who were willing to provide them with the means to the end; hence a redundant policy.

Flowing from the concept of just deserts, personal accountability is yet another legal perspective to consider. Accountability stems from the idea that you must answer for your actions whether they are good or bad. Morse (1999) noted that scholars' deduction of the concept of personal responsibility was not easily understood when dealing with juvenile offenders, even though society demands it. He also noted that the law viewed accountability and responsibility on the premise that offender's ability to apply reasoning at a minimal level, as set forth by our social standards, was functioning. In other words,

citizens were assumed to understand the rules set forth and follow them, as well as understand the consequences associated with law breaking (Morse, 1999).

Discretionary waivers promote the final portion of legal analysis. Discretionary waivers allow juveniles to remain in the juvenile justice system until they are considered to be not amenable to treatment. What this means is that at a specific point it is decided that the juvenile may no longer be helped by the juvenile system and are then sent to the criminal courts (Zimring, 2000). The utility behind this is that it frees up resources within the juvenile court for people who can be treated, as well as a possible utility in keeping society safe from predators who will continue to recidivate (Zimring, 2000).

Thus, there are many conclusions to be drawn as to the effectiveness of transfer policies based on the above assessment. For instance, Zimring (2000) posited that transfer policies could be an indication of effectiveness based on the fact that it assisted the juvenile system in taking the cases which the adult system was not equipped to handle. By taking out the most chronic serious offenders, the juvenile system is able to then reach the larger majority of offenders who will most likely follow age crime trajectories.

In addition, transfer policies are found to be ineffective by legal assessment when it comes to the policy itself. The downfall of the policy lies in the fact that they can be redundant, which leaves many to wonder if we are really solving the problem (Zimring & Fagan, 2000). It could be argued that policy makers play on the public's internal need for "safety," as well as the public's need for punitive punishment for the criminal, by throwing random policies in the air with no real understanding of their effects (Zimring & Fagan, 2000, p. 414).

Another area of note on the legal effectiveness of transfer policies is in regards to accountability and just desert. In this light, accountability and just desert entail juveniles being punitively punished for the crimes that they have committed. According to Redding (2003) juveniles transferred to the adult criminal courts were roughly 68% more likely to be convicted and incarcerated for serious and violent crimes than those in juvenile court.

There is a sentencing disparity that should be noted with this. Although juveniles received lengthy sentences, they served less time. Scholars have found that over half of Pennsylvania's juveniles convicted in criminal court were out within four years (Redding, 2003). Furthermore, with the exception of rape, those charged with serious or violent crimes only served an average of 3.5 years within a correctional facility (Redding, 2003). This discrepancy may indicate a flaw in the effectiveness of this policy as juveniles do not actually serve lengthy sentences.

Empirical. Empirical research allows for many avenues to be considered when assessing juvenile transfers to criminal court. In essence, empirical research allows for observation or statistical research to be done to answer a specific question about a specific subject. For transfer waivers, this could raise a multitude of questions ranging from recidivism rates and deterrent effects to juvenile transfers' impact on the criminal system. In this section, there will be a discussion on the different avenues that empirical research on transfers to criminal court can

take, as well as a conclusion on juvenile transfers' utility based on the research provided.

Empirical studies on the general deterrent effects of juvenile transfers to criminal court do not serve favorably for this policy. Singer and McDowall (1988), using time series analysis, concluded that New York's Juvenile Offender Law of 1978 had no effect on recidivism rates, even though juvenile arrest and conviction in criminal court increased dramatically under the new law. Other scholars have used regression and multiple time series analysis to demonstrate that even though arrest rates went down, juvenile violent crime rose by 18% after the enactment of transfer laws (Steiner, Hemmens, & Bell, 2006). Additionally, scholars who assessed the Juvenile Reform Act in the state of Georgia found no change in arrests rates for juvenile violent crime (Steiner et al., 2006). Overall, the deterrent effect of transfer laws seemed to have little or no effect on juvenile serious and violent crime rates.

Empirical analysis may also show how transfer laws affect recidivism rates among juveniles transferred to criminal court, as well as give us insight as to the specific deterrent effect. From the data to be presented, transfer laws did not seem to be an effective form of crime control. For example, Redding (2003) noted that in Minnesota there was evidence of a much higher recidivism rate for juveniles who were transferred to criminal court than those who were not transferred. He noted that researchers have found those who were transferred to criminal court on robbery offenses had greater recidivism rates than those who were not transferred. Interestingly, he further noted that researchers also found no difference in those charged with burglary. In this same study, it was found that those sentenced to incarceration in criminal court had higher recidivism rates than those who were not, and they reoffended much sooner than those who were incarcerated in a juvenile institution (Redding, 2003). In addition, McGowan et al. (2007) found that juveniles who were transferred to criminal court had an higher risk of continued violent behavior, than those retained in juvenile court.

Therefore, the specific deterrent effects of transfer policies are mixed. The above data on recidivism rates indicate that many juveniles who are incarcerated under adult correctional may not experience the deterrence factors, as the policy would indicate. The flip side to this, according to Glassner, Ksander, Berg, and Johnson (1983), is that personal interviews of juveniles, who were under New York's transfer law, indicated an understanding of the laws. They also noted that this law would transfer juveniles to criminal court for specific offenses once they reached a specific age, which may have indicated some sort of deterrent effect in that regard.

Development, maturity, and juvenile transfers. Psychology and an understanding of human maturity may be a key component in evaluating the cost and utility of transfer policies. Psychosocial, cognitive, and neurological development promotes the idea that juveniles are different from adults (Kupchik, 2006; Scott & Steinberg, 2008). Thus, it may almost seem haphazard that policy makers seek to extend adult style punishment to juveniles who are not mature. Through an understanding of differences between adolescents and adults, transfer policies should be evaluated.

Adolescent decision making is quite different than adults. Kupchik (2006) noted that psychologists have demonstrated that adolescents were not able to foresee the consequences of their actions because they were not fully developed. He further noted that adolescents were also more apt to act irrationally, be influenced by their peers, as well as to act without thinking. Therefore, because of the immaturity of adolescents, it is not too much to suggest that this population of offenders may not understand the law and the consequences of their actions (Kupchik, 2006).

Transfer policies seek to treat young offenders in an adult setting, requiring adult decision making and competence through the criminal process. As these young offenders are quite different from adults, they may not be able to fully grasp and understand rules, assist their attorney, and properly participate in criminal proceedings (Kupchik, 2006; Scott & Steinberg, 2008). Attorneys out of Wisconsin expressed this concern by stating that there were difficulties in dealing with adolescent offenders in criminal court because of their immaturity and their great dependence on their parents (Torbet et al., 2000).

The overall psychological effect of being tried, convicted and incarcerated in criminal court is another important area to consider. As a result of the immaturity of adolescents, it is not farfetched to think that there may be some adverse effects of being placed in adult correctional facilities. McGowan et al. (2007) noted that juveniles transferred to criminal court and placed in adult correctional facilities had a higher rate of increased violence than those who participated in the juvenile justice system. Others argued that incarceration of young offenders took away from the overall development process and decreased the young offenders' ability to come full circle into adulthood (Kupchik, 2006).

Lessons of the cost and utility of transfer policies are already coming to light. Increased work load in the criminal system was not fully understood. For example, Torbet et al. (2000) noted that, in Wisconsin, those who implemented the new policies were not fully aware of the constraints it would place on their courts, corrections, and other administrators. They also noted that many states were also ill prepared to deal with the psychological issues that these young offenders possessed. Moreover, they noted that uniformity with implementation was also felt in states like New Mexico. Finally, the overall monetary costs associated with transfers were not fully understood (Torbet et al., 2000).

Should these Policies be Maintained?

With all of the above analysis, the question arises as to whether or not juvenile transfer policies should be maintained. The answer is quite complex. Transfer policies seem to hold an interesting amount of utility in the public's perception, with the need to feel safe, as well as some sort of justice being done. The flip side to this suggests that transfer policies hold little or no utility when it comes to deterrence, recidivism rates, and the psychological understanding and impact on the juveniles who are being transferred to the criminal courts. This leaves us with the question of what matters most. Do we sacrifice the relatively small number of juveniles, which transfer laws target in the name of public safety and punitive justice, or do we understand

that there may be something wrong with this portion of the juvenile offender population and seek to help them become pro-social individuals? The answer to this dilemma may lie within the confines of blended systems.

According to Redding and Howell (2000), blended systems may be the compromise between those who demand punitive punishment and those who call for rehabilitation of these young criminals. They also noted that both juvenile and criminal blended systems offer the concept of accountability, while giving juveniles who committed the most serious crimes or who were chronic offender's one last chance to have the therapeutic services offered through the juvenile justice system. Blended systems also offered a more comprehensive look at the individual offender before they were given criminal sanctions (Redding & Howell, 2000). Again, this allows for the juvenile to be evaluated one more time, making sure they are being sanctioned properly.

Griffin (2003) noted that there were currently 15 states that offered juvenile blended systems, while 17 states offered a criminal blended system. He further noted that, under the juvenile blended system, young offenders stayed under the jurisdiction of the juvenile system with the understanding that if they did not cooperate with probation or treatment they would be placed in the criminal system. Furthermore, under the criminal blended system, juveniles who had been transferred to the criminal system had the opportunity to abide by a juvenile sanction, with agreement of good behavior (Griffin, 2003). Thus, criminal blended systems offer the opportunity to lessen the impact that the criminal system can have on young offenders.

In this regard, four types of blended systems are offered under the juvenile and criminal courts. According to Redding and Howell (2000), the juvenile inclusive model gave the court the opportunity to impose both criminal and juvenile sanctions. They posited that the criminal court sentence was suspended as long as the juvenile abided by the juvenile sanction or treatment and did not commit a new offense. They further argued that the juvenile contiguous model extended the sanction to the age of 18 or 21 years, when at such time a hearing would take place to see if the juvenile should be sent to criminal court to serve out the remainder of the sentence. Moreover, they noted that the criminal exclusive model gave the courts the power to impose either criminal or juvenile sanctions to young offenders. The criminal inclusive model resembled the juvenile inclusive model; in that, there is a suspension of criminal sentencing as long as the juvenile did not commit a new offense and followed the sanction/treatment set forth by the courts (Redding & Howell, 2000).

Putting blended systems and transfer laws side by side, the comparison is not all that complex. Redding and Howell (2000) noted that blended systems offered a unique integration of juvenile and criminal law to remove some of the detrimental ideals that the criminal system could impose. They also noted that juveniles who were transferred directly to criminal court lost out on any other protective or rehabilitative efforts that took place under juvenile jurisdiction. This could have lasting effects that are not favorable to reducing crime. Finally, blended systems may reduce transfers that did not need to happen (Redding & Howell, 2000).

A legal analysis of the blended system offers a more individualized consideration of the juvenile who may end up with criminal sanctioning. Redding and Howell argued that under blended models, juveniles were subjected to more plea bargaining with a mandated transfer to criminal court if the juvenile did not abide by the sanction or committed a new crime. In many states juveniles who agreed to a blended sentence also agreed to waive their right to a jury trial. Although the constitutionality of this comes to mind, the actual challenge may not work because the juvenile voluntarily waived their right to the jury trial (Redding & Howell, 2000). Adjudicative competence is also taken into account under blended systems. According to Redding and Howell (2000), this offered the court opportunity to make sure the juvenile had the ability to withstand criminal court procedures with relatively the same understanding as their adult counterpart. They also noted that blended systems also incorporated open hearings, allowing for victims to speak out during the court proceedings.

Not all of the effects of blended sentencing have been examined, but there are some interesting conclusions that may be drawn from preliminary findings. For instance, blended systems may both widen and narrow the net. This is done by expanding the age range that is eligible for blended sanctions, while assisting in keeping some offenders out of the adult system. Texas blended system, for example, widened the net because it reached a younger subset of juveniles, but it also narrowed the net by protecting certain offenders (Redding & Howell, 2000). In the state of Texas, roughly 47% of juveniles would normally be transferred to criminal court, while roughly 53% of juveniles were saved under the new blended model (Redding & Howell, 2000).

Sentencing patterns also pose interesting ideas about the benefit of blended systems. Plea bargaining allows the juvenile the opportunity to have little to no criminal sanction imposed (Redding & Howell, 2000). Once the juvenile defies the suspended sanction or commits a new offense, transfer to criminal court is the next imposition. Redding and Howell (2000) noted that formal sanctions were handed down to a large number of juveniles at this point. They further highlighted that in Texas, for instance, there was an overall transfer rate of 44%, with sanctions varying depending on the degree of the offense.

Blended systems are a relatively new idea in the criminal justice world; thus there is a need for further research. According to Redding and Howell (2000), further research should be done to demonstrate how many juveniles were given criminal or juvenile sanctions under the blended model. They believed that knowing whether or not blended systems targeted their intended group of people was important in understanding its effectiveness. Greater knowledge of how the juvenile perceives their experience under the blended model is also important. Public perception of safety and justice would also pose great importance in demonstrating the effectiveness of blended systems. Furthermore, research should be done to see if blended systems reduce recidivism more than transfers to criminal court (Redding & Howell, 2000).

Conclusion

This essay has evaluated transfer policies in the United States. With all the above stated information, there are some preliminary conclusions that may be drawn. First, even though most of society sees juveniles as young impressionable people, this does not seem to remain when it comes to serious offenses or chronic recidivists. Society, fed by politicians and fear, seek strong punitive punishment for our so called "super predator." Another conclusion that may be drawn is that empirical research does not pose any real benefits to transfer policies. Instead, some scholars demonstrate that transfer laws may actually have little to no deterrent effects and in some cases increase recidivism. On a psychological level, transfer policies may damage the juvenile, inhibiting his/her development into adulthood in a normal manner.

Finally, argument for blended systems was posed to suggest a "meet in the middle" type of approach to juvenile crime. Blended systems offer juveniles one last chance to be helped through the rehabilitative methods offered by the juvenile court with the possibility of a criminal sanction if they reoffend or do not abide by the treatment model set forth. With the possibility of the juvenile being sanctioned in criminal court, the punitive punishment demanded by society is not ignored, but acknowledged. Further research is needed to fully evaluate blended systems, but as stated above, blended systems offer a compromise between criminal and juvenile sanctions, possibly providing the best possible scenario for all involved.

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Delinquents After Exile: A Review of Aftercare Programs

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The current review was interested in assessing the extent to which theoretical and empirical literature on juvenile aftercare programs were incorporated into practice. Common goals of two aftercare models discussed were the reduction of both juvenile recidivism and the costs associated with continued offending. Both models incorporate assertions from criminological theory (e.g., Strain, Social Control and Social Bonding) and pertinent knowledge from the literature (i.e., program objectives and the best practices for success). The literature review identified six programs that met inclusion criteria and one additional program that was similar to inclusion criteria. The latter program was included for comparison purposes. The primary method of evaluating the identified programs was the Scientific Methods Score, developed at the University of Maryland. Using only the Maryland Scale, these programs had to be placed into the "doesn't work" category. However, the qualitative components of several of the studies revealed plausible reasons for program failure that were not uncovered by the Maryland system. Recommendations for increasing implementation fidelity and for including assessment of the extent to which implementation fidelity are maintained in future efforts is offered.

Keywords: delinquents, juvenile aftercare programs, outcome evaluations, recidivism, rehabilitation

Adolescent years should be times of acquiring, mastering, and experimenting with the skills needed to conquer adulthood. American society expects that all teens learn to live independently, establish a career path, obtain and maintain an education or job, and begin to engage in healthy, meaningful social relationships and leisure activities (Unruh, Gau, & Waintrup, 2009). Evidence of success, in the transition from youth to young adult, is found when teenagers begin to make rational decisions and take the perspectives of others into account as they interact with the world (Berk, 2007). These skills are acquired as youth engage in increasingly complex daily life and compare their experiences to their anticipated outcomes. Included in these interactions are opportunities for youth to violate accepted social conventions.

If the above violations came to the attention of the juvenile court, the court would determine if the indiscretions were minor and could be corrected with minimal supervision. However, if there were more pressing concerns involved then placement of the offender into some rehabilitative or correctional facility would be considered. The ultimate goal of such facilities is to provide skills, competencies and knowledge the youth need to successfully navigate their way into adulthood so that they will not engage in further illegal activities. Annually, about 110,000 youth are sent to such out-of-home care (Unruh et al., 2009), with about the same number released every year (Abrams,

Shannon, & Sangalang, 2008). Consequently, approximately 523,000 youth in some form of taxpayer-funded intervention at any given moment (Montgomery, Donkoh, & Underhill, 2006). When this placement is in a juvenile correctional facility, rather than foster care or an independent living arrangement, the average cost is \$240.99 per day, accounting for about \$5.7 billion in annual funds to address delinquent youth in such institutions (Petteruti, Walsh, & Velazquez, 2009).

Traditionally, youth in the care of the juvenile corrections system were subjected to psychotherapeutic techniques, in an attempt to cure delinquency. These interventions have not proven successful (Spencer & Jones-Walker, 2004). Recidivism, or re-offending of youth, has averaged between 45% (Abrams et al., 2008) and 55% (Unruh et al., 2009) for youth completing placement programming and returning to their communities. Often, youth who commit new offenses are returned to some form of institutional setting, with new programming and added cost to taxpayers.

Thus, chronic juvenile re-offending has resulted in overcrowded institutions. Overcrowded facilities will tend to place more financial resources into the security of the institution rather than treatment of the offenders (Previte, 1997). Juveniles residing in overcrowded systems are more likely to be assaulted, both physically and sexually (Previte, 1997; Wordes & Jones, 1998). These conditions reduce the legitimacy of the facility, distract from the provision of treatment efforts, and increase the victimization of offenders (Kupchik & Snyder, 2009). The picture becomes clear, recidivistic youthful offenders are placed into institutions where assaults are common, intervention is lacking, and the focus is on external security

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instead of internal calm. Such a state of overcrowding then serves to reinforce the cycle of recidivism and its associated costs, including decreased public safety when victimized and untreated youths are returned to the street.

As a result, in 1987, the Office of Juvenile Justice Delinquency and Prevention (OJJDP) began to investigate strategies to reduce the need for re-commitment of recidivistic youth (Altschuler, Armstrong, & MacKenzie, 1999; Bouffard & Bergseth, 2008). Due to these efforts, juvenile aftercare received academic, legal, and practical attention. Primary among this attention was determining why placement was not working and what could be done to correct the situation.

Diagnosing the Problem

One of the most pervasive findings in the OJJDP investigation was that treatments provided within the juvenile corrections system were significantly less effective than those provided by outside agencies (Altschuler & Armstrong, 2002). It did not appear that youths were failing to make progress while institutionalized, but that the progress was not carried beyond the walls of confinement. In this regard, researchers suggested that these failures of in-system care were related to two important variables: the lack of attention to factors from the youths' communities¹ and a discontinuity of services between the placement and the community (Altschuler & Armstrong, 2002; Spencer & Jones-Walker, 2004). Failure to give attention to the youths' community characteristics when planning rehabilitative programming was seen to be detrimental because a majority of the youths returned to these environments, where their criminogenic behaviors had either initiated or were perpetuated (Spencer & Jones-Walker, 2004). Additionally, the variegation and discontinuity/disruption of services between the placement agency, probation department, and in-community programming created voids in or duplication of services to the youth (Altschuler & Armstrong, 2002): On the one hand, the youth did not receive needed services, on the other, the youth received the same or, more often, conflicting services by several agencies.²

Amid this information, OJJDP commissioned the development, implementation, and evaluation of the Intensive Aftercare Program (IAP), with the driving goal of improving the changes institutionalized youths made while in placement and sustaining these offenders once they were returned to their communities (Altschuler et al., 1999). Two specific aims of IAP were identified to improve the systemic response to delinquency addressing: the lack of preparation for return to the

¹While, initially, the incorporation of a youth's community characteristics into institutional programming may appear impossible in this country, it is being undertaken across the globe in cases of African child soldiers, with success (see Boothby, Crawford, & Halperin, 2006 for excellent details).

²This author has observed this many times in the system. From instances where youth would not receive needed services because one agency thought the other was providing the service, to conflicting therapeutic modalities and targets, to the outright refusal of agencies to provide information to the probation department—most notably for substance abuse test results (e.g. urine screens)—based on faulty interpretations of Health Information Privacy and Portability Act (HIPPA) regulations.

community and the lack of monitoring and reinforcement of lessons taught in the placements (Altschuler & Armstrong, 2002; Wiebush, Wagner, McNulty, Wang, & Le, 2005). These improvements were to occur in three general phases: a) pre-release institutional programming; b) structured transition services as the youth reenter their communities; and c) post-release community supports with decreasing contacts (Altschuler & Armstrong, 2002). The OJJDP model serves as the basis for most contemporary approaches to juvenile aftercare programming. OJJDP carefully chose this model, in part, because of its foundations on theory and extant knowledge.

Theoretical Building Blocks of Aftercare

There exists considerable evidence that programs built on theoretical foundations are more likely to find scientific support (Spencer & Jones-Walker, 2004). The aftercare programs found in American juvenile justice systems today follow either the OJJDP model or the Serious and Violent Offender Reentry Initiative (SVORI) model. The SVORI model was developed with collaboration between the U.S. Departments of Justice, Labor, Education, Housing and Urban Development, and Health and Human Services. Both models are based on several theoretical assertions. Before turning attention to these, it is important to note that building aftercare models necessarily incorporates two distinct sub-fields of criminological investigation: intervention research and community restraint research. This is largely due to the fact that aftercare programming must include aspects of both treatment and surveillance (Altschuler et al., 1999). As such, the theories of both of these sub-fields may be seen in contemporary aftercare design.³

Several authors (e.g., Altschuler & Armstrong, 2002; Gies, 2003; Wiebush et al., 2005) indicated that the OJJDP model incorporated aspects of Strain, Social Learning, and Social Control theories into its activities. To some extent, it is argued that the strain between aspirations and outcomes creates an opening for engaging in the initial criminal activity, as well as the return to delinquency after release from a program that ill-suited the offender to life on the streets (strain theory). Once in the juvenile institution, offenders are exposed to interventions thought to increase definitions favorable to acceptance of the law and to peers demonstrating appropriate behavior, both of which were believed to translate into new behaviors for offenders (social learning theory). These new behaviors are then observed and controlled in the community by probation officers, community agents, and parents (social control theory).

Built into the community restraints of aftercare programs are assertions from the Classical/neo-Classical schools (Gies, 2003), meaning that aftercare services should both deter and incapacitate youths from further deviance. Under deterrence theories, punishments for offending must be swift, certain and severe enough to outweigh the perceived benefits of crime (Paternoster, 1987, 2010; Ward, Stafford, & Gray, 2006). Under

³For brevity, only theories attributed to criminological authors, as applied to aftercare models, are reviewed herein. Readers unfamiliar with these are encouraged to seek additional information from any criminological theory text (but see especially Bernard, Snipes, & Gerould, 2010; Kubrin, Stucky, & Krohn, 2009; Shoemaker, 2005; Williams & McShane, 2004).

this paradigm, the conditions of aftercare supervision (e.g., unannounced probation visits, strict curfews, and community service work) will be developed so that youths see their experiences as detracting from the gains of their previous criminal activity. As these offenders work their way through the program, and earn less secure supervision, they will remember the unpleasant living arrangements they encountered and be specifically deterred (i.e., less desirable of returning to a life of crime). Meanwhile, both incarceration and increased supervision of youth through intensive probation measures (e.g., increased reporting frequency, random urine screens, electronic monitoring) arose directly from incapacitation arguments: Offenders have less of an opportunity to commit new offenses while under lock-and-key or intense formal scrutiny (Spohn, 2009).

According to Unruh et al. (2009), aftercare programs may create an opportunity to disrupt the delinquent behaviors of youth through service provision. These services offer the life-circumstance changes needed for youth to reach desired adult outcomes. Several developmental studies (e.g., Fagan & Piquero, 2007; Paternoster & Brame, 1997; Piquero, Farrington, Nagin, & Moffit, 2010; Sampson & Laub, 1990; Simons, Wu, Conger, & Lorenz, 1994) have identified opportunities like social engagement (e.g., school and civic organizations), employment, and apprenticeships, and the subsequent bonds they create (e.g., intra-personal relationships), as instrumental in overcoming earlier childhood delinquency (Kumpfer & Summerhays, 2006; Laub & Sampson, 1988; Sampson & Laub, 1990; Unruh et al., 2009).

Incorporating any or all of these theoretical propositions into a workable aftercare model hinged on appropriately determining the targeted goals of aftercare programs, as well as suggesting the best methods to be employed in order to reach these goals. A review of the extant information has elucidated several best practices which are to be included in contemporary juvenile aftercare programs. Common to all are attention to the five "continuities" identified by Frederick (1999, as cited in Altschuler & Armstrong, 2002): a) control; b) range of services; c) service and program content; d) social environment; and e) attachment. Systemic failure to attend to these continuities has been noted as a reason that the successes achieved in rehabilitative programming are not replicated by the youth when he or she returns to the community. These are discussed next, in their relation to aftercare components.

From Theory to Best Practices

As noted above, the two most common models for juvenile aftercare programs, OJJDP's IAP and SVORI, both follow a three phase approach. These are the pre-release development of: vocational, educational, and social skills; structured transitional services designed to integrate institutional learning with community living; and support/surveillance contacts in the community (Bouffard & Bergseth, 2008). These three phases give attention to eliminating the discontinuities in services between placement and home by increasing collaboration between the agencies responsible for the supervision and treatment of each youth (Gies, 2003). It is important to under-

stand how this is to be accomplished before evaluating the programs located in the review.

Rather than a single pathway or set of variables leading to delinquency, aftercare designers start with the basic belief that there is a complex set of interactions between the offender's personal history, criminogenic factors, socio-environmental, and instability factors that lead to criminal behavior (Altschuler & Armstrong, 2002). Supporting this contention is evidence that violations of probation and criminal history alone do not predict recidivism well: Low-risk offenders, especially teens, react negatively to highly intrusive supervision strategies (Altschuler & Armstrong, 2002; Altschuler et al., 1999). In order for programs to be successful, research has shown that they must: a) give attention to the interactions of these characteristics and factors within offenders' daily lives; b) incorporate considerations for communities from where offenders came and to where they will return; c) be designed on research knowledge and implemented based on this design; d) have integrity of implementation (i.e., the activities and plans are fully implemented at the institution); e) be of the appropriate dosage; and f) be multi-modal in delivery (Altschuler et al., 1999; Spencer & Jones-Walker, 2004).

Furthermore, the more successful programs approach changes that are relevant to the daily lives and communities of the youth. These programs comprehensively target each youth's individual dynamic (changeable) and criminogenic characteristics via age and developmentally appropriate methods (Altschuler & Armstrong, 2002; Altschuler et al., 1999; Gies, 2003; Spencer & Jones-Walker, 2004; Wells, Minor, Angel, & Stearman, 2006). Such methods include the cognitive behavioral therapy, social learning, and behavioral management techniques (Altschuler et al., 1999; Spencer & Jones-Walker, 2004). These methods seek to develop or increase interpersonal skills, proactive coping skills, educational or vocational knowledge, employment opportunities, and a sense of self-efficacy (Altschuler & Armstrong, 2002; Gies, 2003; Spencer & Jones-Walker, 2004).

Moreover, when the aforementioned individual approaches are planned and implemented by a trained staff member or a therapist, carefully matched to the offender, who maintains frequent contact with the youth, even greater successes are found (Gies, 2003; Spencer & Jones-Walker, 2004). In these cases, the positive changes made in confinement are carried into the community and delinquent networks and behaviors are disrupted. Once back at home, youths' advocacy from the treatment staff or community overseers has been shown to help maintain these changes over time (Altschuler & Armstrong, 2002; Spencer & Jones-Walker, 2004). The extent to which this has actually reduced recidivism and discontinuities are examined next.

Evaluating Aftercare Success

A note on the scientific methods score. The assertion of Wells et al. (2006, p. 221) that "reentry and reintegration research with juveniles has shown mixed results, with some 'impressive results' for lowered recidivism" appears accurate. At the same time, "(r)esearch on juvenile aftercare has been plagued by a predominance of null findings for program effect,

as well as small sample sizes, implementation difficulties, and little consistency in program implementation and/or evaluation methodology across studies" (Bouffard & Bergseth, 2008, p. 297). Not only are these mixed results inconsistent, there are currently only a few studies which evaluate the outcomes of aftercare programs: The current review uncovered only seven such studies since the last comprehensive review available in literature (Altschuler et al., 1999). Developing a strategy for meta-analysis across these studies appeared to be more time-consuming than valuable; hence, the current review employs the Scientific Methods Scale (SMS) developed at the University of Maryland, as outlined in the revised edition of *Evidence-Based Crime Prevention* (Sherman, Farrington, Welsh, & MacKenzie, 2006).

Summarily, the SMS is a five-point rating system evaluating the scientific methods employed in quantitative studies of crime prevention programs. Firstly, a "1" notes that the study employed one-time correlations between an independent variable and the outcome. Secondly, a "2" indicates that pre- and post- intervention outcomes' measures were taken, with no control group. Thirdly, a "3" is assigned to studies where both a pre- and post- intervention measure occurs, with a control condition. Fourthly, a "4" would suggest that an evaluation utilized both multiple control and treatment areas and pre- and post- intervention measures. Lastly, a "5" is assigned to random controlled experiments of an outcome. According to Sherman et al. (2006), the evaluator can adjust these scores based on factors other than research design, should there be justification. For instance, if the evaluator has knowledge that the study's author is also the developer of the program being assessed and has been deeply involved in its implementation, an

evaluator could lower the ultimate SMS score from a "5" to a "4." When such adjustments are made herein, a discussion of reasoning is offered.

Finding aftercare program evaluations. The current paper sought to identify all outcomes' evaluations of juvenile aftercare programs in the United States since the last comprehensive study by Altschuler et al. (1999). Searches were performed for various combinations of the keywords "delinquency," "aftercare," "outcomes evaluation," "reentry," "reintegration," "juvenile," "community reintegration," and "social reintegration." The databases searched were Google Scholar, JSTOR, SAGE, NCJRS Abstract Library and EBSCOHOST⁴. This search identified more than 1,840 articles. In order to qualify for this review, an article had to be printed in the English language, be available in full text form, needed to include a quantitative analysis of outcome variables for at least one juvenile aftercare program, with the results able to be attributed to the aftercare program itself. There were six articles that met these criteria (see Table 1). One additional article (Wells et al., 2006) encompassed evaluations of both a boot camp and its aftercare component, but was kept in the evaluation for comparative and descriptive purposes.

⁴Databases searched under EBSCOHOST included Academic Search Complete, CINAHL, CINAHL with Full Text, Criminal Justice Abstracts, EconLit, Education Research Complete, ERIC, Legal Collection, MAS Ultra- School Edition, MEDLINE, MEDLINE with Full Text, MLA Directory of Periodicals, MLA International Bibliography, Philosopher's Index, Primary Search, Psychology and Behavioral Sciences, Religion and Philosophy Collection, SocINDEX with Full Text, Teacher Reference Center, The Serials Directory and the Sociological Collection.

Table 1.
Program Evaluation Summary

Author/Program	SMS Score & Sample	Description	Findings	Comments
Wells, Minor, Angel and Stearman (2006) CLEP	3 Treatment (n = 68) Matched Sample Control Group (n = 68)	Military style boot camp program with aftercare component. Aftercare component was four months and followed IAP model.	Significant difference for recommitment of control group, despite non-significant re-offending differences	Cannot separate aftercare effects from boot camp effects. Employed as a comparison program in this evaluation.
Trupin, Turner, Stewart and Woods (2004) Washington State JRA	2 Treatment group only (n = 44) Pre- and post testing of planned services.	Aftercare planning program for mentally ill juvenile offenders. Followed participants to first year post-release.	Receipt of post-release mental health and financial assistance and increased youth to staff contacts related to decreased recidivism.	
Wiebush, Wagner, McNulty, Wang and Le (2005) OJJDP's Model IAP Programs	5 Random assignment Site/Total/Treatment/Control CO/111/67/51 VA/97/63/34	OJJDP sanctioned evaluation of three remaining IAP model programs, funded by OJJDP.	VA and NV IAP more technical violations; IAP in CO more reincarceration; VA IAP less time to new offense	Inconsistent implementation of services, especially for community advocacy, across all sites
Abrams, Shannon and Sangalang (2008) Midwest TLP	2 reduced from 3 Treatment (n = 46, all male) Non-equivalent Control (n = 15 male and 22 female) One time-series control	TLP added as six-week aftercare component to an existing program to increase community planning and contact. Residential only.	(No p levels reported): TLP more recidivistic; TLP higher rates of felony convictions.	Qualitative component uncovered activities irrelevant to return living; low dosage; lack of post release community activity
Bouffard and Bergseth (2008) Midwest Reentry	3 Treatment (n = 63) Neighboring County Control Group (n = 49)	Built on IAP and SVORI models. TC's worked with youth in all county placements to plan and supervise reentry.	Tx group significantly less total court contacts, felony contacts and positive drug tests; significantly increased staff to youth contacts	
Unruh, Gau and Waintrup (2008) Project SUPPORT	2 reduced from 3 Treatment (n = 230) TRACS Control (n = 531)	Three-phase IAP model for special education or mental health disability identified youth. TS coordinated activities at all three phases.	Descriptive only: Tx group less recidivism at 12 months (15%) and 24 months (28%) versus control 12 months (33%) and 24 months (42%).	Low quality statistical analyses.
Lattimore and Visher (2009) SVORI Model Juvenile Programs	4 Random assignment and matched sample variations Four sites across four states, total n = 337 juveniles	Model SVORI programs.	15 months post-release, significant for non-SVORI housing independence; SVORI more likely employed with benefits	Three month reduced self reported substance use for SVORI group not sustained to nine and 15 months. Implementation issues.

Programs and their Outcomes

Kentucky cadet leadership education program (CLEP). Wells et al. (2006) evaluated the impact of a boot camp and its integral aftercare program, CLEP. This study earned a SMS score of "3" as it employed a matched control group of non-boot camp participants ($n = 68$) to compare results against the boot camp participants ($n = 68$) from the first seven cycles of CLEP. CLEP participants underwent a four-month treatment in a military style juvenile boot camp which included counseling and behavioral interventions. The aftercare component, also four months in length, consisted of many of the strategies recommended by both IAP and SVORI models. These focused on: "(a) preparing youth for freedom; (b) teaching youth to become involved in the community; (c) working with targeted community support systems; (d) developing new supports and resources; and (e) continually monitoring interaction between the youth and the surrounding community" (Wells et al., 2006, p. 223). Control group participants underwent traditional interventions in a Kentucky juvenile rehabilitation institution for equivalent time periods. The only significant difference found between boot campers and traditional offenders was increased re-commitment for traditional offenders over boot campers, despite non-significant differences in re-offending rates. The authors attributed this finding to the likelihood that juvenile justice practitioners were somewhat more willing to overlook the indiscretions of the more intensely treated boot campers; hence, practitioners were less likely to return boot camp participants to placement when new offenses were observed (see Table 1 for a summary of this program and the other programs discussed in the current review).

Washington juvenile rehabilitation administration (JRA). Trupin, Turner, Steward, and Woods (2004) evaluated the outcomes for mentally ill juvenile offenders in the Washington State's JRA. This evaluation received a SMS score of "2" as there were only pre- and post-intervention testing for the group of youth ($n = 44$). Inclusion criteria included that the youth had to have at least one DSM-IV diagnosis and had to be identified as an increased user of mental health services by juvenile authority. Aftercare programming included assessment of mental health functioning, the development of a community aftercare plan based on individual need and advocacy, and support in the community upon the offenders' return home.

Although mostly descriptive, assessments of success included: whether the youth received planned services in the community, whether receipt of services was related to pre-release identified need, and overall sample recidivism. Findings were that receipt of mental health services, receipt of financial assistance, and frequency of post-release discharge planning contacts were related to re-offending: Offenders who received post-release mental health and financial services were less likely to re-offend, as were those who received more contacts with staff in the community. Additionally, offenders identified prior to release with increased mental health needs were more likely to receive mental health and substance use services, as well as post-release discharge planning contacts.

The results of this study appear to support the contention that aftercare programs, which identify (pre-release) and pro-

vide or advocate community related services (post-release), are more successful in reducing recidivism. It is necessary to caution that this study employed a small sample ($n = 44$) which was inappropriate for its chosen statistical analysis, logistic regression. Also, it is important to note that the overall sample in this study re-offended (47.7%) within 12 months at about the same rate as the national average discussed earlier.

OJJDP IAP evaluation. Wiebush et al. (2005) reviewed three of the OJJDP funded model IAP sites across the country⁵. These were: Clark County, NV; Metropolitan Denver, CO; and Norfolk, VA. This evaluation received a SMS of "5" herein; as it employed random assignment to the IAP and control groups with initial appropriate sample sizes. It is important to note that each site suffered subsequent attrition and resultant loss of sample membership (final samples- site: Overall N/Treatment n/Control n- NV: 220/100/120; CO: 111/67/51; VA: 97/63/34). As this model is described in much detail above, only the five key features of the model programs are discussed here. Each of these programs was to implement strategies to ensure that offenders received a five step case management system: (1) assessment and classification; (2) individual case management planning; (3) intensive surveillance and community services; (4) incentives for positive behavior and graduated sanctions for violations; and (5) links to the external community and social resources. Institutional stays for all IAP groups averaged 6.7 months (NV), 10.3 months (CO), and 8.2 months (VA), while aftercare stays averaged 7 months (NV), 8.4 months (CO), and 5.8 months (VA). All control groups served equivalent time at their institutions and in their aftercare components. No significant within or between-group demographic differences were found in pre- or post test analyses.

Analyses between treatment and control groups at each site indicated significant differences for technical violation arrests for IAP groups in VA and NV, but only for re-conviction in VA. CO IAP members experienced significantly more re-incarceration than their control group comparisons and VA IAP members spent significantly less free time than controls until they were charged with a technical violation (Wiebush et al., 2005). Regression analyses across all sites and all groups revealed no significant predictors of recidivism. At all sites, 80% to 85% of all participants were observed to re-offend within 12 months.

At the first view, these results seem to detract greatly from purported success of the IAP model. However, it is important to note that the implementation evaluation offered plausible explanations for these failures. Across sites, implementation of the full IAP model was inconsistent, especially in relation to community advocacy. According to the authors, each site suffered significant attrition that led to decreased statistical power and that Colorado's findings were confounded by the fact that state officials expanded aftercare services to the control group during the study period. Based on these concerns, the IAP model cannot be completely discounted.

⁵There were four sites to originally receive funding for these model programs. However, the fourth site, Essex and Camden Counties, NJ, experienced implementation and funding issues that ultimately resulted in its being discontinued.

Midwest transitional living program (TLP). Abrams et al. (2008) conducted a mixed methods evaluation of a TLP in the Midwest. This evaluation was concerned with the impact of participation in a TLP cottage on recidivism for dual status offenders (child-welfare youth and delinquent offenders) and employed techniques, which resulted in lowering a potential assignment of "3" to a SMS of "2." This was primarily due to the use of small, non-equivalent treatment (n = 46 males) and control (n = 15 male and 22 female) groups. For many of the comparisons, females were disregarded all-together. One additional comparison was made for the pre-TLP time period (calendar 2000), versus the first released TLP cohort (calendar 2003). The TLP was instituted into existing programming to complement the IAP design of the agency directing the program. The TLP consisted of an intense, six-week program focused on improving independent living skills, developing post-release plans, and increased time in the community searching for and engaging in employment or education programming-including transition time to the youths' homes on weekends. Pre-TLP treatment is heavily based on cognitive behavioral therapy (CBT) techniques and includes substance abuse programming, vocational education, and group processing.

Findings for this program are not encouraging. Males in the TLP were engaged in more recidivism than non-TLP males (48% vs. 27%). Further, TLP males suffered higher rates of felony convictions (20%) than did non-TLP males (7%). Overall, recidivism for the program for 2000 versus 2003 time periods was about equal (34% to 33%): TLP completion had no significant effect on predicting recidivism. Qualitative analysis of interviews, with staff and participants, pointed to issues with irrelevance of TLP activities and services to the daily lives of the youth, the limited treatment dosage, and lack of community surveillance/advocacy. These were considered likely causes for the dismal results.

Midwest reentry. Bouffard and Bergseth (2008) evaluated a program designed to increase the reentry services offered to one Midwestern county, based on the three phase model and five case management steps of SVORI and IAP. With pre- and post- testing of outcomes for the treatment group (n = 63) and a control group (non-equivalent, similar neighboring county, n = 49), this evaluation meets the criteria for a SMS of "3" Although this program followed the guidelines of both IAP and SVORI, it had a significant difference: All youth placed into any institution within the treatment county could be enrolled in the aftercare component, regardless of the pre-release institution to which they were incarcerated. This was possible because, rather than focus on one institution or program, the county serviced aftercare clients by hiring two Transitional Counselors (TCs) to work in conjunction with probation officers. These TCs began services with youth while they remained in the pre-release facilities.

Analysis of pre- and post- intervention data revealed that there were significantly more contacts between program youth and their probation officer and/or TC than neighboring county youth and significantly more parental contacts/total agency contacts between program youth than those in the neighboring county. Despite being tested about twice as much as traditional

probation clients, program youth incurred significantly fewer percentages of positive drug tests via urine screens (62.17% control vs. 34.27% treatment). There were also significantly fewer court contacts for any recidivism/criminal recidivism in treatment (0.48 average per youth) versus control (0.96 average per youth) groups. This program appears to have reduced both recidivism and substance use for treatment youth.

Project SUPPORT. Project SUPPORT was evaluated by Unruh et al. (2009) and is a program implemented by the Oregon Youth Authority to implement aftercare services for delinquent youth with special education or mental health disabilities. The evaluation received a SMS of "2," as it utilized a non-equivalent control group from the TRACS survey (n = 531) to contrast the treatment group (n = 230) measures against (original SMS = 3), but did not evaluate the differences between these groups on the important recidivism measure with any level of statistical significance. Project SUPPORT employed the IAP three-phase model to provide services to its youth, with a focus on enhancing: (1) self-determination skills; (2) job placement; (3) educational opportunities; (4) social skills; and (5) wrap-around service use. Services were coordinated via a Transition Specialist (TS) who worked to collaborate with the institutional and community resource, as well as the probation staff, in planning aftercare strategies for each youth.

Although descriptive, the results of this study revealed the Project SUPPORT group was 85% crime free at 12 months: At 24 months, the SUPPORT sample was reported to be 72% crime free. In comparison, the TRACS group was 67% crime free at 12 months and 58% remained so at 24 months. No other statistical tests for programmatic features were reported in this study. Although a rather weak design, this program seems to support the contention that inter-agency collaboration effectively attends to consistency in programming, by reducing discontinuity, in turn leading to decreased recidivism.

SVORI. The Serious and Violent Offender Reentry Initiative was an effort of the US Departments of Justice, Labor, Education, Housing and Urban Development, and Health and Human Services that funded 69 agencies for five years, beginning in 2003. These sites implemented the SVORI aftercare model for the offenders they served and were to have outcome evaluations completed as a condition of funding. Of all sites, four (Colorado, Florida, Kansas, and South Carolina) implemented services for male juvenile offenders. An Urban Institute report authored by Lattimore and Visher (2009) compared the results of offender interviews and documented outcomes across four waves: 30 days pre-release (n = 152 treatment vs. 185 control); and three (105/131), nine (108/131) and 15 (107/141) months post-release. Although some sites employed random selection into SVORI programs, most utilized a matched sample comparison group of similar offenders, many of whom had either agreed to SVORI programming or were otherwise eligible but not selected for these services. Therefore, the evaluations received a SMS score of "4." The SVORI model is discussed above, but summarily, it is closely akin to the IAP model in that it recommends a three-phase approach to meeting the five case management objectives for each youth under care of these programs.

Final analyses of the results for these four juvenile SVORI's revealed no significant differences in recidivism between SVORI and non-SVORI groups across the programs, where the overall self-reported rate was 63% at 15 months post-release. Three differences were found between the groups, all significant at the $p < .05$ level: a) at 15 months, post release, non-SVORI offenders were more likely to be living independently ($M = 0.51$ vs. SVORI $M = 0.37$); b) at 15 months, post release, SVORI offenders were more likely to be employed in jobs with benefits ($M = 0.53$ vs. non-SVORI $M = 0.40$); and c) at three months, post release, SVORI offenders were more likely to report being free from substance use for the past 30 days ($M = 0.62$ vs. non-SVORI $M = 0.48$). Table 2 shows the recidivism outcome measures; all the measures were non-significant. Based on these findings, it appears that SVORI models are not successful in reducing overall recidivism.

Table 2.
Results of One-Way ANOVA's

Outcome Measure	Mean	
	SVORI	Non SVORI
Perpetrate violence	.57	.55
Supervision compliance	.66	.77
Absence criminal behavior	.37	.38
Absence criminal behavior	.62	.57
Not incarcerated	.73	.80

Note: Adapted from Lattimore and Visher (2009).

However, upon reviewing the service receipt data, a plausible explanation for the lack of SVORI programs to meet recidivism reduction expectations arose. The results suggested that both SVORI and non-SVORI groups received less services than indicated by pre-release need. The authors noted that "SVORI programs achieved only modest increases in providing a wide range of pre-release services and programs" (Lattimore & Visher, 2009, p. 61). Similar to the results found in the IAP analysis, it appears that implementation integrity likely reduced the effectiveness of these research-based programs.

Conclusion

The current review was interested in assessing the extent to which knowledge from theoretical and empirical literature on juvenile aftercare programs was incorporated into practice. The literature review found that, beginning in 1987, OJJDP sought to model intensive aftercare programs (IAP) based on three phases of services; pre-release planning, structured transition services, and post-release community support and surveillance. In 2003, a collective of federal agencies collaborated to implement the SVORI model for adults and juveniles, with many of the same features of the IAP programs. A common goal of both models was to reduce juvenile recidivism and the costs associated with continued offending. Both SVORI and IAP models incorporated assertions from criminological theory (e.g., Strain, Social Control and Social Bonding) and pertinent

knowledge from the literature (i.e., program objectives and the best practices for success).

Reviews of programs implemented prior to 1999 have been conducted in the past, most notably by Altschuler et al. (1999). Therefore, the current review sought programs initiated after this time or not covered in the previous reports. The literature search discovered six programs that met inclusion criteria and one additional program that was similar to inclusion criteria: This latter program was included for comparison purposes. The primary method of evaluating the identified programs was the Scientific Methods Score created at the University of Maryland.

Three studies met the criteria of the SMS scale to be considered for success or failure of the programs, meaning that they achieved scores of "3" or higher. Of these, only one study (Bouffard & Bergseth, 2008) revealed long term results favorable to the aftercare groups. The remaining studies indicated either no significant differences or differences in re-offense favorable to the control groups. Under SMS guidelines, it must be deduced that juvenile aftercare programs do not work, as two studies of SMS 3 or greater indicated failure to find significant favorable outcomes for the treatment group.

The story, however, is not over. Several of the studies revealed that implementation of the integrity and the dosage were problematic in their programs (Abrams et al., 2008; Lattimore & Visher, 2009; Wiebush et al., 2005). It is interesting that the failure of program administrators to fully implement the programs' objectives continued, as this was an identified concern at the outset of the development of both the IAP and SVORI models (Altschuler & Armstrong, 2002; Gies, 2003). It appears that despite continued and focused efforts to ensure that aftercare efforts are designed according to the best available theoretical and research guidance, once the funding changes hands from the source to practitioner, integrity fails. Future implementation strategies should include the assignment and presence of a fidelity overseer, whose function would be to ensure that implementation of the program matches the research-based design.

It is also of interest to note that, without the qualitative efforts of the original evaluators, this knowledge of failed integrity would be missing. Efforts to reduce program evaluation to simple, parse rating systems are no doubt beneficial for quick comparison and categorization of study results for academicians and policymakers who fear interaction with offenders, practitioners or primary research. At the same time, relying solely on such ratings cannot be permitted. Without thorough review and understanding of the intricacies of the programs being evaluated-from design, through implementation and to outcomes-fair and full assessment of success or failure cannot be made. Supporting or allowing flawed endeavors, undoubtedly, will lead criminologists and policy-analysts to discounting good ideas that could be revised into workable programs and to support for poor and potentially detrimental practices. Future evaluation should include both process (mixed or qualitative design) and outcomes (quantitative) measures as standard means for analysis and interpretation of success. By giving equal attention to these areas, true evidence-based design (and revisions!) may be better assured.

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The Phenomenology of the Nonsharing Environment within the Law Enforcement Community after 9/11: An Empirical Investigation

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A lack of information sharing continues to exist among law enforcement agencies. Scholarly data are scarce with no description of this phenomenon and little agreement about existing barriers. Fifteen Virginia police chiefs and sheriffs were selected by purposeful sampling. Empirical phenomenology ensured rigor during data collection and analysis. As a result, 14 factors influencing information sharing were identified and conceptualized in a system model. Seven factors support previous studies, and seven new factors were discovered. The findings add new scholarly data to the literature, which may be used by practitioners and researchers.

Keywords: non-sharing environment, law enforcement community, Phenomenology, 9/11

After the September 11, 2001 attack on the United States, government officials and researchers identified a lack of information sharing about terrorists and criminals among local, state, and federal law enforcement agencies (Best, 2007; Carter & Carter, 2009; De Bruijn, 2006; Desouza, 2009; Doig, 2005; Lee & Rao, 2008; O'Connell, 2006; Oliver, 2006; Roderick, 2005; Sims, 2007; Williams et al., 2009; Willis, Lester, & Treverton, 2009). In fact, both public and private groups have made numerous efforts to reform intelligence and to improve information sharing effectiveness, spending millions of dollars (Garicano & Posner, 2005; Jiao & Rhea, 2007; O'Connell, 2006; Treglia & Park, 2009). Nevertheless, barriers to information sharing continue to exist (De Bruijn, 2006; Doig, 2005; Garicano & Posner, 2005; Goldstein, 2005; Harvey & Tulloch, 2006; Jiao & Rhea, 2007; Roderick, 2005; Sims, 2007; Willis et al., 2009).

An increasing number of researchers, and government officials have recognized the importance of homeland security, particularly with respect to intelligence gathering, information sharing, and interagency cooperation (Desai, 2005; Desouza, 2009; Giblin, Schafer, & Burruss, 2009; Goldstein, 2005; Jackson & Brown, 2007; National Commission on Terrorist Attacks, 2004; Office of the Director of National Intelligence, 2007; Pelfrey, 2007; Ratcliffe & Guidetti, 2008; Reynolds, Griset, & Scott, 2006; Strom & Eyerman, 2007; White House, 2007). Within the literature, emphasis is placed on the critical role and value of local law enforcement agencies, particularly as they affect homeland security (Burruss, Giblin, & Schafer, 2010; Freilich, Chermak, & Simone, 2009; Harvey & Tulloch, 2006; Oliver, 2006, 2009; Sims, 2007; Thacher, 2005). Although information sharing is now addressed to varying degrees in government and academic literature, some scholars and government officials believe that effective information sharing would have produced early warnings of preattack plans and operations that could have deterred or eliminated the

actions of the September 11th hijackers (Best, 2007; Jackson & Brown, 2007; National Commission on Terrorist Attacks, 2004; Reynolds et al., 2006).

Researchers now recognize a lack of empirical and scholarly studies about information sharing (Jones, 2007; Reynolds et al., 2006; Williams et al., 2009). No exhaustive list of information sharing projects exists, and scholarly products on data sharing are minimal (Reynolds et al., 2006). The empirical analysis of current efforts to form public safety networks is practically non-existent (Williams et al., 2009). Another author supported these assertions, adding that intelligence scholars have studied intelligence reform, but additional analysis of information sharing is needed (Jones, 2007). Specific studies focusing solely on information sharing among law enforcement agencies are scarce.

An exhaustive search of the literature related to information sharing produced 11 relevant studies (Bhaskar & Zhang, 2007; Jiao & Rhea, 2007; Lee & Rao, 2008; Marks & Sun, 2007; Ortiz, Hendricks, & Sugie, 2007; Pelfrey, 2007, 2009; Ratcliffe & Guidetti, 2008; Reynolds et al., 2006; Stewart & Morris, 2009; Williams et al., 2009). Only three of those studies focused solely on information sharing within the law enforcement profession (Bhaskar & Zhang, 2007; Reynolds et al., 2006; Williams et al., 2009). These law enforcement information sharing studies clearly differ in approaches. Although the researchers have identified a few common barriers, an exhaustive list of barriers has not been developed and no agreement has been reached among researchers regarding why these problems exist (Bhaskar & Zhang, 2007; Reynolds et al., 2006; Williams et al., 2009). Researchers in the remaining eight studies primarily focused on areas such as homeland security, preparedness, terrorism, and organizational change since September 11th, or included professions outside of law enforcement (Jiao & Rhea, 2007; Lee & Rao, 2008; Marks & Sun, 2007; Ortiz et al., 2007; Pelfrey, 2007, 2009; Ratcliffe & Guidetti, 2008; Stewart & Morris, 2009). These studies utilized different approaches and yielded mixed results.

Organizational factors that can influence change and information sharing were used or identified in some studies, specifically

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communication, culture, goals and strategies, political, resources, structure and organization, and technology (Bhaskar & Zhang, 2007; Jiao & Rhea, 2007; Lee & Rao, 2008; Marks & Sun, 2007; Pelfrey, 2007, 2009; Ratcliffe & Guidetti, 2008; Reynolds et al., 2006; Williams et al., 2009). Nonetheless, limited agreement exists about these barriers. Researchers, using a variety of strategies, have not reached an agreement as to why barriers continue to exist or a description of this non-sharing environment.

The purpose of this phenomenological study was to understand the phenomenon of non-sharing that exists among law enforcement agencies, and to identify barriers and environmental factors that influence information sharing goals and capabilities. Three research questions were intended to clarify the phenomenon of non-sharing between law enforcement agencies and to identify environmental factors related to this phenomenon: (a) What barriers to information sharing about terrorists and criminals are perceived to exist among local, state, and federal law enforcement agencies by local law enforcement officials? (b) What environmental factors do local law enforcement officials perceive to influence information sharing about terrorists and criminals among local, state, and federal law enforcement agencies? and (c) what conditions, situations, or occurrences do local law enforcement officials perceive to hinder information sharing about terrorists and criminals among local, state, and federal law enforcement agencies? The present study was expected to fill the gap in the existing literature by describing and explaining the lived experience of non-sharing, identify factors contributing to the non-sharing environment, and assist government officials and law enforcement practitioners in understanding the reasons for non-sharing.

Theoretical Framework

The primary foundation for this study was transcendental or empirical phenomenology that encompassed both research methods and philosophy to achieve validity through the collection of accurate information and scientific study (Giorgi, 2006; Kockelmans, 1994; Moustakas, 1994). Two other theoretical foundations were considered for the purpose of general question development, as well as comparing themes and findings: (a) systems theory and (b) change theory. These theories were not offered as an explanation for the phenomenon; rather, they were used to consider the general direction of questioning, to triangulate the findings in the study, and to develop conceptual models connecting themes.

Methodological pluralism has been used successfully and accepted by researchers (Daneke, 2005; Ferlie, 2007; Francis, 2008; Jackson, 2009; Klijn, 2008; Paucar-Caceres & Pagano, 2009; Trochim, Cabrera, & Milstein, 2006). Furthermore, researchers have recognized advantages of methodological pluralism; specifically, this approach can: (a) strengthen validity (Jackson, 2009; Kefi, 2007; Mobach, 2007; Schwanger, 2006); (b) enhance the understanding of the context of complex and diverse problems through different paradigms and ideologies (Dongping, 2010); (c) address complexity, uncertainty, and diversity (Dongping, 2010; Jackson, 2009; Schwanger, 2006); and (d) encompass a multiparadigm, multimethod, and multitheory foundation applicable to phenomenology, systems theory, and change theory (Daneke,

2005; Dongping, 2010; Ferlie, 2007; Francis, 2008; Jackson, 2009; Klijn, 2008; Paucar-Caceres & Pagano, 2009; Trochim et al., 2006). As such, methodological pluralism supports empirical phenomenology.

Method

Sample and Participant Selection

A phenomenological approach was used to collect rich data from Virginia police chiefs and sheriffs about the phenomenon of non-sharing of information among law enforcement agencies. The focus of the present study was the lived experiences of law enforcement officials since the attacks of September 11th. Virginia was chosen because of: (a) the proximity of the attack of September 11th (e.g., the Pentagon in Arlington); (b) critical infrastructures and assets within or bordering Virginia; (c) an existing non-sharing environment; and (d) the researcher's personal knowledge of and practitioner experience in Virginia law enforcement.

The sample was identified by purposeful sampling methods that involved selecting participants who had experienced the phenomenon, possessed an intense interest in understanding the phenomenon, and were willing to participate in the study. Virginia chiefs and sheriffs possessed these characteristics (Virginia Chiefs Conference Open Discussion, personal communication, February 26, 2008; Virginia Department of Criminal Justice Services, 2006). In addition, the importance of and need to focus on local law enforcement was identified in the literature (Burruss et al., 2010; Freilich et al., 2009, Harvey & Tulloch, 2006; Oliver, 2006, 2009; Sims, 2007; Thacher, 2005). Although a national study was considered, the focus on one state was feasible and the aforementioned characteristics were not consistently present in every state. The purpose of this study was not to generalize the findings nationally. This research was intended to explain a phenomenon within a selected group experiencing a national problem.

Related work experience, such as three years' experience as a Virginia law enforcement administrator and 10 years' experience in Virginia law enforcement, was required for all participants. To ensure the heterogeneity of the sample population, several characteristics were included: law enforcement occupation (chief or sheriff); agency size (small, medium, large); Uniform Crime Report agency type (county/town, city, university); and geographic location (urban, suburban, and rural). Considering each characteristic, percentages were evaluated to diversify the sample without creating a confounding influence with weighted proportions. Fifteen participants were selected to ensure adequate inclusion of the characteristics with the minimal sample number for reasonable coverage and maximum variation (Patton 2002).

Materials and Procedure

An interview guide was structured to maintain a basic line of inquiry, with open-ended questions that focused on impediments and enablers to information sharing. In-depth telephone interviews were conducted. Each interview was digitally recorded and personally transcribed. The data were stored electronically for analysis.

Epoche was used to bracket-out researcher beliefs, presumptions, and theories particularly from practitioner experiences. The Moustakas (1994) modified van Kaam method of analysis of phenomenological data was used to process the information collected. After the preliminary grouping of expressions, core themes were developed from the invariant constituents, placed in nodes, and structural descriptions were developed.

Three separate methods of triangulation were applied during the study. First, participants were sent a copy of the respective interview transcript and study findings. Each participant was asked to review the document for perceived validity and accuracy. Second, system theory and change theory were used to analyze the findings. Finally, the findings were examined and compared to existing studies.

Results

Themes were identified and particularized from the statements. The data, then, were aggregated to demonstrate the significance of each theme (see Table 1). All percentages were rounded to the nearest tenth of a percentage point. Some statements were included in more than one theme, as these statements reflected dual meanings related to different themes. Representative statements are provided in each category within the text below, but all statements are included numerically in the aggregated summary found in Table 1. The results reflect the richness of the data collected from the participants. To ensure confidentiality, no attributes were placed on the participant statements.

Table 1.

Frequency of Responses and Participant Involvement Combined

Influence Type	Percentage of		Number of
	Participants Responding	Total Number of Responses	
<u>New Factors</u>			
Alliances and Interpersonal Relationships	100%	51	15
Local and Regional Cooperation	87%	17	13
State Cooperation	80%	15	12
Personalities	53%	17	8
Management	53%	15	8
Federal Cooperation	53%	13	8
Trust	53%	12	8
<u>Factors in Current Literature</u>			
Communication	87%	32	13
Resources	87%	25	13
Structure and Organization	87%	23	13
Technology	73%	18	11
Culture	67%	12	10
Political	40%	7	6
Goals and Strategies	27%	7	4

Note: The first seven factors were identified in the present study. The last seven factors were found in past studies.

Alliances and Interpersonal Relationships

One hundred percent of the participants in this study described alliances and interpersonal relationships as a factor that both enabled and impeded information sharing. Relationships and alliances support information sharing at all levels of government, according to participants. By actively working together, camaraderie, interdependence, commitment, and mutual understandings are developed. Positive relationships within various organizational levels assist with information sharing, such as relationships between agency heads and individual personal relationships at different organizational levels. The open relationships provide mutual contact information that included the exchange of personal telephone numbers and other personal contact information. One participant explained that:

... When I first came here, I knew a lot of people in Richmond so, therefore, I could get information when I needed it. And the same thing, I knew a lot of the FBI agents in Richmond and any information that we needed that they could share with us, they did.

Conversely, impediments from the lack of alliances and interpersonal relationships were perceived to exist at all levels of government; with some officials withholding information. For instance, one participant stated:

If you don't have that cooperation, if you don't have that onboard working together experience, then you are going to tend to hold back and say, "Look I am not going to tell him everything. I am just going to do what I got to do because they are going to just come around at the end." ...if they just come in on the end like when you are getting ready to make an arrest or something, and just be there for that versus working the whole time, then you are going to want to hold your information back.

In addition, participants indicated that the lack of alliances and interpersonal relationships increased the lack of information sharing outside of the neighboring jurisdictions. The failure of joint alliances to seek state legislative resources was seen as an impediment to achieving a comprehensive information sharing system.

Communication

Eighty-seven percent of the participants described effective communication as an enabler, whereas communication breakdowns were described as an impediment. As indicated by participant statements, enablers to information sharing included agency heads who personally communicated between each other and who promoted agency-to-agency open communication channels. A variety of methods was identified that enhanced communication, such as e-mail, telephone, and personal face-to-face conversations. One participant described his experience as:

The interaction basically goes with the heads of each agency [who] are able to sit down and pass on the information personally, by telephone, computer, or, you know, it is just a wonderful working relationship with each head of each agency.

Conversely, breakdowns in communication occur between different levels of government, between agencies, and between the different hierarchical levels within agencies. The process of

disseminating information is problematic, with emphasis being placed on the exclusion of smaller agencies and breakdowns between agencies outside of the neighboring jurisdictions. As explained by one participant, "...we actually get information on CNN that we have gone up in an alert status. Things like that. Long before we get anything from the feds. So I think that could be fixed or work better." Yet another participant stated:

The smaller agencies are sort of, for whatever reason, are sort of forgotten when it comes to information sharing. Or sometimes maybe agencies don't think that the smaller agencies have anything to offer, which can be far from true... I can tell you a lot of that information comes to larger agencies but it never filters down to the smaller agencies.

Resources

Resources were identified by 87% of the participants as an enabler and impediment to information sharing. Although funding and equipment were perceived as positive, specific resources were identified. Technology was an enabler in the form of new computers. This served two resource needs: (a) additional equipment and (b) new technology. Other resources enabling information sharing were technical expertise and gained knowledge. One participant provided this statement, "...the reason for doing it [joining the LInX, Law Enforcement Information Exchange, program] is we got a couple of free computers...plus the knowledge we gained." The lack of money, equipment, and personnel were perceived as an impediment. Although money could achieve all of these needs, some types of resources are provided in-kind or through grant funding for a specific physical resource need. Typical responses were very similar to the response of this participant, "One is, of course, money. These are very tight years now, so anything like that-the equipment, hardware, and software that you have to purchase-is quite expensive." Still, another participant offered the following statement:

Money. We would not be a member of LInX if we had not gotten a large grant as a shared grant...Because we had to pay for the LInX interface and all the hardware associated with it-the computers in the cars and such...the start-up costs were there, and we had the interface built for RMS [Records Management System]. Things like that.

Structure or Organization

Eighty-seven percent of the participants described structure or organization as both an impediment and an enabler. The enablers identified by participants included two systems for information sharing-the Virginia Fusion Center and the LInX system. Although both systems were perceived as positive, neither provides a structure for a comprehensive system to connect all Virginia agencies for all information sharing and intelligence purposes. The statement from this participant also was similar to other participants' statement:

We have something that we deal with locally called LInX and it links our agency with various other agencies...maybe some of the identifiers, maybe something that another agency does not have and it could very well assist in solving the crime.

Another enabler was structured for regional meetings between chiefs and sheriffs to help nurture open communication. Impediments focused on the lack of structure or organization in the form of coordination, methods of sharing, a comprehensive system, a clearinghouse and network, and standardization. Inadequate state oversight and involvement also was identified as an impediment to information sharing. One participant provided a statement similar to other participants' statement:

I honestly believe that these things aren't necessarily caused by a deliberate intent to deny information. I think it arises because there may be just a lack of framework in place to routinely and efficiently disseminate the information...

Local and Regional Cooperation

Local and regional cooperation was identified by 87% of the participants solely as an enabler to information sharing. Although cooperation is a factor in interpersonal relationships, this theme focuses on the specific level of government; that is, at the local and regional level. Participants described local and regional cooperation mostly as jurisdictions that neighbor their jurisdictions. Cooperation in the form of task forces was perceived to enable information sharing on a specific investigative topic, such as drugs. Overall, local jurisdictions effectively share information among themselves. Local cooperative efforts were perceived as being effective for identifying ways to support each other and for creating positive information sharing changes. One participant described local relationships as:

I would say the ones that would probably supported change. Honestly, I think it would be more on a local level... I think that on the local [level] it is coming together closer, and we are finding ways to help each other out.

State Cooperation

Eighty percent of the participants described state cooperation solely as an enabler. The Virginia Fusion Center was perceived to enhance dissemination of information statewide. The State Police were used more frequently than were federal sources. In addition, the State Police were described as sharing information frequently and openly with the localities. One participant explained, "Oh, the State Police I did not mention. They don't do anything in [name of jurisdiction] without contacting us and letting us know." Still another offered this statement, "We talk to the state level typically on a weekly basis. So, I don't really see any great barriers in so far as information sharing on that level."

Technology

Technology was identified by 73% of the participants as an enabler and an impediment. The enablers were the LInX system, mobile data terminals, and interoperable radio systems. One participant shared his perspective of the advantages of technology:

The technology to actually enable you to communicate not only effectively but easily with everybody... I don't think that any of us really has time to develop the kind of relationship with everybody in law enforcement that would be really helpful to have if you are really going to work together and...not just share information... You know, coming up with new programs, new ways to do things.

However, participants indicated that technology could impede information sharing, problems such as these associated with difficult user access issues could hinder existing information sharing systems. The majority of problems identified, nevertheless, focused on the lack of technology available; the lack of a comprehensive statewide network to link all agencies in an open, equal, and quick process was foremost. One participant explained:

...because I think now there are three to four counties, even with this LInX system, [that] are still out there on their own, that they cannot-we cannot receive what they have got and they cannot retrieve what they are sending out...

Still another participant explained that a barrier is created by not having a comprehensive statewide system:

What is hindering the communication is...that there are 30 of 270 on this network. If they were all on this network, we could communicate with all of them...I think it would work great and take law enforcement ahead 100 years by the ability to communicate and share information and track criminals throughout the entire Commonwealth or beyond.

Cultural

Sixty-seven percent of the participants identified the law enforcement culture solely as an impediment; described as closed-minded and agency-specific, and the culture that fails to recognize the importance of information sharing. Impediments were said to occur between agencies, with an emphasis on uncooperative larger agencies, and problematic issues were said to occur at the state and federal levels. One participant explained:

I think it's the culture. You know because the federal government have traditionally not shared information among each other... I think there have been inroads made towards fixing that but I think there are a ways to go, and particularly on the local level.

Personalities

Fifty-three percent of the participants identified several personality traits that impeded information sharing, such as an ego, a self-serving agenda, and an obsession with control and power. Personalities were not described as an enabler. Conflict, because of a particular personality, could damage positive gains. Some personalities equate to the belief that merely identifying a problem is a personal attack. Still, other personalities possess the reluctance to work together or to form alliances, resulting in the complete avoidance of partnerships with other agencies. One participant provided dual factors related to personalities that were similar with several other participant statements, "The biggest influences that impact us unfortunately are

egos and people who want to control everything." Another participant included more detail:

...the biggest problem is control. I think that we all should be connected in so far as sharing information, and I think that would make our jobs a lot easier, but there are a lot of organizations-not necessarily organizations as a whole, but individuals in the organizations-who feel like as long as they know something and somebody else doesn't, it gives them, unfortunately, a feeling of control or maybe power.

Management

Management was perceived by 53% of the participants as both an enabler and an impediment. Command level intervention into information sharing problems was seen as an enabler, with emphasis on the proper placement of personnel. A management-projected ethos promoting open communications was described as an enabler. One participant provided the following statement, "...but like I said we find out about these things [employees withholding information] between the chiefs and the captains and the captains and the lieutenants [and] we work on straightening that out." Conversely, impediments encompassed a manager's reluctance to change, the inadequate allocation of resources, and the lack of hands-on knowledge. The focus on management included different levels within the local agency and between different levels of government outside the agency. Some participants provided descriptions very similar to this participant:

We have found typically and unfortunately in my position [speaking of not sharing information], it is usually on a lower supervisory level, not in the higher ranking chain-you know lieutenants, captains and above. It is typically in the lower levels-sergeants, first sergeants...

Federal Cooperation

Federal cooperation was identified by 53% of the participants solely as an impediment to information sharing. The lack of federal cooperation was attributed to federal issues; such as a reluctance to share information and resources with the localities, territorial attitudes, being secretive, and possessing an 'Us versus Them' mentality. Additionally, federal agencies experience conflict among themselves, which in turn affects the local and regional offices. Overall, the local and regional offices experience less contact with federal agencies. One participant stated:

... A lot of times when it gets to the federal level, they have an "us and them" mentality... "We [speaking of federal agencies] will give them just a little bit to make them get through, but, you know, we [speaking of federal agencies] are not really going to give them anything unless they ask us for it, or specifically tie us down to something"...

Trust

Fifty-three percent of the participants described trust as an enabler and an impediment.

Merely knowing and trusting a person can increase the effectiveness of information sharing. One participant provided this statement about trust:

I think the exchange of information is made more readily accessible knowing who you are sharing information with or who you trying to obtain information with... Over the years I have come to know trust is something that could take years to build and could be destroyed in one foul swoop of some inconsistency or some action that would eliminate those years it took to gather trust.

However, the reluctance to share information based on the lack of trust occurs on the individual and agency level. Impediments have occurred affecting task force operations based on the lack of trust in sharing information related to specific agencies. Moreover, merely one negative incident could immediately impact trust. Several reasons for mistrust included the fear of jeopardizing investigations, loss of control, and doubting the commitment of others. One participant provided a detailed description that was similar to other statements:

I guess that from a non-sharing aspect there could be possibly some reluctance on the part of individuals or agencies to share information based on...not knowing how the information would be used or how it could potentially be used that would jeopardize any ongoing or investigations...It is the trust factor. I don't know that interagency or intra-agencies we have gained or come to that level where we can trust folks. I think that is probably a major hurdle that has to be overcome...

Political

Political issues were identified solely as impediments to information sharing by 40% of the participants. The participants focused on political differences between agencies. These differences could be between the various law enforcement agencies or specific to an occupation, such as a sheriff's department. Agency heads weigh the political outcomes when making decisions. The failure to address problems with political leaders is perceived as a hindrance to achieving information sharing goals. One participant provided a description similar to other statements, "...some of the difficulties we have had with that would be political differences between agencies."

Goals and Strategies

Both impediments and enablers related to goals and strategies were identified by 27% of the participants. A sense of duty and ethical values were said to enable the information sharing process. One participant provided the following, "So, I think

we have to use our intellect and our sense of service [and] duty to sort of overcome these more [instinctive] egos and barriers." Another participant offered another perspective, "...how is it going to be beneficial to all the agencies and the public we serve? Because that is the paramount responsibility you have to understand and lay aside these petty differences these agencies have." However, impediments related to goals and strategies include the fact that local priorities sometimes outweigh overall objectives, that different attributes and goals conflict between agencies, and that a lack of a centralized process with procedures impedes information sharing. One participant provided an explanation for non-sharing, "...when you gave them [chiefs and sheriffs] a checklist of what they needed to do to make that [a comprehensive information sharing system] happen, very quickly I think that you would see [that] because of the reasons...budget, or priorities, you start losing folks."

Discussion

In the results of this study, a total of 14 organizational factors were identified that were believed to influence information sharing as seen in Table 1. Seven of these factors were found in nine prior studies (Bhaskar & Zhang, 2007; Jiao & Rhea, 2007; Lee & Rao, 2008; Marks & Sun, 2007; Pelfrey, 2007, 2009; Ratcliffe & Guidetti, 2008; Reynolds et al., 2006; Williams et al., 2009). An additional seven new factors were identified in this study. Although percentages were provided for the number of participants responding to each factor, no inference was made as to the impact of each factor on information sharing. However, based on the findings of this study, all 14 factors could interact independently or collectively to influence information sharing. The influence of these factors is situational and agency specific.

As the purpose of this study was to describe the lived experience of the participants while identifying any information sharing influences and factors, only the organizational factors perceived to affect information sharing are included herein. A system model demonstrated the factors that were perceived to affect law enforcement information sharing with the organizational boundaries (see Figure 1). The model encompasses the type and number of factors with the respective possible associations occurring within the Virginia law enforcement information sharing environment. The various factors have either a positive or a negative effect on the information sharing process. As such, this model may provide an understanding of the complex relationships between the system parts and factors (Cavana, Boyd, & Taylor, 2007).

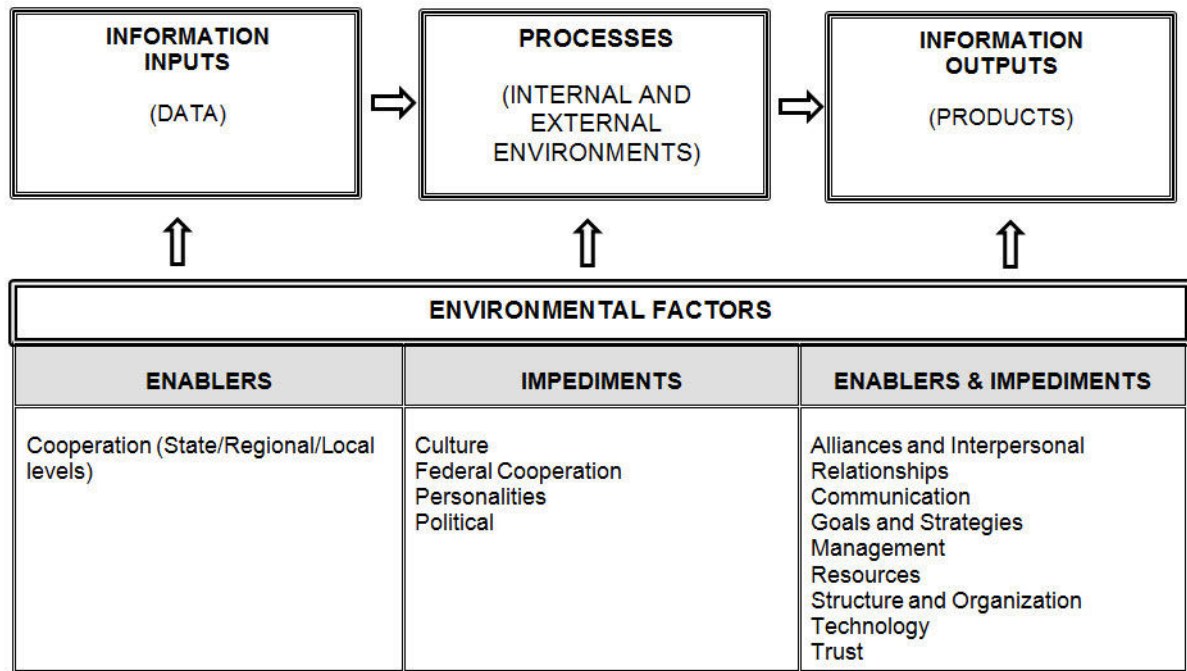


Figure 1. System Model: The environmental factors can influence each step of the system model. These factors are listed as enablers, impediments, and both enabler and impediment. Each influence Virginia's law enforcement information sharing.

No assumption is made about the level of influence for each factor in the system model. Nonetheless, the system may be open-in and closed-out. In other situations, the system may be closed-in and open-out, and so forth. For instance, one participant described the FBI taking information, but not providing information. The system for this local agency would be closed-in and open-out in cases where the FBI is involved. However, the same agency may also be open-in and open-out when sharing information among local agencies. As such, the system boundaries and processes may change depending on the impact of each factor. In fact, one specific area emerged from these findings. Three different levels of government cooperation were described. Local, regional, and state cooperation were perceived as enabling, and federal cooperation was perceived as impeding.

Significance

The significance of this study is demonstrated several ways. This study impacts current literature by: (a) adding an empirical phenomenological approach not found within the literature; (b) supporting existing studies with the seven shared factors; (c) adding a fourth study specifically focusing on information sharing within law enforcement; and (d) adding seven new factors to consider. In addition, the results can assist law enforcement officials and practitioners in understanding the non-sharing environment and the complexities involved. The findings and models may be used by scholars, government offi-

cial, and practitioners to identify unknown problems and to develop solutions.

Limitations

This study is not without limitations. First, the findings cannot be generalized to other law enforcement agencies. Second, failing to document all environmental factors could have an adverse affect on a study, and identifying all factors is difficult (Alter, 2007; Espinosa, Harnden, & Walker, 2008; Pouvreau & Drack, 2007). Finally, the system model in Figure 1 is not based on or inclusive of all the possible elements or complexities within system theory.

Recommendations

Several recommendations are presented to address the limitations of this study and stimulate further thought. The accuracy of information as the participant actually perceives the world is critical to empirical phenomenology (Giorgi, 2006; Kockelmans, 1994; Moustakas, 1994). The established reputation of the researcher among local law enforcement officials was a factor in the selection of Virginia, as a sense of identification and connection develops from trust and mutuality (Patton, 2002). This was evident from the rich data collected. Nonetheless, additional research is needed to generalize the findings of this study. As such, preliminary work on a quantitative study has begun with a focus on generalizing the findings and analyzing the impact of environmental factors.

The purpose of the present study was to describe the phenomenon as the perceiver consciously sees and comprehends it. The perception of reality is dependent on the subject (Kockelmans, 1994; Moustakas, 1994). As such, identifying all the possible factors is not consequential to the results of this study. However, future studies should include methods to identify any unknown factors and test the exhaustiveness of this study.

The system model was intended to conceptualize and clarify the essence of the lived experience, particularly for readers unfamiliar with a system approach. Practitioners may use the results and conceptualization model to better understand the possible factors affecting their agency. Additional research using system theory is suggested to build on the findings of this study. Furthermore, methodological pluralism can be used incorporating other theories (i.e., social networking theory) to build from the foundation presented herein.

Effective information sharing extends beyond law enforcement organizations. However, the literature fails to focus on all criminal justice organizations. Further research is needed to include other criminal justice organizations (e.g., corrections, courts, prosecutors). The aforementioned recommendations for future studies should include these organizations. In addition, the factors listed in the present study should be used to determine the impact on and differences between the different criminal justice organizations.

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An Examination of the Code of the Street in the Most Popular Rap Lyrics 2001 to 2009

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Anderson's (1999) Code of the Street theory encompasses the need to procure respect within violent crime-ridden communities. Rap music is important because it is widely consumed by youth. This being the case, it is worth examining the extent to which rap music endorses and proliferates what Elijah Anderson has theorized as the Code of the Street. Thus, this study is a qualitative text analysis of the Top 20 most popular Billboard Charts' raps singles from 2001 to 2009 in order to describe the presence, prevalence, and content of the street code in music. The results indicate that the most popular rap songs contain some endorsement of various aspects of the street code; however, the messages are largely misogynistic and materialistic referring to irresponsible spending and support for illicit gains through drug activity as opposed to largely endorsing violence.

Keywords: code of the streets, street code, rap music

Elijah Anderson's (1999) Code of the Street theory acknowledges the deprivation associated with poor and predominately African American areas. He describes African Americans within an inner city community, their behaviors, and how criminals and non-criminals co-exist. Hence, the present study examines the extent to which the most popular rap songs from 2001 to 2009 endorse Anderson's Code of the Street or rules for navigating inner city environments. This music is relevant given its substantial appeal to youth. Possibly, some raps reinforce Anderson's (1999) belief that the street code does not purely reflect corrupt values and socialization, but that it explains how persons adjust to daily insecurity and looming threats of violence in U.S. inner cities (Brezina, Agnew, Cullen, & Wright, 2004). The Code of the Street, then, offers some navigation for both decent (law-abiding) and the street (inclined to criminality) families to coexist in a socially disorganized environment (Anderson, 1999; Stewart & Simons, 2009). Individuals within inner city communities must adhere to the code yet demonstrate the ability to enforce violent behavior or desist from violence without losing *street credibility*.

Rap, a subcategory of music within the genre of hip hop music, is consumed by a massive ethnically and racially diverse audience. Its recent surge in popularity has occurred amidst a White youth fascination and consumption of Black popular culture coupled with a fear of African Americans and an apparent commonplace refusal to critically examine elements of music (Yousman, 2003). Rap's significance to the street code is that it may reinforce, teach, or call for the elimination of the code. This study examined the extent to which this is the case.

Richardson and Scott (2002) declared that some in American society perceive rap music as a catalyst for problems affecting the African American male. McDonnell (1992) and Samuels (1991), for example, referred to rap music as degrading given its frequent suggestions that Black men and women are sexually promiscuous and irresponsible. Of course, pre-existing stereotypes of Blacks and the impact of institutional racism and social isolation pre-date the genesis of rap in the early 1970s.

Rose (1994), Anderson (1999), Keyes (2002), and Watkins' (2001) opinions about the value of rap were more positive. They concluded that the production of rap corresponds with shifts in the material culture that many Blacks inhabit. Watkins (2001) asserted that the nihilism expressed by some Black youth in various ways is based upon racial hostilities that come from participating in mainstream society. Many Black males remain dislocated from accessing opportunities for improved social and economic life. Thus, the hip-hop subculture's hard core attitudes and values persist in response to the oppressive behavior of mainstream America.

Political Economy of the Ghetto and Anderson's Code of the Street

According to Anderson (1999), cultural adaptations are formalized and a set of rules are sustained due to poor Blacks living in communities that are socially isolated from greater society. Together, Anderson (1999) and Wilson's (1987) notions of social isolation explained the lack of sustained interaction with individuals and institutions that represent mainstream society. The social isolation reflects the impact of concentrations of urban poverty which deprive poor individuals of access to the mainstream social networks that facilitate social and economic advancement. Within these isolated communities, an informal set of street codes of conduct exist that prescribe specific actions for the social order therein amongst

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two groups of people who must co-exist—street families (those inclined to criminality) and decent families. The development of the Code of the Street within urban communities is indicative of the limited opportunities and protections afforded to African Americans within the urban setting.

Senator Daniel P. Moynihan (1965), in his report *The Negro Family: The Case for National Action*, argued that a lack of progress among many African Americans was due to the lack of paternal figures and the overall progress of Black women. He further suggested that those trapped within the ghetto are a reflection of the lack of cohesiveness amongst its community members. Thus, the poor themselves should be held accountable for the problems they have created. Subsequently, three levels of intensity were identified to explain the disadvantages which led to growing hostility among African Americans towards mainstream institutions: (1) Police, employment, and housing practices; (2) educational ineffectiveness; and (3) ineffective political structures. The riots that raged in the cities of Los Angeles, Chicago, and Detroit during the summer of 1967 were a display of discontent with the racism associated with symbols of institutional White power. Worgs (2006) perceived the violent reaction by African Americans as justified because it was a profound portrayal of: (1) Retribution for being oppressed and dehumanized; (2) oppressed individuals attempting to gain respect; and (3) Blacks demanding inclusion and a respect for Black culture. The Code of the Street emphasized the same anomalies in a contemporary social context (Anderson, 1999).

An important element to consider toward understanding disadvantaged communities is the opportunity structures that are available to their residents. For example, prior to World War II, the federal government established the Home Owners' Loan Corporation (HOLC) in 1933. This was to bail out White homeowners who had defaulted on their mortgages as a result of the Great Depression. HOLC provided low interest loans to those who had lost their homes by redefining zoning practices. Blacks, however, in an era of segregation, were relegated to deteriorated housing. By the 1960s, Blacks had opportunities to live in public housing, which many appreciated because they were much better than what they had before. As the decades passed, however, the poor maintenance of these areas coupled with redlining loan practices (whereby African Americans were routinely deemed "too risky" to receive loans for home purchases), (Institute on Race and Poverty, 2000) continued to keep Blacks segregated, marginalized, and socially isolated. Consequently, Blacks' had limited access to meaningful opportunities for upward social mobility, such as quality education.

Tabb (1970) explained that ghetto residents are manipulated for their one resource—unskilled labor. In more recent times, available employment has not kept pace with this population, leading to increased numbers of unemployed workers. Advertisements of pricey consumer goods in the media constantly reminded residents of the inaccessibility of goods and services. Business owners in poor urban communities manipulate the impoverished conditions by charging residents in the ghetto higher prices for these goods and services. A system of credit practiced by business owners perpetuated a system of debt which allowed owners to refuse services or charge high interest

rates on credited items to "quasi-extort" residents. Not surprisingly, then, as crime declined nationally, African Americans remained at increasing risk of being unemployed and incarcerated.

Markedly, the combined effects of poverty, African American male dysfunction, family disruption, and cultural isolation have had long-lasting effects upon residents of inner cities (Kubrin, 2005). This is manifested by a cultural dysfunction of the family, and is partially explained by the matrifocality of the Black family and fractured Black familial structures (Frazier, 1939). Many Black females fall prey to deviance within the ghetto. Black single women with dependants are often left unprotected while living in the proximity of illegitimate economies, such as prostitution and drug dealing. Limited legitimate avenues mixed with numerous illegitimate avenues create a unique situation unparalleled in White and middle class Black communities (George, 1998). These various postindustrial urban experiences of alienation, unemployment, police harassment, and social and economic isolation are referenced in rap music (Rose, 1994). Dyson (1991) described the rhetorical value of rap as a means for African Americans to express dysfunction. He argued that the messages within rap music should be taken seriously since they include a reclaiming of Black history, invoking Black consciousness, and challenging the powers that propelled the Black community into a downward spiral. The suggestion then, is that rap merely reflects life.

Despite socio-economic challenges, only certain African American families succumb to the ills of poverty, while others in the same vicinity do not. Anderson (1999) attributes these different outcomes to the degree to which families embrace the Code of the Street. Brezina et al. (2004) recognized that street lessons are handed down to, so called, street families, who grew up hard and whose homes may have been marked by drugs, alcohol, and neglect. The children in these families learn firsthand that survival and respect should not be taken for granted. Given that this ideology is present in rap music, this study attempts to describe this street code.

The present study builds on the work of Charis Kubrin (2005) who examined the gangster ("gangsta") rap albums that "went platinum" in sales from 1992 to 2000 for references to the Code of the Street. She found that the code was a staple of gangsta rap. The most common theme of the Code therein was respect. There were 21 rappers who referenced the code. They portrayed violence as a social control mechanism, described efforts to resist victimization, and perpetuated various aspects of the code such as "not disrespecting", "not snitching" and misogynistic attitudes.

This study used a more accurate indicator of rap consumption—the Billboard Top 20 Rap Singles charts from 2001 to 2009—for references to the Code of the Street. In so doing, the genre of rap also goes beyond gangsta rap. The concern is that these Billboard singles' lyrics are the ones that get substantial airplay and these songs are the ones that likely shape the images of Black Americans, even influencing how Black youth come to perceive themselves and, in turn, how they construct their realities. Hence, the research question: To what extent is Anderson's (1999) Code of the Street described in the most popular rap lyrics of 2001 to 2009?

Method

Sample

This study employed a qualitative text analysis of rap lyrics. First, the Billboard Top 20 rap singles charts for 2001 to 2009 were obtained online from a Billboard website at Billboard.com. Then, the lyrics were obtained from the public domain on various websites. This resulted in a dataset of 180 songs. To properly assess the richness of the data, the strategy involved understanding the native or "insider" view (emic) of rap versus the outsider (etic) perspective. The latter is what the researchers, as rap music outsiders, know from the literature and have assumed about the music. The insider's views (emic) are the perspectives of rap artists. As is common in qualitative studies, the researchers began the analysis process by developing an etic-based list of expected codes based on Anderson's description of the Code of the Street with respect as a central theme; other codes included references to guns, drugs, male and female relations, and law enforcement. Specifically, the codes within the lyrics indicative of an endorsement of the Code of the Street all relate to the central idea of obtaining and maintaining street credibility or respect through: a) fighting to garner respect, b) retaliation when slighted, c) staging areas for bad behavior, d) nihilism - disregard for mainstream conformity, e) irresponsible spending and the display of wealth, f) objectification of women for street respect, g) sexual sugges-

tiveness for street respect, and h) negative attitudes towards law enforcement.

The primary researcher also listened to a number of songs and watched any available videos on YouTube and other media. This researcher also read books and articles about the lives of many of the artists who had Top 10 songs for insight into the artist's life and his or her likely experience and firsthand knowledge of the Code of the Street, and its rules of conduct.

Procedure

The lyrics were then uploaded into Atlas-ti version 5.2.12 (a qualitative data management software program) and coded by the researchers, independently, for signs of the street code. Memoing (comparisons of the lyrics with the literature) was done; as was the counting of various terms indicative of the code. Some lyrics were difficult to interpret because of the duality of meanings of specific street terms; therefore, reference books and persons in the rap industry were contacted for explanations of the meanings of various terms.

Finally, a potential network diagram of the connection of street code concepts was manipulated for the best association of ideas using Atlas-ti (see Figure 1). Frequency counts of terms were taken and both diagrammed and table formatted to readily identify patterns in the data. The findings were then considered in terms of the literature regarding the Code of the Street and in rap music, in particular.

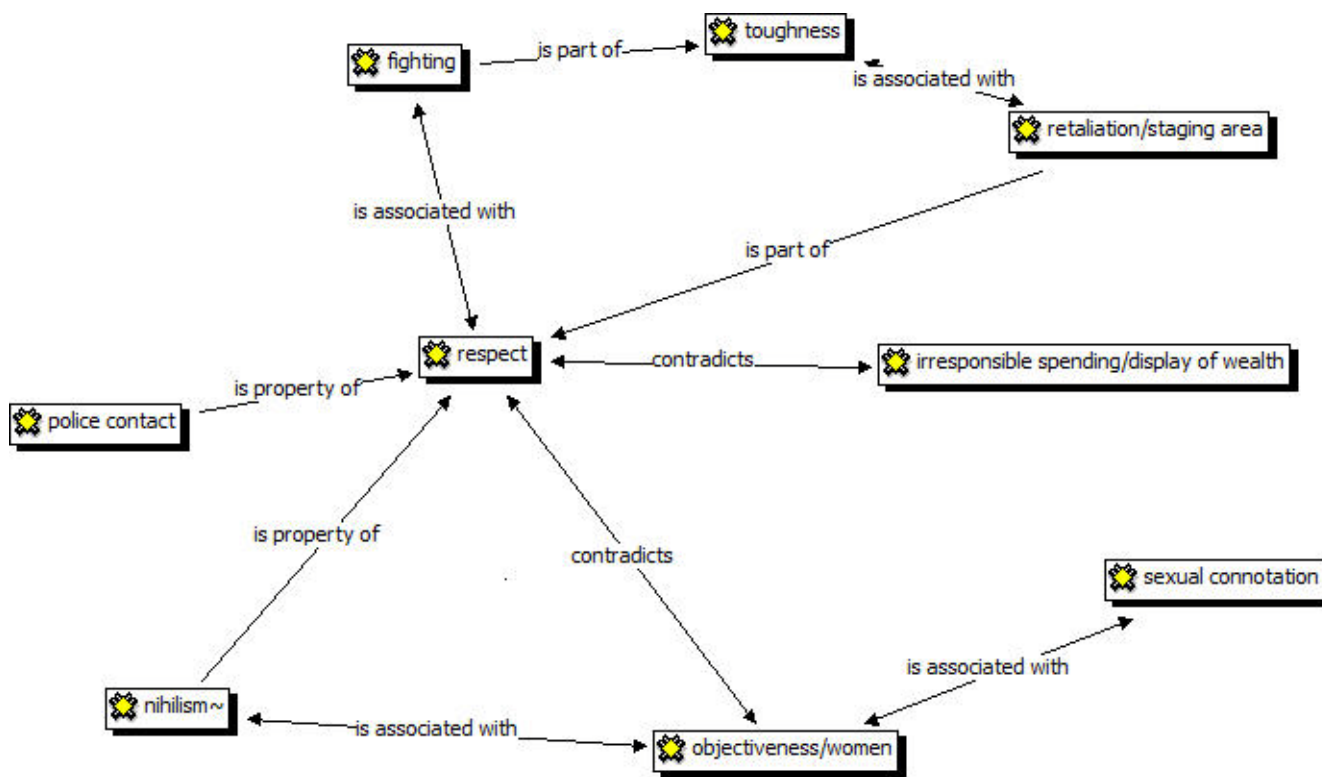


Figure 1. A potential network diagram of the connection of street code concepts.

Regarding paradigmatic disclosure, one researcher is an African American male, born, and raised in a southern state. He admires the rap art form and knows a number of southern rappers personally. His interest in the topic is constructivist, towards understanding the often overlooked dynamics of rap music given the scant volume of qualitative examination of rap and the apparent role of the street code therein. The other researcher is a former radio disc jockey and an admirer of the rap art form. She is a non-American, Black female who also approached the research effort utilizing a constructivist paradigmatic lens to understand the music's content.

Results

Overall, the years in which Anderson's street code was most evident were 2005 and 2006 (see Table 1). In this regard, references made to the code of the street are highlighted below.

Table 1.

Frequency of Responses and Participant Involvement Combined

Year	Song
2002	Cam'ron featuring Juelz Santana- <i>Oh Boy</i> , #6
	Eve featuring Alicia Keys- <i>Gangsta Loving</i> , # 9
	Big Tymers- <i>Still Fly</i> , # 11
	Cam'ron- <i>Hey Ma</i> , # 20
2003	50 Cent- <i>In Da Club</i> - # 1
	YoungBloodz- <i>Damn!</i> , #20
2004	Terror Squad- <i>Lean Back</i> , # 1
	Petey Pablo- <i>Freek a Leek</i> , # 3
	Jay- <i>Z-Dirt Off Your Shoulders</i> , # 7
	Kanye West- <i>Jesus Walks</i> , #11
	Kanye West featuring Syleena Johnson, <i>All Falls Down</i> , #15
2005	Kanye West featuring Jamie Foxx- <i>Gold Digger</i> , #6
	The Game featuring 50 Cent- <i>Hate It or Love It</i> , #10
	Trillville- <i>Some Cut</i> , #11
	Ying Yang Twins- <i>Wait (The Whisper Song)</i> , #12
	Young Jeezy- <i>Soul Survivor</i> , # 16
	T. I.- <i>You Don't Know Me</i> , #17
2006	Webbie featuring Bun B Give Me That, #20
	Yung Joc- <i>It's Goin' Down</i> , # 1
2007	T. I.- <i>What You Know</i> , # 5
	Ludacris featuring Mary J. Blige- <i>Runaway Love</i> , # 8
2009	Rich Boy- <i>Throw Some D's On It</i> , # 14
	T.I. featuring Justin Timberlake- <i>Dead and Gone</i> , #2

Note. 2001 and 2008 = no clear mention of the Code.

Guns

One of the etic codes with which the researchers began the study was an exploration of artifact references to a firearm or gun. Gun terminology is relevant in communicating the street code; in that, rappers relate it to: a) fighting to garner respect, b) retaliation when slighted, and c) staging areas for bad behavior.

The rap songs for the year 2001- 2009 contained multiple terms to describe various types of guns that may be readily available. Guns are used to protect oneself from intrusion, or as a means to gain respect by either a show of force or to deter or repel violence by the mere knowledge of the presence of a gun. Among the Top 20 rap songs from the year 2001 to 2009 there were 42 songs with at least one term for guns. The terms that were most commonly used were: Gun, Glock, AK47, Hammer, Heater, .44 Caliber, Strap, and Baby Tech. The Top 10 songs for the years 2001 to 2009 had fewer terms than the Top 11 to 20 songs. The Top 10 songs were more focused on socializing and night life than on gun violence.

Related to guns, rapper Sean Paul of the Youngbloodz (2003) exclaimed in the hit *DAMN!* (number 20 on the rap charts):

Oh you fo sho with it/ then pull yo pistol/ Show a nigga you ain't hoe with it/ And I ain't selfish I will let you and your folk feel it/ Talkin' big boy shit/ Mean muggin' like a motherf***** with my hand on my d***.

Youngbloodz' lyrics described Anderson's (1999) perspective of the consequences that could occur if a person is tested on the streets. The rapper subsequently dares his opponent to a possible gun battle when he perceives he has been disrespected. Furthermore, Sean Paul is not afraid to shoot his opponent or anyone that may put his life in jeopardy and goes further by "mugging" or giving his opponent a sense that he is crazy to convince his opponent to reconsider the gun battle because the risk of losing his life may be greater than the rapper's. Similarly, the Terror Squad's *Lean Back* which featured Fat Joe and Remy (No. 1 on the rap charts for 2004) mentioned the acceptability of violence:

I don't give a f*** 'bout your fault or mishappenin's/ Nigga we from the Bronx, New York where... shit happens/ Kids clappin love to spark the place/ Half the niggas on the squad got a scar on they face/ It's a cold world and this is ice.

The Game, in *Hate It or Love It* (No. 10 on the rap charts for 2005), described, "Been banging since my lil nigga Rob got killed for his Barkley's/ That's 10 years I told Pooh in '95 that I will kill you if you try me for my Air Max 95s." The Game begins "gangbanging" for protection, but this grows into a deeper street code adeptness. He acknowledges Pooh's respect from the streets regarding his status as being a "jacker" or what Anderson (1999) would call a stick up man. Markedly, he lets the assailant know that he is different from his friend and will kill Pooh if he tests his manhood to obtain his expensive sneakers (Air Max 95s). The Game describes some fear of being robbed, but he embraces the possibility of reacting violently. According to Anderson (1999), it is critical that the victim is able to withdraw or respond to the challenge based upon how that person has been socialized. The Game and Pooh suggest

that they were socialized by a gang culture, and they possess tendencies that place them at risk for trouble.

Artists who make reference to a gun all described the consequences that may occur if disrespected. This consequence must be without empathy and includes physical harm if the disrespected party has a gun. Anderson (1999) noted that the general atmosphere of danger leads even non-violent individuals to buy guns for protection. In such settings where dire economic conditions force some to use desperate measures, having a gun becomes an equalizer.

Rapper T. I.'s *Dead and Gone* (No. 2 on the rap charts for 2009) tried to make sense of the issue of respect, guns, and violence within the inner city neighborhoods and acknowledged:

Niggas die everyday/ All over bullshit, dope money, dice game, ordinary hood shit/ Could this be 'cos of hip-hop music?/ Or did the ones with the good sense not use it?/ Usually niggas don't know what to do when their back against the wall so they just start shootin'/ For red or for blue or for blo I guess/ From Bankhead or from your projects.

Drugs

Terminologies used for drugs are relevant to the street code, in order to communicate the ideal of Nihilism -disregard for mainstream conformity and irresponsible spending and display of wealth. For many, high unemployment makes selling drugs a reasonable source of income. This dynamic flourishes in the midst of employers' racial preferences; Blacks' economic isolation from the mainstream; and Blacks' lack of access to the human and cultural capital for meaningful legitimate employment. As drugs and drug dealers succeed within a neighborhood their street life becomes more normal, as characterized by the neighborhood.

Regarding to the Top 20 rap songs of the years 2001-2009, the terms that symbolized drugs were identified and broken down by the type of drugs. Drugs referenced included cocaine, marijuana, ecstasy, promethazine codeine, and prescription drugs. The Top 20 songs contained 22 terms for cocaine. The most common terms for cocaine were crack, coke, and bricks. Of all the illicit drug references, cocaine was most common. The terms for marijuana were more likely in the top 11 to 20 songs as opposed to the Top 10. Markedly, there were eight different terms for ecstasy (i.e., E, pills, rolling, jigga, poppin Ps, skittles, strong and X) and five terms for promethazine codeine. The deviant use of codeine mixed with a soft drink or juice is known mostly in Texas, Louisiana, and Mississippi. The five terms referencing this were in the works of David Banner with *Chamillionaire* and Paul Wall. These artists mentioned the drug's association with Southern street culture. The terms describing prescription drugs, Prozac and Nexenol, were found only once in the Top 20 rap songs. While Anderson referred to drug use as an element of the street code, rap music indicates how the specific drugs vary by region.

The staging area or scene known for drug trafficking in rap music is referred to as the *trap*. Dealers and addicts gave the staging area this label because of the cajoling of drug dealers to increase their profits by trapping or enticing others into drug usage. Yung Joc's *It's Goin' Down* (No. 1 on the Top 20 rap charts for 2006) and T. I.'s *What You Know* (No. 5 on the rap

charts for 2006) vividly described the trap. Yung Joc states, "Catch me in the hood posted at the sto/ Pistol in my lap on the phone counting dough." Additionally, his status allows him to "flip work" [sell drugs] successfully which earns him the ghetto moniker the Black Donald Trump. Similarly, T. I.'s, 2006, song describes similar success yet he deviates from the code by revealing where he keeps his product- in a Louis Vutton knapsack. T. I.'s street credibility allows him to expand his market to various locations beyond his community and he is trusting that his associates will respect him. According to Anderson (1999), a person could miscalculate his surroundings and be robbed, murdered, or set up in a drug trap especially when venturing into an unfamiliar city.

Pete Pablo's *Freak a Leek* (No. 3 on the rap charts for 2004) encourages a young woman to, "Sniff a little coke, take a little x, smoke a little weed, drink a little bit/ I need a girl that I can freak wit." At the conclusion of his song, he goes further to say, "I like to thank Seagrams Gin because I drink it and they paying for it." Webbie's, *Give Me That*, featuring Bun B, (No. 20 on the rap charts for 2005) went further to describe a woman attached to the fast life with the description:

She five foot seven, 139 pounds/Thirty-six, 24, 38 pretty fine brown bad lil broad/ I ain't seen her in a minute since the all-star game and I'm still trying to hit it [have sex]/ Got a baby for this nigga that I used to sell thangs/ He caught a fed case and he ain't leave her no change/ She sold all of his jewels, she sold all of his cars/ Now she dancing in the shaker club strippin' for the stars.

The nexus of the drug addict and the drug dealer is very fragile. The dealer must be ever vigilant. The status of the drug dealer is often based not solely upon the material gain he or she receives, but the violence that the person could inflict to protect his/her territory, the product, and material gains. Jay Z, in *Dirt Off Your Shoulder*, (No. 7 on the rap charts in 2004) exclaimed, "Trying to stretch out the coca, like a wrestler, yes sir/ Keep the Heckler [automatic machine gun] close, you know them smokers'll test you." Jay Z suggests a willingness to inflict physical harm if an addict tries to violently steal drugs from him; he understands that if he is robbed it will render him vulnerable to other addicts and competing drug dealers, as Anderson (1999) described. Similarly, Rich Boy' *Throw Some D's On It* (No. 14 on the rap charts for 2007) described drug dealing's danger:

Rich Boy sellin' crack f*** niggas wanna jack/ Shit tight no slack just bought a Cadillac/ Took it to the chop shop.../ But I still got my glock cocked/New money mother***** don't you see the big knot/Don't you see the big chain/Don't you see the big rims/Wonder who they hatin' on.

The bravado which Rich Boy lauds includes common status symbols associated with being a drug dealer and excessive spending. The illicit proceeds, in the form of large sums of cash, are not taxed, legitimately saved, or invested because of the reporting requirements of financial institutions (Brown 2005). Instead, it is moved more rapidly than legitimate earnings to conceal its origin.

Big Tymers' *Still Fly* (No. 11 on the rap charts for 2002) attached the label "stunting" to those who display financial wealth, but are irresponsible with spending. Their satirical lyrics included, "Gator boots/ with the pimped out Gucci suits/ Ain't got no job but I stay sharp/ Can't pay my rent, cause all

my money's spent but that's OK, cause I'm still fly." As Anderson (1999) described, individuals within the most depressed areas commonly find a way to afford high priced items. He went further to explain the frustration of grandmothers and mothers as they observe the destructive spending habits of their own children in order to maintain a competitive image with others in the community who overindulge materially.

Kanye West's *All Falls Down* (No. 15 on the rap charts in 2004) also noted the irresponsible spending habits of Blacks within the inner city. He described a young woman who is enrolled in college yet the allure of expensive things has led her to question the value of staying in school. Subsequently, he laments the nihilism among Blacks and is concerned that young Blacks would prefer "to shine" because in his terms:

We shine because they hate us, floss 'cause they degrade us/
We trying to buy back our 40 acres/ And for that paper, look
how low we a'stoop/ Even if you in a Benz, you still a nigga in
a coop/coupe. I say f*** the police, that's how I treat 'em/ We
buy a lot of clothes when we don't really need em/ Things we
buy to cover up what's inside.

West questioned his motivation and the hip-hop subculture's leadership for coercing the financially illiterate and for being financially illiterate. The waste associated with desires for expensive items that persons are unable to even pronounce was apparently troubling for the young rapper. Similarly, Terror Squad's Fat Joe described in *Lean Back* (No. 1 in 2004), "Got 'da Phantom [a Rolls Royce] in front of da building, Trinity Ave [Trinity housing project]...they still figure me bad." The pride in his very expensive car renders an enigmatic portrait for onlookers; thus, garnering attention to an irrational image of having a Rolls Royce in a housing project.

Nearly all of the artists on the Top 20 from the years 2001 to 2009 have some attachment to a corporate sponsor. For example, Coogi, Vokal, Rocawear, Sean Jean, and Courvoisier liquor are substantial sponsors of the hip-hop subculture. It is important to note that when Busta Rhymes, P. Diddy and Pharrell made *Pass the Courvoisier II* (No. 12 on the rap charts in 2002), liquor sales of this product increased 20%, much of this in the Black community (Lindenmuth, 2003). Rap music's association with the streets is most similar to arguments made by Anderson (1999) and Marable (1983) regarding targeted advertisements of expensive goods given the ill-advised spending habits of many poor Blacks.

Respect for Men and Women

Objectification of women for street respect and sexual suggestiveness for street respect. Anderson (1999) masterfully identified within his ethnography that a lack of access to legitimate avenues of masculinity led to the creation of an alternate Black male identity that emphasizes a street reputation. This includes sexual suggestiveness and the objectification of women as signs of male bravado. Recently, Miller (2008a) described the expectations of masculinity and respect among some African American males as involving the use of violence for sexual conquest. Rap music has remained a male dominated arena and feminists have been critical of its misogynistic overtones by Black men and the threat it poses to Black women.

Miller (2008a), Hutchinson (1999), and Anderson (1999) agreed that the several alternative forms of masculine identities formed by African American men, in low income neighborhoods, put women at greater risk for violent victimization. Hutchinson (1999) went further to conceptualize a form of hierarchy based upon the types of men within a neighborhood's social context. At the top of the hierarchy are: a) the drug dealer, b) rappers and those employed within the drug trade, and c) men that have legitimate forms of employment. Both Miller (2008a) and Hutchinson (1999) concluded that media images endorsing hyper sexual conduct placed inner city females at risk of being disrespected and sexually assaulted. Their study participants revealed that men oftentimes took advantage of women simply because of their physical advantage.

For example, female rapper Eve's *Gangsta Loving* (No. 9 on the rap charts for 2002) exclaimed:

I know these bitches wanna settle you/Gotta say you on my short
list, a few/ Them other dudes is OK/ But I'm feelin' you/ Want ya in
the best way/ So whatchu gone do about it/ Why don't you just test
me/ You won't wanna do without it/ No I'm coming at you hard/
Meetin' a thug/ And I ain't givin' up/ Till I get that gangsta love.

Eve embraces what Hutchinson (1999) described as masculinity hierarchies within low income Black communities. Eve is enthralled by her potential mate's masculinity. She feels free to accost him aggressively for sex. However, other males on the lower spectrum of the hierarchy may be deemed disrespectful if they exhibit hyper masculinity that does not fit their place in the hierarchy. Therefore, men who exhibit decent standards may be cast aside and feel rejected because, in inner city neighborhoods, ascendency is considered a sign of weakness.

Cam'ron's *Hey Ma* (No. 20 on the rap charts for 2002) revealed the power of material symbolism when competing for a potential sex partner:

Hey ma, what's up, let's slide, all right, all right/ And we gonna
get it on tonight/ You smoke, I smoke, I drink, me too, well good/
Cause we gonna get high tonight/ Got drops got Coups, got
trucks, got jeeps, all right/ Cause we gonna take a ride tonight/ So
ma, what's up, let's slide, all right, all right/ And we gonna get it
on tonight.

Likewise, 50 Cent's *In Da Club* (No. 1 on the rap charts for 2002) noted:

You can find me in the club, bottle full of bub/ Look mami, I got
the X if you into takin' drugs/ I'm into havin' sex, I ain't into
makin' love/ So come to gimme a hug if you're into getting'
rubbed.

Anderson (1999) and later Miller (2008a) revealed that girls in inner cities who are poor, but who landed a ghetto superstar experienced this like winning a lottery. Consequently, the participants interviewed by both scholars revealed that coercion via drug and alcohol consumption combined with the gilded display of wealth by *ballers* (i.e., wealthy individuals) gives some women and men the unrealistic perception that their status has improved. Brooks (1995) labeled this ideology as the *centerfold syndrome*. The *centerfold syndrome* is comprised of five components: voyeurism, objectification, the need for validation, trophyism, and the fear of true intimacy. The problem occurs as men begin to glorify what are often unreal

media-generated images of women. For instance, Ying Yang Twins' *Wait (The Whisper Song)*, No. 12 on the Top 20 chart for 2005, referred to the tendency of African American men to create unreal images of the woman as if willing to see the woman as delicate and tender, but then succumbing to the street code which demands that a person resist the vulnerability that comes with truly loving women. The resistance is then articulated in misogynistic objectification:

Hey, how you doin' lil mama? Lemme whisper in your ear/ Tell you something that you might like to hear/ You got a sexy ass body and your ass look soft/ Mind if I touch it and see if it's soft/ Naw, I'm just playin' unless you say I can/ And I'm known to be a real nasty man/ And they say a closed mouth don't get fed/ So I don't mind asking for head/ You heard what I said/ We need to make our way to the bed/ And you can start usin' yo head/ You like to f***, have yo legs open all in da butt/ Do it up slappin' ass 'cuzz the sex gets rough/ Switch the positions and ready to get down to business/ So you can see what you've been missin'/ You might had some but none like this/ Just wait till you see my dxxx/ Ay bitch, wait till you see my d***/ I'ma beat dat p**** up.

According to Burgest (1990), men's unrealistic sexual expectations of women are exacerbated at times by games women play with their bodies to receive favors in a relationship. The result for some African American women is that their male counterparts, products of family dysfunction, act and speak derogatorily.

Kanye West's *Gold Digger* (No. 6 on the 2005 rap charts) rationalized the extent to which some men will go to attract a "high maintenance" / "gold digger" (i.e., with expensive tastes) female. This gold digger uses sexual favors to sustain herself financially. West revealed that this woman's character would place love-starved men at risk for "getting played" (deceived and exploited). It is the beauty and charm of the woman that allows her to set a trap for unsuspecting men. Trillville's *Some Cut* (No. 11 on the rap chart for 2005) described his potential female mate as a freak given her pierced tongue and visible tongue ring (often done for enhanced sexual pleasure). The rapper proceeded with graphic descriptions of aggressive bravado to persuade the woman to engage in public fellatio. Miller (2008b) stressed that young men in these communities are encouraged by local norms to act in a lewd and violent manner, which renders young women vulnerable to sexual victimization.

Rap Music as Reflective of the "Code of the Street" and Problems in the Urban Ghetto

In addition to the references made to the Code of the Street, contemporary rap includes reflexive discussions of concern about the community, for example, on the rap charts, Kanye West's *Jesus Walks* (No. 11 for 2004), Ludacris' *Runaway Love*, featuring Mary J. Blige, (No. 8 for 2007), and T. I.'s *Dead and Gone* (No. 2 for 2009). These songs expressed a variety of issues, such as a need to reclaim religion as a moral foundation, family disorganization and the need to communicate constructively in order to avoid confrontation.

Jesus Walks by Kanye West begins with, "Yo, We are at war!" He makes reference to the social problems of terrorism, racism, and personal demons. West described the Midwest as a

region where young Blacks are restless, depressed, and hungry: A place where, "Niggas might snatch your necklace/ And next these Niggas might jack your Lexus." Similarly, many of Anderson's study participants (1999) (the mothers and grandmothers in particular) referenced Christianity as the lens through which they might interpret and address the chaos and crime in their community. West's song includes the ever present reality of death and violence. He goes further to ask God to show him the way because the Devil [society] intends to take him under, "The only thing that I pray is that my feet don't fail me now." Nevertheless, West questions the attentiveness of God with, "And I don't think there's nothing I can do now to right my wrongs/ I want to talk to God but I'm afraid we ain't spoke in so long." He goes on to question other rappers whom fans regard as role models, but whom he perceives as failures in that role given their preference to project a harsh street machismo. Anderson (1999) referenced this phenomenon by concluding that the *old head* or old fashioned model of mentorship was being replaced by younger more identifiable role models that are active within popular culture.

Ludacris' *Runaway Love*, expressed the problems that affect young women residing within dysfunctional homes. The rapper used the family lives of three little girls whom they named Lisa, Nicole, and Erica as a premise for a story. According to the rapper, Lisa's family life is cold because her home life includes herself and an alcoholic mother. The men that inconsistently come in and out of her mother's life emotionally, physically, and sexually abuse her while creating a false consciousness within her mother that Lisa has become her competition for men. Consequently, the girl runs away from home. Nicole is a young girl whom society mistreats. A young lady Stacy becomes her best friend and "anchor" when times become unbearable. However, a gang related drive-by takes Stacy's life and leaves Nicole alone and vulnerable. The heartbreak of losing her closest friend encourages Nicole to run away.

The final character of the rap is Erica, an 11-year old girl who is promiscuous and drug dependant. She becomes pregnant by a teenage boy who abandons her. Unable to obtain monetary or emotional support the young lady becomes afraid then runs away. The fictitious characters throughout the song dealt with their problems by turning to an alternative support system—the streets. Ludacris, in his lyrics, and Miller (2008b), in her research, both concluded that the most disheartening matter facing young Black women is the manner in which female victims are held accountable for their own victimization. The result is often bad choices in the absence of meaningful care and support.

It appears that from 2004 to 2009 there was increasing concern, in the most popular rap lyrics, about socially disorganized aspects of the African American community. This is a significant shift because arguably rap is a viable social platform for proponents of stronger families and safer communities. T. I.'s *Dead and Gone* (No. 2 in 2009) may be interpreted not only as a lesson in going from tragedy to triumph and back, but also as a reminder of the need to change for the sake of family and friends. T. I. eloquently revisited instances where he witnessed violence inflicted upon persons close to him. Such violence led

T. I. to question whether or not the decision to follow the Code of the Street makes a man worthy of respect. The lyrics within this particular work revealed his thinking that the street code is flawed, in that it is not necessarily about a decent kind of respect, but an endorsement of violence. The disorder that he witnessed apparently wore him down to the point that he would prefer to seek respect by avoiding dangerous situations and approaching civility.

Rap Music and Black Youth Perception of the Police within the Ghetto

Negative attitudes towards law enforcement. Conflict between African Americans and the police has been ongoing since the beginning of policing in America. According to Anderson (1999), Kubrin (2005), and Brown (2005), a street code seeks to authenticate the norms that characterize the relationship between illicit actors and decent people, who inhabit separate social spheres, yet are bound by their physical community. Anderson's (1999) street code prescribes an alternative form for protection given low confidence in the police. Both he and Skolnick and Fyfe (1994) described *two Americas*, one where the officers are *our friends* and the other where the police are intimidating and inadequate. Since rap music's emergence within mainstream pop culture, rappers have described the police negatively. The inadequate policing of Black neighborhoods and negative citizen interactions are elements that foster the street code. Anderson (1999) expounded that both decent and street individuals practice the same street code regarding the police, which is, *avoiding them at all costs*. He pointed out that the reluctance to act as a snitch has a dual meaning. It protects the underground economy from police intrusion, yet it leaves the more decent individuals vulnerable to being profiled and exploited by the police. He also posited that the same efforts used to protect one against criminals are used to escape police notice.

It is hard for street criminals to report being victimized, thus, snitching becomes the process of reporting crimes to achieve a desired outcome (Rosenfeld, Jacobs, & Wright, 2003). Rapper Juelz Santana's collaboration with Cam'ron *Oh Boy* (No. 6 on the rap charts in 2002) described a shooting in which he was either the trigger man or accessory to the crime and declared:

Ya'll niggas can't f**** with the (boy)/ I'm telling ya (boy)/ Put a shell in ya (boy) now he bleedin' (oh boy)/ Get him call his (boy)/...He screamin' (boy, boy, boy)/ Damn shut up (boy) he's snitching(oh boy)/ This niggas bitchin' (boy) he's twistin' (oh boy)/ It feds was listenin' (boy) damn, whoa, damn...I'm in trouble need bail money, shit.

Parallel to Rosenfeld et al.'s (2003) interpretation of Anderson's (1999) street code, the rapper is justified for retaliating against a snitch but the victim is deemed weak for reporting being violently victimized. Young Jeezy's *Soul Survivor* (No. 16 on the rap charts in 2005) clarifies this with, "If you get jammed up don't mention my name" He continues:

Gotta watch 'er every move 'cause them eyes be on you/ Gotta drive real cool when them pies be on you/ Just because we stack paper and ball outrageous/ The alphabet boys [police] got us under surveillance.

T. I.'s *U Don't Know Me* (No. 17 on the rap charts in 2005) follows the same line of thinking by stating:

Hey once again let me remind you nigga you don't know me/ So don't be walking up and asking "what's the deal on a ki?" [kilo of cocaine]/ I don't know if you wearing wires, you could be the police/ If I was slanging blow you couldn't get an oz [ounce].

Given that many drug dealers transition out of their illicit enterprise into rap music, not snitching matters. Snitching is not only about reporting crime, but it is a form of social control or, a weapon to eliminate the competition within underground economies. For instance, rapper 50 Cent and Ja Rule's disagreements led to the dissolution of the Murder Inc. record label. 50 Cent's *In Da Club* (No. 1 on the rap charts in 2003) referred to Ja Rule's entourage in the club by stating, "Been hit with a few shells, now I walk with a limp," as a reference to an altercation that left 50 Cent hospitalized after being shot nine times. As the conflict continued, disputes about street credibility began to surface and the revelation of 50 Cent's victimization increased his street credibility. Many lyrics in 50 Cents music that described Ja Rule went from taunting to exposing Ja Rule's associates, who were reportedly tied to New York's criminal underworld. As the attachment to street culture became more public, so did the concern by law enforcement for the safety of specific rap celebrities, due to their loose associations with street figures. Moreover, federal agents began to analyze both rappers' lyrics to determine the validity of their claims of engagement in crime. Consequently, federal agents and tax auditors raided Murder Inc.'s business offices and indicted the owner Irv Gotti on numerous charges ranging from money laundering to tax evasion based upon 50 Cent's lyrics (Brown 2005). The controversy increased 50 Cent's celebrity but destroyed Ja Rule's career. Consequently, many critics within the hip-hop community labeled 50 Cent a "dry snitch."

Chamillionaires' *Ridin* (No. 10 on the rap charts in 2006) reflects Rosenfeld et al.'s (2003) conclusion that certain African Americans are paranoid about the police because of continued unfair harassment and treatment:

Do what you thinking so, I tried to let you go/ Turn up a blink of light and I swang it slower/ A nigga upset for sure cause they think they know that they catching me with plenty of the drink and dro [promethazine codeine]/so they get behind me trying to check my tags, look at my rearview and they smilin'/ Thinkin they'll catch me on the wrong well keep trying/ Cause they denyin is racial profiling/ Houston, Texas you can check my tags/ Pull me over try to check my slab [vehicle]/ Glove compartment gotta get my cash/ Cause the crooked cops try to come up fast/ And being a baller that I am I talk to them, giving a damn 'bout not feelin' my attitude/ When they realize I ain't riding dirty bet you'll be leaving with an even madder mood/ I'mma laugh at you then I'mma have to cruise I'm in number two on some more DJ Screw/ You can't arrest me plus you can't sue/ This is a message to the laws tellin' them WE HATE YOU.

Despite the divide between community and police, many citizens would agree that the absence of the police would leave the community vulnerable to chaos. Rosenfeld et al.'s (2003) study participants reported having observed a young man being shot in the back and seeing a police officer plant a gun in the man's hand to justify the killing. Chaos struck the hip-hop community with the deaths of Tupac Shakur and Biggie Smalls, in 1996, followed by suggestions of police involve-

ment in both murders. Subsequently, police misconduct has not gone unnoticed within the community and this awareness creates anxiety for those living in the more crime-ridden inner cities. The "hip-hop war" in the 1990s between the east and the west coast rappers prompted police departments in other major cities to form hip-hop units that were attached to gang units. T. I.'s *U Don't Know Me* (No. 17 in 2005) described this phenomenon, "I give a fuck about the feds investigations on me/I don't care they're at my shows and they're waiting on me."

Discussion

Rap lyrics addressing aspects of the Code of the Street are prevalent in the Top 20 Billboard charts songs from 2001 to 2009. The prominent features of the street code in most of the popular rap lyrics produced from 2001 to 2009 contained themes relating to respect, the political economy of the ghetto, African American male dysfunction, misogynistic attitudes towards Black women, police-community relationships, and visible deviance condoned by the legitimate marketing of a "street culture." For example, Kubrin (2005) found that respect was the most common street code theme in the music. Only 19 of the 180 songs made significant reference (more than a phrase) to the code; and some of these references were anti-code messages. There were 17 rappers involved as the lead artist. The modal artist was T. I., who is based in the city of Atlanta. He had three songs depicting the code: *You Don't Know Me*, No. 17 in 2005; *What You Know*, No. 5 in 2006; and *Dead and Gone*, No. 2 in 2009. It is likely of some significance that T. I. is a young African American male who also manifests aspects of the street code in his real life and, indeed, was incarcerated recently on a weapons conviction. After being released, this freedom was revoked based on drug possession and use.

One limitation of the study is that the current Billboard rating system did not exist prior to 2002. Prior to 2002, the Billboard based ratings on a song's longevity, during multiple plays by local radio stations. Beginning in 2002, artists who reflected the most sales had more longevity on the Billboard charts. Currently, the formula in place gives more credence to record sales and includes numbers from Nielson Soundscan sales data and the Nielson Broadcast systems data (Mayfield, 2003).

The study also has the usual limitations of qualitative research in that the researchers brought certain paradigmatic ideas and subjectivities to the project, even though their paradigmatic approach was largely constructivist. While the researchers made thorough efforts to understand the rap lyrics, it is possible that some meanings might have been missed, especially because the meanings of words may differ by era and by region. The study design also makes it difficult to discern conclusively whether life is imitating the art or vice versa. Future studies might examine the extent to which youth of various ages, as well as socioeconomic and ethnic backgrounds internalize messages in the music that they consume.

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Students' Perception of Application of Confidentiality in Counselling Practices in Selected Secondary Schools in Rivers State, Nigeria

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This study investigated the extent to which guidance counselors applied confidentiality in counseling practices in secondary schools in Rivers State, Nigeria. The study adopted survey research design. Eight hundred secondary school students participated as respondents in this study. Purposive sampling procedure was adopted to randomly select eight local government areas used in this study. A self-structured Application of Confidentiality in Counseling Rating Scale (ACCRS) was used in collecting data for the study. Using mean score analysis and 2-Way Analysis of Variance (ANOVA), the results revealed that guidance counselors kept secret of all their conversations and discussions with their clients in the course of their counseling practices. It was also found that there was significant difference in the perception of secondary school students on extent to which guidance counselors applied the ethics of confidentiality in counseling practices among the secondary schools investigated. The study also showed that there was significant difference in the perception of secondary school students regarding the extent to which guidance counselors applied the ethics of confidentiality in counseling practices among the secondary schools investigated. Moreover, it was evident that interaction effect did not exist in the perception of male and female secondary school students on the guidance counselors' application of the ethics of confidentiality in counseling practices among the secondary schools investigated in Rivers State. It is recommended that there is the need for guidance counselors and the counselees to apply the ethics of confidentiality in their counseling programs; therefore, keeping secret of all their discussions. Guidance counselors should ensure that the code of ethics of confidentiality in the counseling profession is maintained, emphasized and taken seriously.

Keywords: student perception, confidentiality, ethics, counseling practices, guidance counselors, Nigeria

In the school system, students are often confronted with problems in the areas of education, vocation, and personal-social. Guidance counselors are expected to render their services to the students by aiding them and offering them solutions. In the process, guidance counselors are expected to maintain the ethics of confidentiality as stipulated by the counseling profession; that is, keeping secret whatever is discussed by both parties (the guidance counselor and the students) during the counseling session. In some cases, students may not have confidence in the guidance counselors because they perceive that they are not applying the ethics of confidentiality in rendering their services.

One of the important elements in counseling that cannot be overlooked is confidentiality. Confidentiality is emphasized in the code of ethics of the counseling profession to which every practicing counselor is strictly expected to adhere. Gladding (2004) highlighted these ethics as they pertained to counseling

in the United States. In Canada, Konrad (2005) examined several codes of ethics that governed the professional practice of counselors. Also in Nigeria, the practice of counseling could not be completed without a code of ethics, of which confidentiality is primary concern. Uzoeshi (2003) stressed the need for total confidentiality to be maintained in consultancy services and private practice in counseling. This implies that the counselor has to keep secret any information obtained from a client while in private practice, unless it will constitute a threat to the client or society. Hornby (2001) defined confidentiality as a situation in which you expect someone to keep information secret. Therefore, it is concluded that the concept of confidentiality is referring to the act of keeping secret the information gathered by the counselor during the process of counseling the client.

One of the personal and professional characteristics of the counselor is the ability to maintain confidentiality (Ugwuegbulem, 1996). According to Ikpeazu (1996), the ability of the counselor to keep practice this confidentiality is essential to his/her effectiveness as a counselor. Uzoeshi (2003) stated that the counselor must keep confidential any information collected from his/her client either through an interview or while collect-

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ing data through a questionnaire, checklist, or other methods. It is a counselor's duty to ensure that what a client says will be kept in strict confidence (Konrad, 2005). From the literature reviewed, it is clear that one major role of the counselor is to keep the information relating to the client in the strictest confidence.

Underpinning confidentiality is Canada (1982)'s Charter of Rights and Freedoms, which asserts that it is fundamental to the security of each person that she/he has the right to control information about him/her and how much may be shared with others. Okobia (1992) stated that one of the expectations of the clients from counselors, during the counseling session, is to keep their problems confidential and one of the expectations of the counselor from the clients is to maintain confidentiality. Ikpeazu (1996, p. 94), therefore, posited that:

The counselor should possess the ability to keep information concerning his client confidential; ability to keep client information secret especially socio-personal information will endear him to his client. As part of the counselor's professional ethical code, the counselor is under obligation not to divulge client's information without the permission of the client except in situation that it will affect the client or public negatively.

The counselor is expected to keep any personal discussion with the client, while in the counseling sessions, confidential. A counselor who cannot keep counseling proceedings confidential has the risk of losing his or her clients. In essence, the amount of confidentiality exhibited by the counselor encourages the client to open up and talk more about his or her problem.

Under normal circumstances, the counselor may reveal or disclose information about the client only with the client's written or recorded permission, after discussion if possible, only to agreed upon recipients, and for a limited period of time (Daniels & Ferguson, 1999). Confirming this assertion, Uzoeshi (2003, p. 29) stated that:

Information can only be released to the third party if it will constitute threat to the life of the client or the society. Such information, however, must be released with tact. For example, if a client confides in the counselor that students want to riot, it is the duty of the counselor to inform the school authority without disclosing the identity of the client.

A counselor is obligated, early in the counseling process, to advise the client about exceptions to confidentiality, the counselor's "duty to warn," and issues of providing counseling to a minor, as laid out by law and his/her code of ethics. Informing a client of these conditions helps the client to decide what information they will reveal in counseling (Daniels & Ferguson, 1999).

Lack of privacy is one of the major factors infringing the counselor's role in the school setting. Often offices provided to counselors in our schools are shared space with teachers. They are usually located in a staff room accommodating no less than four teachers, depending on the size of the room. The presence of other teachers in a staff room may not permit for in-depth counseling, even where the teacher is trained and an experienced guidance counselor is aware of the need for confidentiality (Ugwuegbulem, 1996). Too often, staff personnel are not trained to keep secrets (Iwuama, 1991). By professional training, the counselor is not meant to be sharing information out-

side the counseling session: He or she is expected by the code of conduct of the counseling profession to keep all discussions during counseling proceedings confidential.

In this regard, it seems that the concept of confidentiality in counseling has become one of the vital issues and has attracted the attention of several experts in the counseling profession. This issue has become so important in the minds of the practicing counselors, teachers, and clients because some guidance counselors have failed to maintain confidentiality in certain instances. Also, a literature review presents a scant conceptual and theoretical overview of experts' opinions about the issue of confidentiality in the counseling practice. This implies that little or no research study has been carried out on the application of the ethics of confidentiality in counseling practice, particularly in Nigeria, creating a gap in knowledge that will be empirically studied by this study. The purpose of this study, therefore, was to investigate the extent to which guidance counselors applied confidentiality in counseling practices in secondary schools in Rivers State.

A single research question guided the study: What are the mean responses of male and female students' perception on the extent to which guidance counselors apply the ethics of confidentiality in counseling practices in their schools? In addition, the following null hypotheses were formulated and tested at 5% level of significant:

1. There is no significant difference in the perception of male and female students as to the extent to which guidance counselors apply the ethics of confidentiality in counseling practices among the secondary schools.
2. There is no significant difference in the perception of male and female secondary school students as to the extent to which guidance counselors apply the ethics of confidentiality in counseling practices in their schools.
3. There is no significant interaction effect on the perception of male and female students as to the extent to which guidance counselors apply the ethics of confidentiality in counseling practices among the secondary schools.

Method

Sample and Participants

This study adopted a survey research design. The target population consisted of all secondary school students in Rivers State. The purposive sampling procedure was adopted to randomly select eight local government areas (four from the rural area and four from the urban area of Rivers State) used in this study. Representing the rural area are the local government areas of Andoni, Etche, Asari-Toru, and Emohua and for the urban area, selected local government areas were Port Harcourt City, Obio/Akpor, Khana, and Ahoada East. The stratified random sampling method was used to draw eight secondary schools from the eight selected local government areas. The schools were: Government Secondary School (GSS), Ngo Town (Andoni); Government Secondary School (GSS), Okehi (Etche); King's College of Commerce (KCC), Buguma (Asari-Toru); and Rivers State University of Education Demonstration Secondary School (UDSS), Ndele (Emohua). Other schools included: Rivers State University of Science and Tech-

nology International Secondary School ((RSUSTISS)), Port Harcourt (Port Harcourt City); University of Port Harcourt Demonstration Secondary School (UDSS), Aluu (Obio/Akpor); Birabi Memorial Grammar School (BMGS), Bori (Khana); and Government Secondary School (GSS), Ogbo (Ahoada East). The schools were constituted by the purposive sampling

technique. As all the schools investigated were made up of Senior Secondary School streams 1 - 3, two streams were randomly drawn from each school and used for the study. The sample consisted of 800 (i.e., 400 male and 400 female students) respondents drawn from eight selected secondary schools in Rivers State (see Table 1).

Table 1.
Sample Size Drawn from Rural Area of Rivers State

S/N	School	LGA	Total Sample Size		
			Male	Female	Total
1	GSS, Ngo Town	Andoni	50	50	100
2	GSS, Okehi	Etche	50	50	100
3	KCC, Buguma	Asari-Toru	50	50	100
4	UDSS, Ndele	Emohua	50	50	100
5	RSUSTISS, PH	Port Harcourt City	50	50	100
6	UDSS, Aluu	Obio/Akpor	50	50	100
7	BMGS, Bori	Khana	50	50	100
8	<u>GSS, Ogbo</u>	<u>Ahoada East</u>	<u>50</u>	<u>50</u>	<u>100</u>
	Total		400	400	800

Materials and Instruments

The inquiry method was adopted for this study. The Application of Confidentiality in Counseling Rating Scale (ACCRS) was a self-structured questionnaire used in collecting data for the study. The instrument was based on the Likert type scale. Items were constructed to elicit information from respondents and for them to express their view on how they perceive guidance counselors' application of the ethics of confidentiality in counseling practices in senior secondary schools. In all, the instrument is made up of 60 items.

Some of the statements were positively and others were negatively cued. For scoring, items, which were positively framed, have scores ranging from 4 to 1, while negatively framed have reversed scores from 1 to 4. The four points scale has options of Strongly Agree (4), Agree (3), Disagree (2) and Strongly Disagree (1). Total scores on ACCRS were determined by adding the index of the scale. Also, in measuring the extent to which both the counselors and counselees apply confidentiality during the counseling session at the senior secondary schools, scores above 2.5 average points represented the application of confidentiality in counseling; scores below the 2.5 average represented the non-application of confidentiality in counseling in the senior secondary schools investigated.

The research instrument was validated by two experts in Educational Measurement and Evaluation, as well as two experts in Guidance and Counseling. The reliability of the ACCRS was ascertained with the use of split-half method with reliability coefficient of 0.84, thus showing the adequacy of the instrument. Mean scores were extracted and used to answer a research question and 2-Way Analysis of Variance (ANOVA) was used to test the three hypotheses.

Results

Research Question 1

What are the mean responses of male and female students' perception on the extent to which guidance counselors apply the ethics of confidentiality in counseling practices in their schools? The mean rating scores of male and female students of GSS, Ngo Town, GSS, Okehi, KCC, Buguma, GSS, Ogbo as to the extent to which their guidance counselors apply the ethics of confidentiality in counseling practice in their schools were 2.27(2.35), 2.19(2.21), 2.22(2.34), and 2.11(2.29) respectively, which are lower than the mean point of 2.5 (see Table 2). This implied that male students perceived the extent to which guidance counselors applied the ethics of confidentiality in counseling practice in their schools as low. Also, Table 2 indicates that the mean rating scores of male students of UDSS, Ndele, RSUSTISS, Port Harcourt, UDSS, Aluu, and BMGS, Bori concerning the extent to which their guidance counselors applied the ethics of confidentiality in counseling practice in their schools were 3.18(3.35), 3.26(3.31), 3.31(3.28), and 3.14(3.32) respectively, which are higher than the mean point of 2.5. This meant that the extent to which male students perceived guidance counselors' application of the ethics of confidentiality in counseling practice in their schools was high. In all, the grand mean rating scores of male and female secondary school students investigated were 2.71 and 2.88 respectively, which are greater than the mean point of 2.5. This shows that students perceive that their guidance counselors apply the ethics of confidentiality in counseling practices, in their schools. This would seem to indicate that students feel that their guidance counselors keep their conversations and discussions with their clients in the course of their counseling practices confidential.

Table 2.
Cohen's *d* Effect Size Difference Scores

S/N	School	Male			Female			Remarks
		N	Response	Mean	N	Response	Mean	
1	GSS, Ngo Town	50	113.50	2.27	50	117.50	2.35	NA
2	GSS, Okehi	50	109.50	2.19	50	110.50	2.21	NA
3	KCC, Buguma	50	111.00	2.22	50	117.00	2.34	NA
4	UDSS, Ndele	50	159.00	3.18	50	167.50	3.35	A
5	RSUSTISS, PH	50	163.00	3.26	50	165.50	3.31	A
6	UDSS, Aluu	50	165.50	3.31	50	164.00	3.28	A
7	BMGS, Bori	50	157.00	3.14	50	166.00	3.32	A
8	GSS, Ogbo	50	105.50	2.11	50	114.50	2.29	NA
	Total	400	1084.00	2.71	400	1152.50	2.88	A

Note: NA = No Application; A = Application

Hypothesis 1

There is no significant difference in the perception of male and female students as to the extent to which guidance counselors apply the ethics of confidentiality in counseling practices among the secondary schools. The sum of square and mean square of the secondary school students' perception about the extent to which guidance counselors applied the ethics of confidentiality in counseling practices among the schools investigated are presented in Table 3. With $N = 800$, based on the degree of freedom of 7 and 784, for between columns (secondary schools) at 5% level of significance, the calculated F-ratio was 1.38 and the critical value of F-ratio was ± 2.10 . At this jun-

ture, the calculated F-ratio was not statistically significant at $\alpha = .05$ level of significance, as it was smaller than the given critical value of F-ratio. Thus, the null hypothesis (H_0) was rejected and it was concluded that there was a significant difference in the perception of secondary school students on the extent to which guidance counselors applied the ethics of confidentiality in counseling practices among the secondary schools investigated. It therefore made no difference in the perception of secondary school students as to the extent to which guidance counselors applied the ethics of confidentiality in counseling practices among the secondary schools, in Rivers State.

Table 3.

F-ratio Data Summary of 2 X 8 Analysis of Variance of the Male and Female Students' Ratings of Guidance Counselors' Application of Confidentiality in Counseling Practices in Secondary Schools in Rivers State

Source of Variation	Sum of Square	df	Mean Square	F-ratio Cal.	F-ratio Crit.
Between Columns (Secondary schools)	94.96	7	13.57	1.38+	2.10
Between Rows (Male and Female)	47.48	1	47.48	4.83*	3.85
Interaction (Columns and Rows)	125.23	7	17.89	1.82+	2.10
Between Groups	267.67	15	31.61		
Within Groups	7706.72	784	9.83		
Total	7974.39	799			

Note: $N = 800$; $P > .05$; $df = (1, 7, 784)$; * = Significant; $P < .05$; + = Not Significant

Hypothesis 2

There is no significant difference in the perception of male and female secondary school students as to the extent to which guidance counselors apply the ethics of confidentiality in counseling practices in their schools. The sum of square and mean square of the male and female secondary school students' perception about the guidance counselors' application of ethics of confidentiality in counseling practices in secondary schools investigated are presented in Table 3. With $N = 800$, based on the

degree of freedom of 1 and 784, for between rows (gender) at 5% level of significance, the calculated F-ratio was 4.83 and the critical value of F-ratio was ± 3.85 . That being so, the calculated F-ratio was statistically significant at $\alpha = .05$ level of significance, as it was higher than the given critical value of F-ratio. Thus, we failed to reject the null hypothesis (H_0) and it was concluded that no significant difference existed in the perception of male and female secondary school students on the guidance counselors' application of the ethics of confidentiality in counseling practices, in the secondary schools investigated.

Therefore, it made no difference in the perception of male and female secondary school students as to the guidance counselors' application of ethics of confidentiality in counseling practices in the secondary schools, in Rivers State.

Hypothesis 3

There is no significant interaction effect on the perception of male and female students as to the extent to which guidance counselors apply the ethics of confidentiality in counseling practices among the secondary schools. The sum of square and mean square of the male and female secondary school students' perception about the guidance counselors' application of ethics of confidentiality in counseling practices among the schools investigated are presented in Table 3. With $N = 800$, based on the degree of freedom of 7 and 784, for between columns (secondary schools) and rows (gender) at 5% level of significance, the calculated F-ratio was 1.82 and the critical value of F-ratio was ± 2.10 . At this point, the calculated F-ratio was not statistically significant at $\alpha = .05$ level of significance, as it was less than the given critical value of F-ratio. Thus, the null hypothesis (H_0) was rejected and it was concluded that interaction effect existed in the perception of male and female secondary school students on the guidance counselors' application of ethics of confidentiality in counseling practices among the secondary schools investigated.

Discussion

An aspect of the results of this study revealed that the extent to which student perceptions of guidance counselors' application of the ethics of confidentiality in counseling practice at GSS, Ngo Town, GSS, Okehi, KCC, Buguma, and GSS, Ogbo was low. Also, the extent to which students perceived that guidance counselors applied the ethics of confidentiality in counseling practice at UDSS, Ndele, RSUSTISS, Port Harcourt, UDSS, Aluu, and BMGS, Bori was high. This showed that secondary school students from rural areas perceived that their guidance counselors did not apply the ethics of confidentiality, while those from urban areas of Rivers State were of the opinion that guidance counselors applied the ethics of confidentiality in counseling practices in their schools. With this, it implies that students feel that guidance counselors kept secret of all their conversations and discussions with clients in the course of their counseling practices in some schools, while in some schools, it was felt that they did not apply the ethics of confidentiality in their counseling practice.

Another aspect of the results of this study revealed that there was significant difference in the perception of secondary school students on the extent to which guidance counselors applied the ethics of confidentiality, in counseling practices among the secondary schools investigated. Hence, it made a difference in the perception of secondary school students as to the extent to which guidance counselors applied the ethics of confidentiality in counseling practices among the secondary schools, in Rivers State. This confirmed the view of Uzoeshi (2003) who stressed the need for total confidentiality to be maintained in consultancy services and private practice in counseling.

In this study, it was also revealed that no significant difference existed in the perception of male and female secondary school students on the guidance counselors' application of the ethics of confidentiality in counseling practices in the secondary schools investigated. Therefore, it made no difference in the perception of male and female secondary schools as to the extent of guidance counselors' application of the ethics of confidentiality in counseling practices in the secondary schools, in Rivers State. This finding corroborated with the views of Ikpeazu (1996), who advocated that the counselor should possess the ability to keep information concerning his client confidential; the ability to keep client information secret, especially socio-personal information, would endear him to his client. Also, the result of this study confirmed the opinion of Uzoeshi (2003), who stated that the counselor was expected to keep every secret revealed to him by the client while interacting with him. It also supported the arguments of Ikpeazu (1996), who warned that a counselor who could not maintain discretion should quit the profession because no client would ever come to him for help. In essence, the amount of confidentiality exhibited by the counselor encourages the client to open up and talk more about his problem.

The result of this study also showed that there was an interaction effect existing in the perception of male and female secondary school students on the guidance counselors' application of ethics of confidentiality, in counseling practices among the secondary schools investigated. This finding did not differ from the opinions of other writers, such as Okobia (1992), who rightly pointed out that one of the expectations of the clients from the counselors during the counseling session was to keep their problems confidential.

Conclusion

The code of ethics of confidentiality in counseling has become one of the vital issues which has attracted the attention of several authors in counseling, guidance counselors, teachers, and students. The application of confidentiality, during the counseling session by the guidance counselors, is absolutely necessary. In some secondary schools, it is clear that guidance counselors keep the secret of all the content of the discussion they have with their student clients during their counseling session. This gives the student clients full assurance that their problems, so exposed to their guidance counselors, are kept confidential and not being shared with a third party. It is the responsibility of the counselors too to reveal to the counsees early in their counseling process the need for them to also keep their discussion confidentiality, in order to keep to the code of ethics of their counseling profession.

It is recommended that there is the need for both the guidance counselors and the counsees to apply the ethics of confidentiality in their counseling programs. The ethics of confidentiality, enshrined as one of the codes of the ethics of counseling practice, should be emphasized as that to which professionals must adhere. Guidance counselors should ensure that the code of ethics of confidentiality in the counseling profession is maintained, emphasized, and taken seriously.

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