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UNIVERSITY OF CALIFORNIA,
IRVINE

Unpacking “Adultification”: The Impact of Juvenile Waiver Policy
on Incarcerated California Youth

DISSERTATION

submitted in partial satisfaction of the requirements
for the degree of

DOCTOR OF PHILOSOPHY

in Criminology, Law and Society

by

Darin Rae Haerle

Dissertation Committee:
Professor Cheryl Maxson, Ph.D., Chair
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2014

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I must extend a great amount of gratitude to each member of that dissertation committee for support they provided to me from the earliest stages of this project in 2010 through its completion in 2014. I would like to thank Elliott Currie and Geoff Ward for valuable insight as I worked to design a project that would be a creative analysis of policy built upon a strong theoretical foundation. I want to thank Beth Cauffman for helping me to complement my criminological analysis with appreciation for and inclusion of principles related to psychology and adolescent development. Thanks also to Beth for the year that I spent working in her research lab, which exposed me to the true advantages of interdisciplinary research. I want to also extend a huge thank you to Val Jenness for our very productive and always entertaining conversations during the development of this project. I greatly appreciate Val's honest and insightful feedback that is always the perfect balance of critique and encouragement. I thank her also for challenging me to faithfully *blend* the research methods of this dissertation.

My greatest level of appreciation imaginable goes to my advisor and mentor, Cheryl Maxson, for her guidance throughout my tenure at UC Irvine. Cheryl has truly been the best mentor I could have ever envisioned. She entrusted me with a primary role in designing and managing a research project from the ground up when I was only a second year graduate student. Cheryl pushed me to consider matters of logistics and research design in a way that has prepared me well to execute a large-scale study on my own. She has provided me with invaluable opportunities for professional socialization that will certainly extend far beyond my dissertation. Most importantly, though, she pours an immeasurable amount of energy into her students' work, yet somehow makes it seem effortless. She is always there to talk through everything with me, while also somehow finding the time to turn around my work (detailed comments and all) faster than I can produce something new for her to read. I have no doubt that the scholar I have become is in large part due to Cheryl's mentorship. I can only hope that she knows what she signed up for, because now she's definitely stuck with me forever! I am so grateful to her for all of this and more, and look forward to even more "teachable moments," her continued guidance, and our invaluable relationship as my scholarship continues to evolve.

Finally, anyone who pursues a graduate degree leans on family and friends for countless support (therapy) sessions. I need to thank all four of my amazing parents for being there to talk when I called to chat, and for always forgiving me when I didn't call enough. I love you all more than words can express! Graduate school also produced incredible new friendships, solidified others that already existed, and gave me an even stronger appreciation for my inner circle of support. I am forever indebted to Shannon Reid, Aaron Roussell, Analicia Mejia Mesinas, Kristin Junge, Rick Steele, Diana Schatzenpahl, and Ryan Heimlich for listening to me vent during periods of

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RESEARCH REPORTS

Maxson, C. Haerle, D., Reid, S., Grebenkemper, J., & Omori, M. Patterns of Youth Assaults Recorded by DJJ, 2006-2011: A Supplemental Research Report from the Study, “Gangs and Violence in California’s Youth Correctional Facilities.” Report submitted to Division of Juvenile Justice. August 7, 2012.

Maxson, C. et al. Gangs and Violence in California’s Youth Correctional Facilities: A Research Foundation for Developing Effective Gang Policies. Report submitted to Division of Juvenile Justice. March 23, 2012.

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ABSTRACT OF THE DISSERTATION

Unpacking “Adultification”: The Impact of Juvenile Waiver Policy
on Incarcerated California Youth

by

Darin Rae Haerle

Doctor of Philosophy in Criminology, Law and Society

University of California, Irvine, 2014

Professor Cheryl L. Maxson, Chair

Juvenile waiver to adult court has received a considerable amount of attention in criminal justice research during the last few decades as the rehabilitative ideal of the juvenile court has evolved into a punitive mechanism that increasingly resembles the adult criminal justice system. Youth waived to adult court are often incarcerated for lengthy periods of time with juvenile court youth prior to their transfer to adult prison. For this reason, it is important to examine the ways in which their experiences differ from youth who were retained under juvenile court jurisdiction.

This dissertation uses a mixed methodological approach to more fully understand the nature of “adultification” (waiver to and conviction within adult court) as it is lived on the ground of juvenile correctional facilities. Much research interrogates the *policy* of waiver, but fails to appreciate the ways in which this policy may challenge theories of institutionalization and prisonization, especially as they await a transfer to adult prison at age 18. Using theories of institutionalization as a departure point, this project works toward developing a theory of “adultification” by examining how juvenile offenders cope with a newly appointed “adult” status.

Multiple groups analysis within structural equation modeling reveals that adult court status is powerful enough to moderate institutional experiences and behavior. Qualitative analysis reveals that adult court youth anchor themselves to the future via the expression of possible selves and survivalism strategies, more than to the present or the past. Finally, the third section of analysis introduces qualitative themes into quantitative models and finds that this future orientation influences misconduct and violence during juvenile incarceration. More specifically, expression of feared possible selves predicts a lower rate of violence for these adult court youth. Additionally, articulation of a survivalism strategy (mental or physical) predicts a higher rate of violent behavior, suggesting that adult court youth may experience anticipatory *criminalization* as they approach their dates for transfer to adult prison. This project produces a rich conversation between qualitative and quantitative data for a deeper understanding of where the rhetoric of waiver policy and “adultification” meets the reality of those who live it.

Chapter 1. The Importance of Examining “Adultification”

Juvenile offenders are potentially the next generation of adult prisoners, and for this reason they often fall into the crux of the debate about punitive policies and the controversial question of what should be considered a “cruel and unusual” punishment for this vulnerable population. The last several decades of juvenile justice have included many efforts by juvenile justice administrators, legislators, and policy makers to impose adult sanctions onto juveniles, often several years prior to their 18th birthdays. This punitive shift blurs the lines between two systems that were originally created to be distinct entities with very different goals. The juvenile court was founded under the ideology of *parens patriae* – literally translated as “parent of the country,” which indicates a system level of accountability (Ward & Kupchik, 2009). The juvenile justice *system* originally took accountability for individuals such as youth who were unable to adequately care for themselves – those unable to make rational decisions. Alternatively, once a person transitions into adulthood, the criminal justice system expects you to behave rationally, to exercise mature decision-making capability, and – should you break the law – aims to deter you from doing so again. This deterrence effort traditionally comes in the form of punishment for adults, rather than rehabilitation.

This evolution away from *parens patriae*, and toward the “get tough” mentality of the adult criminal justice system has caused the collision of two distinct ideologies. The punitive mechanism of juvenile waiver to adult court that results in adult prison sentences and a phenomenon of “adultification” is symbolic of two justice systems colliding that were originally intended to be ideologically opposed. One result of this collision is youth waived to adult court who are subjected to both jurisdictions – and to both systems of accountability – simultaneously within juvenile correctional facilities. A considerable amount of research had been conducted on

juvenile waiver, most of which evaluates decision-making during the waiver process or recidivism of youth released after serving an adult prison term (Barnes & Franz, 1989; Bishop, 2000; Kupchik, 2006; Fagan & Kupchik, 2011). While much of this work is methodologically sound and successfully isolates the influence of waiver, scholars rarely delve into how the nuanced social phenomenon of “adultification” unfolds within correctional institutions, which is this project’s goal.

This dissertation interrogates the following lines of inquiry related to this phenomenon: How do youth waived to and convicted in adult court conceptualize that adult status within a juvenile correctional facility? How do “adultified” youth negotiate their experiences as they prepare for a transfer to adult prison, while housed under the same roof with offenders who were retained under juvenile court jurisdiction, but who are committed for similarly serious and violent crimes? Prior to detailing the methodological approach and analysis plan, I provide a review of relevant literature below that first frames this work within the venue of correctional institutions, and then provides context on the serious and violent population of juvenile offenders under study.

Theoretical Framework: Institutionalization & Prisonization

This project is best framed through the micro-sociological lens of institutional theory, and the review below focuses on the foundational work that has been produced to delineate processes of institutionalization and prisonization. Prison life has been described by scholars such as Clemmer (1940), Sykes (1958), Sykes & Messinger (1960), Goffman (1961), and Wheeler (1961) in ways that address adaptation to carceral life, institutional culture, and evolution of the self and identity behind prison walls that often involves the loss of autonomy. These works

provide considerable insight into how varying degrees of punishments are lived on the ground of institutions.

Those who have approached this through a functionalist lens of deprivation consider a carceral institution to be a closed-system model. They examine the effects that the authoritative body of an institution exerts *onto* inmates, and assumes that these institutions function in a vacuum, often failing to adequately account for pre-prison and extra-prison characteristics and experiences. Critics of this deprivation model have produced a counter “importation” model of confinement that appreciates the extent to which pre-prison and extra-prison variables influence one’s assimilation into an institution and the inmate culture that exists therein. Scholars soon acknowledged the need to integrate these two philosophically distinct models in order to appreciate a more comprehensive picture of imprisonment – one that accounts for importation of certain factors as well as the major deprivations that occur inside prison walls. Evidence consistently reveals that the inclusion of both importation and deprivation variables explains a greater amount of variance in consequences of confinement than either model taken on its own (Thomas, 1977; Huebner, 2003; Hochstetler & DeLisi, 2005).

In my review below, I highlight two prominent theories that address modes of adaptation to institutional environments, and the trajectory of behavior inmates display as they approach the exit through what is often a revolving door toward re-incarceration. The following review is selective, and focuses on a subset of the literature that is directly relevant to the ways in which individuals interact with institutions and others therein, as this work is particularly relevant to how the phenomenon of “adulthoodification” unfolds for youth waived to adult court.

Clemmer's Prison Community

In possibly the foundational work of prison sociology, Clemmer (1940) introduced the concept of prisonization through one of the first scientific examinations of prison life.

Approaching this question by purely examining the process of induction into an institution, Clemmer focused on *how* a subculture such as that created within prison walls could influence, if not entirely determine, the philosophy adopted by that culture's inhabitants. Using observations, interviews, and psychological assessments of nearly two thousand male inmates within an Illinois maximum security prison, he constructed a detailed picture of social life within that environment. Central to his concept of prisonization was an inmate code of conduct that required assimilation to prison culture through loyalty to each other and opposition to the correctional staff. Prisonization referred to inmates "taking on in greater or lesser degree...the folkways, mores, customs and general culture of the prison" (Clemmer, 1940, p. 299).

His analysis revealed that once prisonized, inmates were basically immune to outside influence of what could be considered more normal, societal value systems. He found there to be certain universal features of imprisonment, such as 1) acceptance of an inferior role and 2) the ability to recognize that basic needs will be met. Among inmates who participated in his fieldwork as informants, the general consensus was that the degree of prisonization is the most important factor that affects one's ability to reenter the outside world. Through a lens of differential association, the degree of prisonization that a person experienced depended on the frequency, duration, priority, and intensity of exposure to pro-criminal definitions and influences. Those who experienced lower levels of prisonization often had stronger positive, socialized relationships pre-prison, found ways to continue those relationships with the outside world during incarceration, had shorter sentences, and experienced overall less exposure or

weaker affiliations to inmate primary groups. The more cut off an inmate was from the outside world – due to lack of relationships and lengthier sentences – the more prisonized he became, a process which Clemmer also argued served to weaken and undermine that inmate’s sense of self.

Sykes’s Pains of Imprisonment

Nearly two decades after Clemmer introduced the idea of prisonization, Sykes wrote *The Society of Captives* (1958), in which he also explored the social organization of a maximum security prison environment. Through observations and interviews with inmates and correctional staff, Sykes ultimately described five “pains of imprisonment” that inmates experienced due the effects of such a harsh environment. He argued that these deprivations could be divided into the following five categories: liberty, goods and services, heterosexual relationships, autonomy, and security. For Sykes, these deprivations were a central part of the lived prison experience, whether meant to be part of the punishment inflicted onto the offender by the community, or unintended consequences more related to the structure of the prison than to the punishment imposed.

Sykes and Messinger (1960) further explored aspects of deprivation by developing a framework for an inmate social system that is born out of such pains of imprisonment. Similar to the pains of imprisonment, this work argues that an altered set of values originates from the situational aspect of being imprisoned. There are five broad tenets to this inmate code: 1) Don’t interfere with inmate interests, 2) Don’t lose your head, 3) Don’t break your word, 4) Don’t weaken, and 5) Don’t be a sucker. They find that adherence to, or deviation from, the inmate code results in the ultimate classification of inmates into groups that even include anti-social inmate, or “the right guy” who fully embraces this inmate code, but who is tolerated by correctional staff because they serve to enhance social control and maintain the status quo. At the other end of the inmate typology spectrum, they define “the square john” to be an inmate who

does not become prisonized, but who instead conforms to staff expectations and continues to identify with conventional values of the outside world society. Taken together, the pains of imprisonment and consequences of violating this inmate code of conduct – while not necessarily physically violent – successfully break down the psyche of an inmate, effectively stripping him of autonomy.

Goffman's Total Institutions

Shortly after Sykes' and Messinger's more nuanced contributions to the deprivation model, Goffman provided a framework on the power of institutions to deprive an inmate of his own self – a type of cumulative deprivation that occurs via various processes of institutionalization that every inmate inevitably experiences. Goffman's primary focus was on mental institutions, and he compiled ethnographic data from a variety of such "asylums" to develop his concept of the "total institution," which he describes in the following manner:

A total institution may be defined as a place of residence and work where a large number of like-situated individuals cut off from the wider society for an appreciable period of time together lead an enclosed formally administered round of life. (Goffman, 1961, p. 11)

He argues that such institutions exert identical effects on those confined within through various processes that effectively socialize individuals into their new role of a "dull, harmless, and inconspicuous" inmate. The totality of such institutions depends on the following dimensions:

- First, all aspects of life are conducted in the same place and under the same single authority.
- Second, each phase of the member's daily activity is carried out in the immediate company of a large batch of others, all of whom are treated alike and required to do the same things together.
- Third, all phases of the day's activities are tightly scheduled with one activity leading at a pre-arranged time into the next, the whole sequence of events being imposed from above by a system of explicit, formal rulings and a body of officials.
- Finally the various enforced activities are brought together in a single rational plan purportedly designed to fulfill the official aims of the institution. (Goffman, 1961, p. 17)

Some aspects of these dimensions have been called into question, with some work arguing that Goffman's definition causes confusion about the degree of openness or closedness of each institution, the explicit purpose of each institution, and the primary modes by which staff elicit compliance (Davies, 1989). However, while some of Goffman's analysis has been challenged, a general consensus exists that prisons constitute one of the more truly "total" total institutions – that which caters to the commonly accepted processes of institutionalization. These processes encourage an eventual mortification of the original version of one's self and the creation of a new self that is constructed by the institution. These processes include role dispossession, trimming, and contaminative exposure, all of which are relevant to the current project.

Role dispossession, for example, occurs because the institution creates a barrier between an inmate's role in society and his role during incarceration. This barrier of incarceration blocks an inmate's performance and ties in the outer world. A process known as "trimming" also occurs during admission, when youth are forced to divulge personal information during a review of life history, weighing, photographing, and searching (to name a few). Goffman summarizes this process as a person being "shaped and coded into an object that can be fed into the administrative machinery of the establishment" (Goffman, 1961, p. 16). Related, new inmates experience personal defacement when they are stripped of most or all of their personal belongings that individualize a person and anchor them to their life prior to incarceration. Regardless of the conditions prior to incarceration, new inmates lose a sense of personal safety when they are first admitted because they become confined not only to a given institution, but also to a specific unit and forced to interact with the population on that unit. Finally, new inmates experience various types of contaminative exposure such as the physical form (exposure to undesirable food, unclean housing or bathing facilities) or the interpersonal form (forced social

relationships with others, some of whom may appear foreign or undesirable due to age or race/ethnicity).

While every prison inmate no doubt experiences these processes, “adultified” youth likely experience some processes differently, and – in addition to trimming personal effects that tie them to the outside world, they are also “trimming” their juvenile status and replacing it with a newly imposed sense of adulthood. This “adult” label further codes them into another group of objects, likely one that is more conspicuous and widely regarded by staff and inmates alike as potentially more dangerous than the general population. With this adult label also comes the knowledge of an inevitable second term of imprisonment on the adult side, rather than release to the community, which highlights the relevance of Wheeler’s (1961) work.

Wheeler’s Anticipatory Socialization

Wheeler further examined prisonization by conducting an empirical test of Clemmer’s propositions, but more heavily relied on the influence of extra-prison variables, most notably anticipation of release. Wheeler found Clemmer’s concept of prisonization incomplete because of its lack of attention to the temporal frame of reference within which he studied the effects of such socialization within prison. Clemmer focused on adaptation *to* this environment, and failed to address other processes that may occur – and extra-prison influences that may matter – as inmates approached their release dates.

Using a sample of 237 young adult male inmates (ages 16 to 30), Wheeler administered questionnaires that provided hypothetical conflict situations in order to gauge the extent to which each respondent conformed to staff-role expectations. He then classified inmates into groups of low, medium, and high conformity based on how their responses align with the staff consensus about the appropriate inmate response for each situation.

He used time in two ways: first as the length of time served, and then as the length of time remaining. He finds support for Clemmer's view in the way that a longer period of time served is associated with a lower level of conformity to staff expectations overall. Wheeler found that inmates behave differently, depending on the timing of their institutional careers, and that a process of anticipatory socialization takes place as inmates approach their time of release to parole. Wheeler found them to experience a more accelerated process of recovery, causing them to increasingly shed layers of prison culture within which they had been so deeply entrenched.

Most notably, he found a U-curve distribution of high conformity respondents across different phases of institutional careers, with those in the early and late phases of their incarceration having a significantly higher proportion of high conformists than those in the middle phase. Otherwise put, those who were either recently in the outside community, or soon to return to the community were more likely to orient themselves to conventional values by more readily conforming to staff expectations. During the middle phase of their prison terms, when they are arguably most prisonized, they are least likely to conform and are more likely to be highly involved with primary inmate groups.

The anticipatory socialization introduced by Wheeler (1961) has gained considerable empirical support, with studies finding pre-prison experiences (Schrag, 1961; Irwin & Cressey, 1962; Thomas, 1977), level of connection to the extra-prison world during confinement (Tittle & Tittle, 1964), and inmates' post-prison expectations (Wellford, 1967; Thomas & Foster, 1972) to influence level of prisonization. Barak-Glantz (1983) and others eventually acknowledged the glaring omission of indicators related to discipline within this work, and shed light on the importance of including behavioral indicators such as institutional misconduct, in addition to attitudinal indicators of the prison experience, within such evaluations of the lived prison

experience. The current project uses this work as a departure point for using institutional misconduct and violence as key behavioral outcomes for how “adultification” is lived on the ground of juvenile prisons.

The Current Project

Most of the theoretical perspectives and empirical research reviewed above describe work related to the “deprivation” model of confinement, while some acknowledges the salient influence of extra-prison factors. The current project supports the integration of the importation and deprivation models by focusing on how youth interact within juvenile correctional institutions, given numerous deprivations that exist in this environment, but by bringing the importation of an adult status to the forefront of this conversation. Here, I propose that this additional layer of status, this “adultification” has the ability to affect the ways that youth interact with (and potentially against) institutional deprivations. This direction of empirical inquiry builds upon previous work that has found prisoner status factors (i.e., multiple felony offenders who have been incarcerated previously and offenders with lengthier sentences) to provide support for the deprivation model (Alpert, 1979). While adult status here is technically an importation variable, the possibility exists that this classification could enhance or increase deprivations for this class of youth within the institution, often viewed as “lost causes” by correctional staff.

The current project acknowledges the existence of Goffman’s processes of institutionalization and the likelihood of Clemmer’s prisonization. Most relevant to the current study is Goffman’s insight into the institution’s ability to not only construct a new version of self, but to construct a self that relinquishes any sense of being “a person with ‘adult’ self-determination, autonomy, and freedom of action” (1961, p. 43). The youth in this study have

been labeled as “adults” by the juvenile and adult criminal justice systems, yet are immediately stripped of any ability to experience such adulthood through commonly accepted means.

This project, however, calls into question the inevitabilities of the “identical” effects that these processes exert on inmates, as suggested by Goffman (1961), and argues that the imposition of an adult status may enhance or mitigate the degree of prisonization a youth experiences. This work also challenges the inevitability of Wheeler’s U-curve of prisonization for adultified youth, proposing that – in this juvenile correctional environment – “time to release” may have very different lived meanings for adult court youth. Sykes and Messinger (1960) believed that the need to alleviate the stress imposed by five significant deprivations of imprisonment encourages inmates to further prisonize themselves by adopting an inmate code of conduct. For these youth, the inevitability of an adult prison term could arguably be considered a sixth major deprivation to endure – the stress, frustration, and fear of which may be that much more difficult to alleviate. If there is a sense of rejection and degradation implicit in the offender’s status of “inmate,” then an imposition of an adult status onto an adolescent should logically magnify that sense of degradation and self-criminalization, providing a potent characteristic of importation that may be more salient than other factors such as age, commitment offense type, or number of prior arrests.

Here, I investigate whether or not juvenile waiver policy may in fact cause “adultified” youth to experience institutionalization differently, given that it significantly alters a youth’s trajectory of incarceration. These processes arguably interrupt, if not entirely terminate, one’s “stable social arrangements in his home world,” but the knowledge of an adult prison term beyond the current juvenile prison term may magnify the loss of such social ties and the replacement of those ties with a new counterculture of prison life (Goffman, 1961, p. 14). The

present study explores the phenomenon of “adultification” on many levels to determine the extent to which conviction within adult court as a juvenile influences a different individualized carceral adaptation to unfold for adult court youth. The following review of the evolution of juvenile waiver policy provides additional context, and solidifies the urgent need to study these adult court youth, during a time when this group of offenders has gained considerable attention nationwide.

Juvenile Waiver Policy Landscape

Punitive policies abound for juvenile offenders, many of which are applied under juvenile court jurisdiction in the form of juvenile incarceration, programs that resemble boot camps, and other get-tough, scared straight tactics meant to redirect the criminal trajectories of these youth before they reach adulthood (Krisberg, 2005). The idea that a violent few committed a disproportionately high percentage of juvenile crime originally provided the justification for such costly policies (Krisberg, 2005). Effective or not, these policies at least serve to retain youth under the umbrella of juvenile court protection. Waiver to adult court, then, becomes a special case that – while often applied with the same intentions as these other punitive responses – differs considerably from other policies by forcing youth to transition to adulthood in the eyes of our justice system much sooner than the foundation of the juvenile court originally intended.

Juvenile court retained a dominant influence over the fate of youth during the first half of the 20th century (Feld, 1999). The punitive shift in our country occurred during a time of dramatic increases in juvenile arrests, specifically during the late 1980s and early 1990s. Not only was there a 50% increase in arrests for violent crimes committed by juveniles during this time period, but those under 18 arrested for murder increased by 158% between 1985 and 1994. Between 1996 and 2000, however, juvenile violent crime dropped by 23% (55% decrease in

arrests for murder). Regardless of this drop in juvenile violent crime, waivers continue to climb as forty-four states enacted legislation from 1992 to 1997 that enabled the waiver of youth to criminal court (Torbet & Szymanski, 1998). More specifically, from 1993 to 2003, 27 states modified their judicial waiver legislation, 30 states expanded their judicial waiver criteria, and the use of prosecutorial waiver increased by 25% (Steiner & Hemmens, 2003).

When considering a waiver to adult court, many in society agree that the adult sanctions delivered to waived juveniles should be given only to those juveniles who are deemed mature enough to be held entirely responsible for their crimes (Ewing, 1990). Given this expectation, some suggest that evaluations of juvenile “fitness” should borrow from assessment tools used for adults. The problem with this, however, is that the factors that arguably diminish an adult offender’s criminal culpability are often different from those for juveniles. While more severe psychiatric conditions impede culpability for adults, such conditions in adolescents only exacerbate the already compromised level of behavioral awareness that is arguably due to developmental immaturity (Cauffman & Steinberg, 2000; Penney & Moretti, 2005).

The argument that developmental immaturity inevitably produces diminished culpability has been replicated empirically. Researchers have found that, when compared to older adolescents or young adults, younger adolescents experience significantly more challenges in decision-making, ability to perform a risk-benefit analysis prior to making a decision (i.e. committing a crime), and exhibition of autonomous behavior (Cauffman & Steinberg, 2000; Halpern-Felsher & Cauffman, 2001). A general consensus among most researchers who explore the guiding criteria of waiver is that – in order to provide sufficiently in-depth evaluations of such criteria – it is important to evaluate each of these serious juvenile offenders on a case-by-case basis via individual “fitness” hearings (Penney & Moretti, 2005). That approach has been

largely cast aside, however, in favor of prosecutorial discretion and sweeping legislative mandates, some of which have come under the scrutiny of the Supreme Court during recent years.

Supreme Court Case History

A brief history of Supreme Court decisions related to juvenile offenders clarifies the extent to which punishment of violent juvenile offenders has received a significant amount of attention and scrutiny during recent years. For the last few decades, our country has been slowly debating the definition of cruel and unusual punishment as it pertains to juveniles, the meaning of which varies considerably by state, by county, and even more narrowly through a given judge or prosecutor's discretion. The language of the Eighth Amendment states simply that "excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted." This amendment has caused many to question how we punish vulnerable populations for the crimes they commit, and juveniles often provide much fuel to the fire of this debate.

Weight given to waiver criteria (discussed further below) and other arguments for youthfulness among juveniles has fluctuated over time, with the Supreme Court using the last 40 years to debate juvenile eligibility for capital punishment and life sentences. *Furman v. Georgia* took a first step in 1972 by attempting to limit the arbitrariness with which capital punishment was applied to juveniles and adults alike. Beyond attempting to halt the widespread use of this punishment, it surprisingly took 30 years for the Supreme Court (hereafter, the Court) to examine this policy's application more carefully, and to evaluate the (in)appropriateness of its use for more vulnerable populations.

The decision in 2002 set forth by the Court in *Atkins v. Virginia* abolished the death penalty for severely cognitively challenged individuals. This quickly opened the door for others

to argue the necessity of this ultimate penalty. In 2005, the Court decided in *Roper v. Simmons* to abolish the death penalty for all individuals who committed their crime before the age of 18. That same year, perhaps as a result of this decision, states like Texas enacted life without parole (LWOP) for juvenile offenders. When the *Roper* decision was handed down, Texas had executed 13 of the total 22 juveniles executed since 1976, and clearly wanted to preserve the ability to incarcerate youth for life if the ability to end their lives was no longer an option. Any juveniles on death row at that time received a new sentence of LWOP. Texas abolished LWOP in September of 2009, and now must resort to the new de facto ultimate penalty in juvenile court of a 40-year determinate sentence. Texas provides an example of one state's reactionary tactics used to combat the loss of one punitive response by replacing it with another. For states that do not utilize lengthy determinate sentencing for youth, juvenile waiver to adult court becomes the ultimate penalty to be imposed. Eventual incarceration within adult prisons becomes the part of that penalty that is arguably more "cruel and unusual" as punishment than other punitive policies that retain youth under lengthy periods of juvenile court jurisdiction.

More recently, the Supreme Court decided *Graham v. Florida* in 2010, which deemed LWOP as cruel and unusual for non-homicide-related crimes committed while under the age of 18 years. Even more recently in June of 2012, the Court decided *Miller v. Alabama*, and ruled that *mandatory* LWOP for juveniles under the age of 18 violates the Eighth Amendment's cruel and unusual punishment provision. Mandatory LWOP removes the possibility of a shorter sentence that could be handed down by a judge after hearing mitigating circumstances surrounding that youth or a given case. This takes a step toward removing LWOP as an option for youth, but – while it appears to encourage the type of fitness hearing discussed above – the possibility exists that banning mandatory life sentencing schemes for youth may widen the net of

waiver. Once again, when we remove one punitive option from the playing field, another often springs up in its place.

Evolution of California Waiver Policy

Since the birth of California's juvenile court in 1913, there have been mechanisms for waiving youth to adult court. From 1976 to 2000, youth 16 and older could face judicial waiver for "serious" offenses. For this judicial waiver, the burden of proof rested on the prosecutor to prove – during the course of a fitness hearing – that a juvenile was "unfit" for juvenile court. The following five criteria are still used to assess such fitness during these judicial waiver fitness hearings: 1) criminal sophistication of offense, 2) amenability to rehabilitation during remaining time under juvenile court jurisdiction, 3) delinquent history, 4) previous efforts to rehabilitate the youth, and 5) the circumstances and gravity of the committed offense. California passed the Gang Violence and Juvenile Crime Prevention Act (hereafter Proposition 21) on March 7th, 2000, which widened the net considerably as far as which offenses not only *could* be tried in adult court, but also increased the number of offenses that are *required* to be waived to adult court if committed by a juvenile of age 14 or older. This statutory exclusion (also known as automatic or legislative waiver) included homicide-related offenses and certain sex offenses. Currently, only youth who commit such offenses that are eligible for waiver may be committed to DJJ, whether via juvenile or adult court.

Proposition 21 also provided increased powers to prosecutors via broader discretion to decide which juvenile offenders (most 16 or older, and others 14 or older who allegedly committed even more severe crimes) could justifiably be filed directly to adult court. Absent a judicial waiver, the chance to argue support for inclusion in juvenile court jurisdiction (via these criteria) is lost entirely in favor of a more swift and decisive direct file or statutory exclusion.

No reverse waiver capability existed under the original Proposition 21, but provisions were successfully added that provided judges some discretionary power to send a waived case back to juvenile court, if he or she believed that juvenile to be fit for juvenile court jurisdiction. In some cases, a judge has the power to order a juvenile disposition prior to conviction and sentencing in adult court. Other cases allow for the youth to request a post-conviction fitness hearing if convicted of a crime for which that youth could have argued amenability to treatment. Once a conviction and subsequent sentence are finalized under adult court jurisdiction, however, there is no subsequent opportunity to pull that juvenile back under juvenile jurisdiction. Incarceration as an adult court youth is inevitable and, while no youth under the age of 18 is held within California adult prisons, every youth is now transferred from DJJ jurisdiction to the adult prison system promptly on his or her 18th birthday (Gang Violence and Juvenile Crime Prevention Act, 2000).

Methodological Approach

Research Context

The data for the current study were gathered as part of a larger research study on gangs and violence in California juvenile correctional facilities. The larger research project was conducted as a result of a consent decree in the *Farrell v. Allen* lawsuit of 2004. This consent decree mandated that the California Division of Juvenile Justice (DJJ) implement a Safety and Welfare Remedial Plan, part of which required the recruitment of a nationally recognized expert to develop strategies to reduce gang and racial violence within DJJ facilities. In order to develop such recommendations, DJJ invited Cheryl Maxson to conduct a research study that would gather data on the current landscape of violence (and specifically gang violence) within DJJ's

five remaining facilities. The current project is a more specialized component that was born out of this larger research effort.

The population within DJJ has changed dramatically during the last decade, as a result of lower crime rates, policy changes, facility closures, and the gradual realignment of juvenile custody from the state to the county level. Between 1999 and 2009, the population of DJJ decreased by 79%, from 7,761 to 1,602 (Office of Research, 2010). In addition to the size of the population changing dramatically, the nature of this population also changed during this time, partially due to Proposition 21.

In order to address allegations of violence within these facilities, and to most effectively manage this shrinking, yet increasingly severe population of juvenile offenders, this study attempted to gather and collate multiple data sources to develop a comprehensive account of the current state of DJJ, as of September, 2010 (the time of our data collection). Originally, juvenile offenders deemed to be inappropriate for county level services (due to extensive delinquent histories, lack of amenability to treatment, etc.) were committed to DJJ facilities. Both youth processed through juvenile court and those waived to adult court could previously be committed to DJJ until the age of 25, if need be. In 2007, the California legislature mandated that only violent or serious felonies (defined under PC 707b) that were eligible for waiver to adult court, and certain sex offenses that required registration as a sex offender (defined under PC 290) could be committed to DJJ (Office of Research, 2010). This significantly narrowed the scope of offenses eligible for state commitment, and ultimately produced a population of juvenile court and adult court youth that was, for all intents and purposes, extremely similar.

Data Collection & Sample

Data for this project derive from two main data sources. The first is official agency data provided by the Division of Juvenile Justice (DJJ), which includes various data sets with information on youth characteristics, delinquent histories, and violent incidents. These official data were acquired on the full DJJ population as of September 15th, 2010 (N=1,153 male youth¹) to approximately align with the youth interview dates (which occurred during September and October of 2010). The official data include cross-sectional data on some characteristics and classifications, as well as historical data on movement through facilities and institutional misconduct. A second set of official data was acquired that covered the time period of September 16th, 2010 through February 23rd, 2012. It is this post-interview official data set that provides the misconduct and violence outcomes for the current project.

The second main data source consists of primary data in the form of self-report youth surveys. This survey was administered in all five youth facilities to a random sample of the 1,153 male youth, and resulted in a survey sample of 306 male youth. We generated a random order list of all youth housed at a given facility, and then designated the first 80 youth on the list as our initial sample, with the goal of completing at least 50 interviews at each facility. We made face-to-face contact with each youth to provide an explanation of the study, secure consent, or to confirm a refusal. Any youth who were off-site (at court, hospitalized, transferred to another facility) were noted and, when possible, we circled back to attempt contact a second time. We ultimately experienced a participation rate of 84%, and descriptive statistical analyses confirmed that our random sample was more than adequately representative of the full DJJ population. The

¹ The total population of DJJ at this time was 1,212, which included 59 female youth. Because this project focuses on youth waived to adult court, and very few of the female youth were convicted in adult court, they are excluded from this project. These data will be utilized for a later, more specialized study on this female population.

full population consisted of 189 adult court youth (16%), and the interview sample consisted of 60 (20%).

What is an “EnM”?

During initial site visits for this research project prior to data collection, we met with key administrators and staff members to discuss logistics, to familiarize ourselves with potential interview locations at each facility, and to develop initial rapport with our staff member points of contact. Consistent across all facilities, and revealed in our field notes of these visits, various staff members referred to “E and M’s” in passing (pronounced EnMs). Staff typically attributed a negative connotation to this status, implying that this group of youth required a higher level of structure due to the fact that they were more severe offenders and displayed worse behavior overall than other youth. I began to ask different individuals to explain what they meant by “EnM” and received similar explanations that often consisted of one phrase: the wards from adult court.

The youth within the general population of juvenile court youth receive an identification number that consists of five digits, much like a zip code. “EnMs,” however, receive an identification number that starts with either an “E” or an “M,” followed by four numbers. While staff members appear to have long since ignored the legal distinction of E-numbers and M-numbers, these two groups truly are identical for all intents and purposes related to this project.² It is worth noting, however, that during this study’s data collection, EnMs were all awaiting transfer to adult prison at 18, while JCY are allowed to remain in DJJ facilities (or under juvenile jurisdiction on parole) until the age of 25. This single difference in their respective fates

² While both “E-numbers” and “M-numbers” (as staff and youth within DJJ referred to them) are convicted within adult court, E-numbers were previously facing a more inevitable transfer to prison when they reached the age of 18, whereas M-numbers were facing shorter sentences that could be served within a DJJ facility as long as their sentence ended prior to their 21st birthday. Recent policy requires the transfer of any adult court youth to adult prison at the age of 18, regardless of his or her sentence length.

effectively highlights the fact that these groups are subjected to two very different models of accountability-based justice (Ward & Kupchik, 2009). JCY are afforded the opportunity to enjoy system-based accountability, as provided by an additional seven years of protection by the juvenile system under DJJ jurisdiction, which aligns more closely with the foundation of *parens patriae* that ensured a state or county's system would take responsibility and care for its youth. EnM youth, on the other hand, clearly are subjected to a newer, more punitive model of person-based accountability – a model that holds them to a higher level of personal responsibility, as evidenced by eviction from the juvenile justice system and an inevitable term of incarceration within an adult prison.

Research Questions

While the frame of this project will be narrowed for each subsequent chapter as needed for each of the following two research questions, these two questions are mutually dependent upon one another if a full story of “adultification” within juvenile correctional facilities in California is to be told. The primary research questions for this project are as follows:

1. How do behavior and institutional experiences of adult court commitments (hereafter, EnMs) compare to those of juvenile court youth (hereafter, JCY), and what characteristics predict any differences between these two groups?
2. How do youth conceptualize their EnM statuses within juvenile correctional facilities, while awaiting transfer to adult prison?

This project allowed unique access within California's state juvenile correctional facilities, which provided the opportunity to collect data to examine the above questions. Because of that access, this dissertation will be able to tell a story of the types of youth subjected to waiver policy in California, their behavior and experiences within juvenile correctional environments, and their perspectives toward this new status and the resulting punishment.

Overview of the Dissertation

As previously discussed, the body of literature on juvenile waiver to adult court is lacking in many areas – two of which this project aims to improve upon: influence of this policy on institutional experiences and perspectives of youth subjected to this policy. The existing body of waiver literature focuses on either the front end (sentencing) or the ultimate outcome (recidivism), relying mostly on quantitative data that fails to consider the experience that each juvenile endures during the time between. The majority of existing research is limited by the fact that it quantitatively compares the outcomes of waived youth to those under juvenile jurisdiction with regard to waiver method, sentencing, recidivism, and even public opinions of waiver policies (Jan, Ball, & Walsh, 2008). This approach is clearly insufficient if we want to understand different effects of waiver in a more nuanced, substantive manner. The studies that approach this issue qualitatively are few and far between, and more often interview court actors (Bishop, Frazier, & Henretta, 1989; Kupchik, 2006; D’Angelo, 2007) rather than speak to the juvenile offenders themselves (Forst et al., 1989; Lanza-Kaduce et al., 2002).

To truly appreciate the impact of juvenile waiver policy, one must look at multiple time points on the continuum of a juvenile’s waiver through the system, including the adoption of the “adult” identity, how that affects one’s experience in a juvenile correction facility, and how the adoption of this identity affects each juvenile’s perspective about how to best “trans-prison” into adulthood. Existing research also reveals that very few studies utilize data on a comparison group of waiver-eligible youth who remained in juvenile court (Kurlychek & Johnson, 2004; Kurlychek & Johnson, 2010; Steiner, 2009). This project not only possesses data on such a comparison group, but also contributes to extant research by employing mixed methods to explore this neglected venue of juvenile incarceration, and how experiences in this venue vary by

court of commitment. The modes of adaptation utilized by youth during this period of incarceration provide the mechanism that links these two research methods. While the quantitative analysis should provide findings on *how* EnM youth adapt compared to their juvenile court counterparts, the qualitative analysis sheds light on *why* they may be adapting in such a manner. No research to my knowledge has used mixed methods to compare the institutional behavior and experiences of adult court youth to that of their juvenile court counterparts while incarcerated within the same juvenile facilities. This comparison presented in Chapter 2 is just one piece of the puzzle that aims to illustrate a more nuanced understanding of “adultification.” Following that quantitative analysis, Chapter 3 uses qualitative analysis to explore how these EnM youth conceptualize themselves moving forward. Chapter 4 then integrates qualitative findings from Chapter 3’s analysis into models that predict misconduct and violence. Finally, Chapter 5 ties together the findings from those three substantive chapters in order to elaborate on theoretical and policy implications of “adultification.”

Regardless of whether or not people believe that waiver to adult court is a moral, ethical, and effective mechanism to utilize in addressing juvenile crime, the fact remains that waiver has made its mark as a policy that is apparently here to stay. Our country does not only utilize it, but the net continues to widen, as increasingly more offenders are deemed eligible for such waiver. If we have no choice but to accept waiver as part of “juvenile” justice, then we can at least focus on how newly “adultified” juveniles are incarcerated (or, more preferably, *treated*) following that waiver to and conviction in adult court. If adult court youth do not instigate higher levels of misconduct and violence within juvenile correctional settings, then this would argue for potentially extending the period of jurisdiction that these facilities have over waived youth. If waiver is inevitable, then the ability of waived youth to coexist with juvenile court youth should

make a case for retaining jurisdiction over these adult court commitments beyond their 18th birthdays, in an effort to avoid the criminalization and victimization imposed on them by incarceration within adult prisons.

This project also aims to make significant theoretical contributions by exploring the ways in which these youth evolve from juveniles to newly appointed adults. From an institutional theory perspective, the policy of waiver could affect institutionalization and prisonization that adult court youth endure while committed to the same facilities as juvenile court youth. This evolution (or “adultification”) will be examined by studying their observed behavior within juvenile correctional facilities, and by providing a voice to a unique group of offenders that often falls silent within empirical research. Using both quantitative and qualitative research methods, this project is designed to build a theory of carceral adaptation that is specific to waived juvenile offenders, and to identify the constructs that most strongly predict an increase or decrease in misconduct and violence during lengthy periods of juvenile incarceration.

Research that provides a voice to waived youth is sparse, but studies that interview youth who are currently incarcerated in a juvenile facility while awaiting transfer to adult prison appear to be nonexistent. This research will address this void by comparing juveniles waived, convicted, and sentenced within adult court to a comparable sample of juveniles who remained under juvenile court jurisdiction, utilizing both quantitative and qualitative data. Beyond the question of what juvenile incarceration is like for waived juveniles, this work seeks to explore whether or not waived juveniles hold expectations regarding their lives from this point forward, and if those expectations influence their behavior and experiences within juvenile facilities. If the system of incarceration harms youth, regardless of institutional auspice (Fagan & Kupchik, 2011), then attention must be paid to how waiver affects behavior and experiences within juvenile facilities,

and how those experiences affect the trajectory of juveniles' sense of self and subsequent institutional behavior. Ultimately, this project aims to shed light on how waiver policy is lived on the ground immediately following its application. This allows a rich conversation between qualitative and quantitative data for a deeper understanding of where the rhetoric of waiver policy meets the reality of those who live it.

Chapter 2. “Adultification,” Experiences and Behavior

This chapter is one of the first efforts to quantitatively discern the extent to which adult court status (here, EnM status) influences a youth’s institutional experiences, including participation in institutional misconduct and violence during juvenile incarceration. Studies often provide evidence to demonstrate that misconduct is a robust predictor of recidivism (Lattimore, MacDonald, Piquero, Linster, & Visser, 2004; Trulson, Marquart, Mullings, & Caeti, 2005; Huebner, Varano, & Bynum, 2007). Very few studies, however, have explored institutional misconduct as an outcome of research at the juvenile level. Adult court status is often missing as a covariate in this research, possibly because these adult court youth are often exceptional within juvenile offender populations. The advent of punitive legislation has continued to widen the net of eligible offenses and broadens the discretion by which to waive youth. As a result, samples emerge such as those under study here, and some include upwards of 40% adult court youth incarcerated with juvenile court youth.

The role of adult status on behavior (usually defined as recidivism) is an area of research that has grown considerably during the last few decades, but this study will aim to fill the void in research that examines behavior defined as institutional misconduct. This line of research is necessary not only because the proportion of adult court youth at state level correctional facilities is increasing, but also because the increasing severity of youth at the state level brings with it a need to evaluate the safety of youth in these facilities, as well as the safety of facility staff.

Review of Relevant Literature: “Adult” Status, Experiences, and Behavior

Waiver to adult court originated from arguments such as deterrence and incapacitation theory, but efficacy of this policy has been a subject of debate since its inception. Contrary to arguments that aim to justify waiver, numerous negative consequences of waiver have emerged

in the research as scholars conduct different empirical evaluations of this policy (Howell, 1996; Bishop, 2000). The empirical research that addresses this issue tends to focus on sentencing and recidivism outcomes of juveniles waived to adult court, compared to either juveniles who were not waived, or to similar young adult counterparts.

To begin with, punishment severity across court type is clearly disproportionate for waived youth compared to others. Research suggests that waived youth are more often detained pre-trial, convicted, and incarcerated than youth who remain in juvenile court (Kupchik, 2006). Waived youth also receive more severe punishments than their juvenile court counterparts, in the form of not only lengthier sentences but also often an inevitable transfer to adult prison (Barnes & Franz, 1989; Bishop, 2000; Kupchik, 2006; Fagan & Kupchik, 2011).

Sentences delivered in adult court often place youth at a greater risk of physical and sexual victimization within adult prisons, compared to youth who are incarcerated within exclusively juvenile correctional facilities (Bishop, 2000; Kupchik, 2006). While providing due process to juveniles within the adult venue of criminal court, waiver often subjects juveniles to adult incarceration that arguably violates other constitutional rights, such as the prohibition of cruel and unusual punishment. Forst, Fagan, & Vivona (1989, p. 9) eloquently support this position by suggesting that “a rather cruel and ironic form of punishment is accorded to waived youth, where retribution for crimes against society occurs through victimization by staff and inmates” [in adult prisons].

In addition to potential victimization, waived juveniles are also less likely to receive counseling and therapeutic services during their terms of incarceration (Penney & Moretti, 2005). This suggests the potential marginalization of waived youth during juvenile incarceration, a point on which the current project will elaborate. Kupchik (2007) found that, while

counterintuitive, waived youth in adult facilities reported better access to treatment and education services than waived youth committed to juvenile facilities. His finding supports the notion that youth housed within facilities that promote a rehabilitative intent should have equal access to such services. His study does not, however, compare the availability of services in juvenile facilities for waived youth compared to those retained in juvenile court. This project explores this comparison by comparing youth under different jurisdictions, but housed within the same juvenile facilities. It becomes even more important to equalize the playing field at the level of juvenile corrections if some youth are headed to adult prisons where they will be exposed to certain environmental destabilizers shown to promote persistence of a lifelong criminal career (Penney & Moretti, 2005).

Yet another unintended consequence is the increased recidivism following adult incarceration for adult court commitments compared to similar offenders sentenced and incarcerated under juvenile court jurisdiction (Bishop, 2000; Kupchik, 2006). These recidivism findings clearly indicate that the policy of waiver misses its mark in at least two respects: specific deterrence and enhanced public safety. Clearly, during their term of incarceration, the general public is safe from these serious and violent juvenile offenders, by virtue of these youth being incapacitated and removed from society entirely during this period of time. This may lend support to incapacitation theory as justification for waiver, but this benefit of incapacitation is overshadowed if the juveniles who are eventually released from adult prison – potentially following extensive criminalization – recidivate at higher rates than comparable offenders released from juvenile institutionalization. Otherwise put, this increased likelihood for recidivating arguably offsets any benefits of incapacitation (Bishop, 2000; Kupchik, 2006).

Given that institutional misconduct is an established, robust predictor of recidivism, any policy that affects rates of institutional misconduct (for better or for worse) should be examined for efficacy or lack thereof. As Krisberg states (2005), there is surprisingly little known about the various impacts of this drastic policy of juvenile waiver to adult court. The outcome of institutional misconduct and violence within juvenile correctional facilities has been neglected within the body of research on juvenile waiver policy, with only one study finding that adult court youth engage in less misconduct overall than their juvenile court counterparts (Bechtold & Cauffman, 2013). This single study provides a sound research design to produce this finding, but is limited because it only examines a sample of youth from one facility and evaluates behavior during the first two months of incarceration.

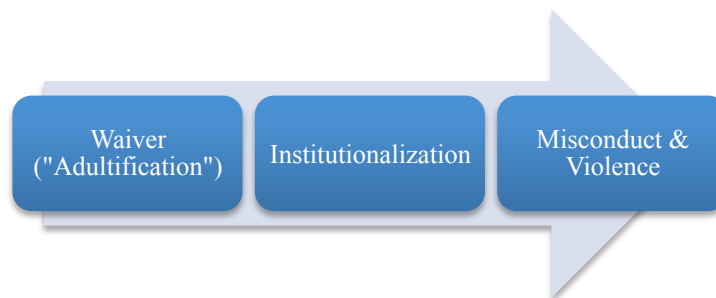
It is important to further explore misconduct as an outcome not only because it predicts recidivism, but also because levels of misconduct are a safety concern for youth and staff within juvenile correctional facilities. More broadly, such research can inform the evolution of institutional theory as introduced in Chapter 1, especially as it relates to prisonization of young offenders. This chapter will contribute to this body of knowledge by exploring differences in institutional misconduct and violence for adult court youth as compared to juvenile court youth across five different state juvenile correctional facilities in California, and during a period of over two years.

Theoretical Framework

The focal population for this study is juvenile offenders who are waived to adult court, convicted within adult court, and thus “adultified” prior to beginning a term of juvenile incarceration. Chapter 1 summarized different theoretical efforts to explain processes of institutionalization and prisonization, addressing the benefits of studying both the deprivation

and importation models of analysis. Clemmer (1940) and Goffman (1961) both agree that all inmates are subjected to similar conditions during imprisonment, and ultimately react to these conditions with a similar response of assimilation into the new role of inmate. As they become conditioned into their new role within this environment – a role more often believed to be passive than active – inmates typically surrender to the authority of the institution. For this reason, those subjected to mass incarceration are often thought to lose most autonomy or agency that would normally factor into how they respond to a given situation or circumstance, causing them to become more automated parts of a larger and systematic, carceral machine. Related, this transition into incarceration should begin with initial stages of institutionalization, and then progress with experiences that influence an individual’s behavior within this correctional environment. Figure 2.1 provides the following conceptual process:

Figure 2.1. Conceptual Framework



Keeping this process in mind, this study capitalizes on a new venue in which to study experiences and behavior among this specialized population who is experiencing the “adultification” brought on by the punitive sanction of juvenile waiver. This project allows for invaluable access to data that can examine a combination of the actual behavior and experiences that occur following the application of juvenile waiver policy in California. This framework provides the following research question:

How do behavior and institutional experiences of EnMs compare to those of JCY (juvenile court youth), and which characteristics predict any differences between these two groups?

This question will be explored by first using secondary official data for the full population of youth, and then by supplementing those analyses with self-report interview data that will allow for examination of how additional constructs related to institutional experiences influence misconduct for our representative interview sample. This will explore the ways in which individual characteristics and experiences during incarceration predict variation in institutional misconduct and violence by court of commitment, and which of these two measurements structures is more strongly moderated by EnM status. I expect some differences for these groups because prior research has shown that adult court youth engage in less institutional misconduct than juvenile court youth, and that availability to services also varies by court of commitment (Kupchik, 2007; Bechtold & Cauffman, 2013). Evidence from the extant research drives my theory that “adultification” initiates a different process of adaptation to juvenile correctional environments for EnMs than that which JCY experience.

The primary hypothesis derived from this research question is that adult court status (EnM status) will moderate the influence of individual characteristics and institutional experiences on future misconduct. Additionally, differential effects of these individual characteristics and institutional experiences on future misconduct will exist across the two groups of adult court (EnMs) and juvenile court youth (JCY). From this research question and the conceptual framework and rationale above, I derive the following two broad competing hypotheses of how waiver to and conviction within adult court may influence juvenile incarceration:

Hypothesis A:

Adultification → institutionalization → negative experiences → higher levels of institutional misconduct

Hypothesis B:

Adultification → institutionalization → positive experiences → lower levels of institutional misconduct

The above hypotheses make an assumption that some level of institutionalization is an inevitable result of incarceration, prior to other experiences influencing behavior during that term of incarceration. Before narrating each hypothesis, a brief explanation of these key concepts is warranted. The concept of “adultification” is the most straightforward, and is operationalized as a dichotomous indicator of adult court commitment (EnM) status. The concept of institutionalization is included in the hypotheses to highlight the fact that every youth experiences an initial phase of institutionalization when they are committed to DJJ. Goffman’s (1961) work is relevant here, as he provided thoughts on processes that every youth (or any inmate) inevitably experiences during this initial phase. As discussed in Chapter 1, these processes include role dispossession, trimming, and contaminative exposure. For the youth under study, contaminative exposure of the physical form is particularly threatening because they may be forced to interact with gang members, sex offenders, youth in need of mental health treatment, and other youth who are incarcerated for commission of a violent crime.

During this initial period of institutionalization within DJJ facilities, specifically, youth also gain knowledge (or have prior knowledge confirmed) about the fact that DJJ norms are very different from societal norms. Within the facilities under study here, misconduct and violence are very normalized, and avoiding such behavior is known among youth and staff to be the exception, rather than the rule. Interviews with both youth and staff reveal that misconduct and physical altercations are part of daily life within these facilities. Both express in these interviews

that while the severity of and motivation for such altercations can vary, violence occurs often across all five facilities under study here.

I argue that youth experience these initial processes of institutionalization, but that other characteristics and experiences to follow these initial processes also influence their behavior within this juvenile correctional environment. During this term of incarceration, they may either “conform” to these norms of misconduct and violence, or deviate from these institutional norms by withdrawing from misconduct and violence. Hypothesis A suggests that this “adultification” may encourage EnMs to have more negative experiences, and to then respond with conformity (i.e. embracing norms and expectations of violence) as they await transfer to adult prison. Alternatively, this accelerated “maturity” may cause adult court youth to adapt in a way that encourages them to conceptualize themselves differently, and to utilize agency by deviating from institutional norms. Influenced by more positive experiences, this type of adaptation may influence lower rates of misconduct and violence for this group overall.

These competing hypotheses will be tested here by exploring ways in which institutional misconduct differs by court of commitment, individual characteristics and institutional experiences. “Experiences” in these hypotheses include any opportunity that a youth has for self-improvement (education, employment, treatment services), or any opportunity a youth has to develop and maintain social support in a way that should foster rehabilitation (Forst, Fagan, & Vivona, 1989; Kupchik, 2007). The operationalization of these different experiences will be explained in more detail within the methods section to follow.

Data Sources and Methodology

The data for this project derive from two main data sources: 1) secondary data sources provided by DJJ, and 2) original self-report data from youth interviews. The cross-sectional data

set provided by DJJ contained a full population of 1,153 males as of September 15th, 2010, committed to DJJ from any county in California. As of that time, these youth were housed within five different facilities, three in northern California and two in the southern part of the state. In order to produce the most valid, and most generalizable findings, I have reduced my samples of focus to those within the developmental stage of mid-adolescence that are 13-17 years of age. Few EnMs are incarcerated within DJJ who are over the age of 18, primarily because adult court youth are transferred to adult prison at that age.

Secondary Data – Official Agency Sources

DJJ provided our team with data from the many databases that they maintain agency-wide. These data consist of cross-sectional electronic data that include information on youth demographics, facility classifications (i.e., gang member designation, sex offender status, mental health status), and delinquent/criminal history. The agency also maintains a database called the Disciplinary Decision-Making System (hereafter, DDMS) that includes information on all types of institutional misconduct (violent and otherwise). This official data source allows us to link our interview sample to numerous other data sources in order to create a more comprehensive profile of each juvenile we interviewed. The official data are explored first for the full population of those under 18 (N=425, 174 EnM youth and 251 juvenile court youth), and emphasis is given to the following categories: demographics, criminal history, and institutional misconduct or violence.

Primary Data – Youth Interview Data

Of the full population of 1,153 male youth, we interviewed a random and representative sample (n=306). We experienced an overall refusal rate of 16%, and the 84% who participated were adequately representative of the full DJJ population (Maxson et al., 2011). We acquired

verbal consent and conducted these youth interviews individually and in confidential settings. Youth were able to skip questions as needed, could end the interview at any time, and the average length of these interviews was 70 minutes (Maxson et al., 2011).

The youth interview data consist of numerous closed-ended questions, as well as some open-ended interview items that produced qualitative data to be used for analysis in Chapter 3. These interviews covered general topics related to demographics, family dynamics, feelings toward their home neighborhoods, and concerns about returning home or transferring to adult prison once released from juvenile incarceration. The interview gathered the most detail about perceptions of safety, general opinions about violence in DJJ, involvement in violence during terms of juvenile incarceration, and strategies they believed to be effective to avoid or reduce violence within the facilities.

This interview also included a section of closed- and open-ended items that were asked of only the interviewed EnM youth (n=60). These items covered topics such as legal consciousness, self-concept related to their “adult” status, belief in education and rehabilitation, and perspectives toward their institutional experiences as adult court youth. The data from these items will be analyzed qualitatively for Chapter 3.

These interviews were entered and coded by undergraduate research assistants according to a codebook and protocol developed by the principal investigator and the research team of graduate students. A graduate student research trained undergraduate research assistants on how to make coding decisions using the codebook. In order to ensure intercoder reliability, our team randomly sampled 30 of the interviews and coded them a second time. The two coders agreed on coding decisions at least 80% of the time, with 90% agreement on 214 of the 228 closed-coded interview items. These self-report interview data will provide exogenous (independent) variables

to be used for analysis of the interview sample model that measures institutional experiences. In examining both the full population and youth interview sample, the focus of this analysis is to compare two groups: youth convicted in adult court (EnMs) and those adjudicated in juvenile court (JCY).

Descriptive Analysis

Due to modifications to certain legislation previously discussed in Chapter 1, the current population of DJJ includes only the most severe and violent juvenile offenders in the state of California. In fact, for commitment to DJJ, a youth must have committed a waiver-eligible offense. This means that, waived or not, every youth in DJJ is similarly severe and violent. It is worth noting here that the decision to waive a youth to adult court (assuming the waiver does not occur automatically due to legislative exclusion) has historically been based on the following five criteria: 1) criminal sophistication of offense, 2) amenability to rehabilitation during remaining time under juvenile court jurisdiction, 3) delinquent history, 4) previous efforts to rehabilitate the youth, and 5) the circumstances and gravity of the committed offense (*Kent v. United States*, 1966). Tables 1 and 2 display descriptive statistics for the official data variables used in the full population structural model that examines individual characteristics.

As shown in Table 2.1, EnMs and JCY did not differ in any racial category, but EnMs were significantly older than JCY at the time of data collection. JCY are significantly more likely to be gang members or to be in need of mental health treatment, but these two groups do not differ in the proportion of registered sex offenders. This sex offender status includes those committed for primarily a sex offense, but also includes those previously adjudicated/convicted of a sex offense, and now required to be registered.

JCY have marginally longer average sentence lengths in years than do EnMs.

Alternatively, EnMs have a significantly higher average number of total sentence enhancements than do JCY. The use of sentencing enhancements is also examined in this analysis, and Table 2.1 displays one noteworthy finding related to these enhancement categories. These groups do

Table 2.1. Descriptive Statistics for Full Population

	EnMs (n = 174)		JCY (n = 251)		Test of difference	Total (N = 425)	
	N	%	N	%		N	%
Race							
Latino	110	63	153	61	NS	263	62
Black/African Am.	48	28	81	32	NS	129	30
Other (including White and Asian)	16	9	17	7	NS	33	8
Mean age in years (SE)	17.4 (.04)		17.0 (.05)		***	17.1 (.04)	
Gang Member	104	60	183	73	**	287	68
Registered Sex Offender	80	46	118	47	NS	198	47
Mental Health Treatment Need	41	24	97	39	**	138	33
Mean age crime committed (SE)	15.6 (.07)		15.2 (.07)		***	15.4 (.05)	
Sentence length in years	11.3 (.88)		13.7 (.90)		†	12.7 (.64)	
Total number of sentencing enhancements	.85 (.06)		.67 (.05)		*	.75 (.04)	
Sentencing Enhancements							
Felony gang	46	26	69	28	NS	115	27
Firearm	67	39	54	22	***	121	28
Great bodily injury	29	17	37	15	NS	66	16
Other	5	3	7	3	NS	12	3
^a Cell value too small to calculate chi2 or t-test Note: †marginally significant p<.10; *p < .05; **p < .01; ***p < .001							

not differ in the proportion subjected to felony gang, great bodily injury, or “other” types of enhancements. However, a significantly higher proportion of EnM youth have a firearm enhancement. This suggests that this aspect of their crimes is taken into account when evaluating the gravity of the offense at the time of waiver to adult court.

Institutional Misconduct

Categories of misconduct are not necessarily mutually exclusive, but vary in their severity and in the extent to which they capture chronic behavior for each youth during the course of his incarceration. From the official secondary data, institutional misconduct incidents are recorded as varied Disciplinary Decision-Making System (hereafter, DDMS) allegations, with a severity of Level 1, Level 2, or Level 3 (the higher the level, the more severe the incident). Level 1 allegations of misconduct consist of the most minor rule infractions, and are not captured in the DDMS database. Level 2 incidents are typically non-violent, or at worst involve a minor physical altercation. Level 3 incidents are more severe in that they jeopardize the safety of youth or staff within DJJ (whether through a more violent physical altercation or through smuggling dangerous contraband into the facility). This project will focus on the following categories of DDMS incidents: *Any* misconduct and *Violent* misconduct. Descriptive statistics for Level 2 and Level 3 categories are also provided below.

Noteworthy differences emerge when the frequency of misconduct and violent incidents are examined, as well as when the rate of misconduct/violence over time is calculated. Table 2.2 below reveals differences in misconduct and violence prior to and following our interview date of 9/16/10.³ When examining different categories of DDMS incidents during both pre- and post-interview (date of 9/16/10) time periods, EnM youth appear to be less violent and better behaved overall. EnMs display a significantly lower average number of DDMS incidents in every category of interest. After calculating the rate of each DDMS category over time (frequency of incident type over number of possible days in DJJ post-interview), some opposite trends to those discussed above become apparent. EnMs now display a higher rate in nearly every DDMS

³ Our research team acquired the official data from DJJ on 9/15/10, and all of our youth interviews took place from 9/1/10-10/15/10. For this reason, misconduct and violence that youth engaged in following this date is measured as the outcome of this project.

category, with the only exception being violent DDMS. These differences inform the following multivariate analysis by initially confirming a descriptive difference in the behavior of EnMs compared to JCY.

Table 2.2. Misconduct Descriptive Statistics for Full Population

	EnMs (n = 174)	JCY (n = 251)	Test of difference	Total (N = 425)
	Mean (SE)	Mean (SE)		Mean (SE)
Misconduct incidents pre-interview (SE) (N=425)				
Total	16.7 (1.8)	23.5 (2.3)	*	20.7 (1.6)
Violent	3.2 (.27)	5.4 (.45)	***	4.5 (.29)
Level 2	13.5 (1.6)	18.0 (1.8)	†	16.1 (1.3)
Level 3	3.2 (.31)	5.6 (.59)	**	4.6
Misconduct incidents post-interview (SE) (N=425)				
Total	16.6 (1.7)	25.1 (1.9)	**	21.6 (1.3)
Violent	2.1 (.25)	4.1 (.37)	***	3.3 (.24)
Level 2	13.2 (1.4)	18.8 (1.4)	**	16.5 (1.0)
Level 3	3.4 (.35)	6.3 (.50)	***	5.1 (.33)
Misconduct rate over time post-interview, unlogged (SE) (N=425)				
Total	2.4 (.22)	1.5 (.11)	***	1.8 (.11)
Violent	.27 (.03)	.24 (.02)	NS	.25 (.02)
Level 2	1.9 (.20)	1.1 (.08)	***	1.4 (.10)
Level 3	.46 (.04)	.36 (.03)	*	.40 (.02)

Note: †marginally significant; p<.10; *p < .05; **p < .01; ***p < .001

Multivariate Analysis Part I – Individual Characteristics

Differences in experiences and behavior of these two groups are tested using the advanced quantitative methodology of structural equation modeling (SEM). This is the ideal methodology because SEM has the ability to test multiple relationships between predictors (exogenous variables) and multiple outcomes (endogenous variables) simultaneously, while controlling for measurement error (Bollen, 1989).

Most importantly, SEM also allows for analysis of multiple groups to determine the differences between estimated parameters in a given model of one sample compared to another. Multiple groups analysis is often used if a status indicator such as gender, age, or race is believed to exert a more significant overall effect on an outcome than is reflected by including that indicator as only a covariate in the model. Otherwise put, the measurement structure underlying my models is believed to differ by court of commitment (EnM status). This method will provide a straightforward manner by which to determine whether parameter estimates within each model are statistically significantly different for EnM youth compared to JCY. Rather than a variable simply mediating a relationship between another variable and the outcome, this variable is believed to moderate the parameters that are specified in the model (Kline, 2011).

To build on the framework and the competing hypotheses discussed above, I hypothesize in this first model that those individual characteristics such as demographics, facility classifications, and offender severity influence institutional misconduct and violence during juvenile incarceration. Multiple groups analysis will allow me to examine whether or not EnM status moderates the effect of each exogenous predictor on the endogenous outcomes of institutional misconduct and violence. The sections to follow will detail the variables to be used in this structural equation model. Analysis is conducted using the full population for this first model.

Endogenous Variables

The endogenous variables for this analysis will use two⁴ of the categories of institutional misconduct and violence involvement used in the prior descriptive analysis:

⁴ Preliminary regression models revealed there to be consistency across the *Any/Level 2* pair of categories, as well as across *Violent/Level 3* categories. Moving forward, this analysis only uses the categories of *Any* and *Violent* misconduct because these two categories possess the most variation, considering that all Level 2 and Level 3 allegations are captured under *Any*, and most Level 3 (and some of Level 2) are captured under *Violent* misconduct.

- Any DDMS
- Violent DDMS

The use of *Any* misconduct emphasizes the need to consider chronicity of behavior overall (combining non-violent and violent), while *Violent* provides a more narrow outcome that captures a higher severity of misconduct. These outcome variables⁵ are aggregate rates of these categories of misconduct incidents reported by DJJ staff during the period of institutionalization following our interviews. These misconduct rates were calculated by summing the individual DDMS allegation codes⁶ for a given category for each youth that occurred following the interview date and then dividing that by the time each youth has been incarcerated within DJJ following that interview date. The time incarcerated takes into account any temporary release (s) and/or re-incarcerations that may have occurred during the 524-day follow-up period post-interview.

Exogenous Variables

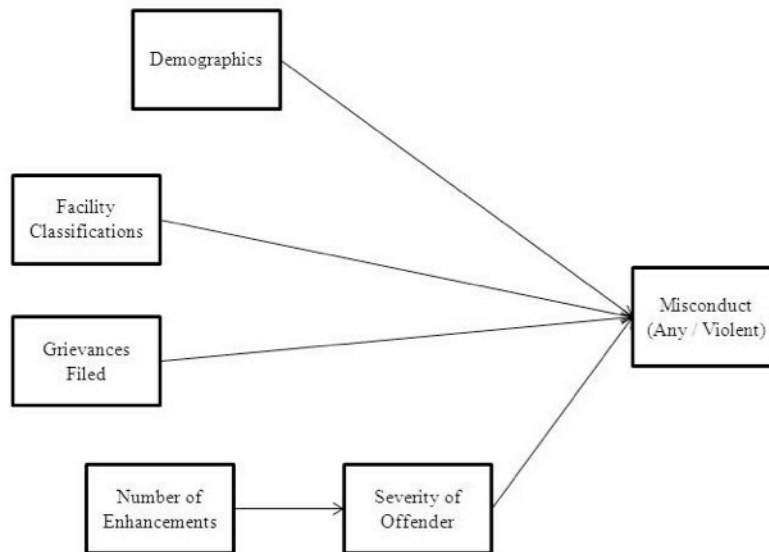
Figure 2.2 illustrates a general regression model that explores the ability of certain observed individual characteristics variables to influence differences in institutional misconduct and violence, while controlling for other factors. This model examines group differences using variables from the official data related to individual characteristics. The analysis for Figure 2.2 will utilize the full population of those under 18 years of age (n=425), meaning that all exogenous and endogenous variables for this model are derived from DJJ's official agency data, allowing me to maximize the sample of youth examined in this section of analysis.

⁵ In addition to official indicators of DDMS misconduct allegations, outcomes from the youth interview related to level of violence involvement (low and high) were also explored as outcomes for the interview sample. Unfortunately, a lack of variation in these categories across groups of the interview sample made it impossible to estimate the multiple group models.

⁶ Any DDMS allegations that were dismissed by staff following reporting were removed from this calculation.

Each of the key variables introduced into the model above were either shown to be a significant predictor of misconduct in the preliminary regression models, are established as predictors of misconduct in the literature, or have theoretical grounds for being included as they could potentially influence a youth's behavior during incarceration (or potentially how misconduct allegations are recorded for youth by facility staff).

Figure 2.2. Predicting Institutional Misconduct with Individual Characteristics



Key Variables:

Demographics:

Age: The official age of each youth at the time of interview/data collection.

Race: The race of each youth is categorized into African American, Latino, and Other (includes White and Asian). For the analysis, African American is the reference group.

Facility Classifications:

EnM Status: This is a dichotomous indicator of adult court of commitment.

Gang membership: Gang member status is a classification assigned to each youth upon intake to DJJ. This status is determined by a variety of factors that occur either alone or in

combination (i.e. self-identified gang member, gang enhancement, previously recorded as a gang member within California's gang database, etc.).

Severity of Offender:

Age crime committed: The official age of each youth at the time of commitment to term of DJJ incarceration.

Sentence length: Length of sentence in years.

Number of sentencing enhancements: Total number of enhancements, a total of felony gang, firearm, great bodily injury, and any other miscellaneous category of enhancement.

Grievances filed: This is a logged count of all grievances filed during a youth's current term of incarceration.

Demographics of age and race are included in this model to explore whether or not the influence of these characteristics may differ for these two groups in this environment. The construct of facility classifications includes the observed variables of EnM status (used as the grouping variable in the following multiple groups analysis) and gang membership. Waiver of a juvenile to adult court is supposed to depend on the severity of a given offender, and increased severity of offense (regardless of whether that youth falls under juvenile or adult court jurisdiction) often results in a lengthier sentence. The observed variables of age at commission of crime, total number of sentencing enhancements, and sentence length are used to build the construct of offender severity in this model, with sentence length being predicted by the total number of sentencing enhancements. Preliminary regression analyses revealed sentencing enhancements to be a robust predictor of sentence length, but showed that these enhancements have no effect on behavior.

Commitment offense categories are excluded from the analysis because preliminary regressions produced no significant effects for these categories and their inclusion in the model worsened overall model fit when testing the model for variable omission. This is likely due to a

lack of variation in offense severity across groups because they do not differ in any primary commitment offense category. This is expected for this DJJ population because, as previously discussed, every offender in this sample was committed to DJJ for a similarly severe serious and violent offense. The total number of enhancements is introduced into this model because of its theoretically related to offender severity, and because it provides the degree of freedom necessary to assess model fit for this recursive structural equation model (Kline, 2011).

Grievances provide a way for inmates to express discontent about the circumstances and experiences of incarceration. Following this logic, a higher number of grievances should indicate a negative experience in DJJ and contribute to an increase in violence. Interviews with youth revealed that when a youth files a grievance, it is often well known among other youth, and the person who filed the grievance is typically known as a “snitch.” This provides further rationale that the act of grievance filing may influence misconduct, as the grievance filer may be labeled by youth and subsequently be a target for victimization. The direct effects of these variables on misconduct outcomes are examined in this model.

Individual Characteristics Model Results: Full Population (n=425)

Table 2.3 below provides the results of the full structural model that predicts effects of individual characteristics for the full population on *Any* and *Violent misconduct*. EnM status significantly predicts a higher rate of both *Any* and *Violent* misconduct. An older age significantly predicts a lower rate of *Violent* misconduct, but fails to reach significance for *Any* misconduct. Being a race other than African-American or Latino significantly predicts lower rates of both *Any* and *Violent* misconduct, compared to that of African-Americans. Finally, a higher number of grievances filed during incarceration significantly predict a lower rate of *Any* misconduct.

Table 2.3. Results of Individual Characteristics Structural Model

	Rate of Any Misconduct		Rate of Violent Misconduct	
	Coeff.	S.E.	Coeff.	S.E.
EnM status	0.089***	0.020	0.036*	0.017
Age	-0.039	0.016	-0.061***	0.014
Age at comm. Off.	0.012	0.011	0.015	0.009
Race (African-American reference)				
Latino	0.000	0.021	0.006	0.018
Other (including White & Asian)	-0.081*	0.038	-0.090**	0.034
Gang member	0.006	0.021	-0.010	0.018
Sentence length	0.001	0.001	0.000	0.001
Grievances filed (log)	-0.047*	0.023	-0.011	0.020
Number Enhancements → Sentence length	6.671***	0.773	6.671***	0.773
R ² – misconduct	0.069		0.069	
Note: †marginally significant; p<.10; *p < .05; **p < .01; ***p < .001				

Individual Characteristics Multiple Groups Analysis: Full Population (n=425)

Multiple groups analysis generates the next set of results for the full population, and allows for estimated parameters of the full structural model to be compared across these two groups. Table 2.4 below reports the results of the full population analysis across these two groups for clear comparison of exogenous variable estimates. Older age marginally predicts a lower rate of both misconduct categories for EnMs, but this effect was significant for JCY (and more robust for JCY when predicting *Violent* misconduct). The age at commission of crime marginally predicts a higher rate of *Any* misconduct, but only for EnMs. Being a race other than African-American or Latino significantly predicts lower rates of *Violent* misconduct for EnMs, compared to that of African-Americans.

A longer sentence length significantly predicts an increase in the rate of *Any* misconduct for EnMs, but fails to be significant elsewhere. The model that predicts a rate of any and all misconduct explains more variance in that behavior for EnMs than for JCY (9% vs. 4%), but the

Table 2.4. Results of Individual Characteristics Multiple Groups Model

	Any Misconduct				Violent Misconduct			
	EnMs (n=174)		JCY (n=251)		EnMs (n=174)		JCY (n=251)	
	Coefficient	S.E.	Coefficient	S.E.	Coefficient	S.E.	Coefficient	S.E.
Age	-0.064†	0.036	-0.037*	0.017	-0.062†	0.032	-0.063***	0.015
Age crime committed	0.042†	0.022	0.005	0.012	0.019	0.020	0.014	0.010
Race (African-American reference)								
Latino	0.056	0.034	-0.033	0.025	0.017	0.031	0.002	0.022
Other (including White & Asian)	-0.081	0.058	-0.077	0.051	-0.116*	0.051	-0.065	0.044
Gang member	0.023	0.034	-0.007	0.027	-0.041	0.030	0.007	0.023
Sentence length	0.003*	0.001	0.000	0.001	0.001	0.001	-0.001	0.001
Grievances filed (log)	-0.069	0.037	-0.036	0.028	0.034	0.033	-0.042†	0.025
Enhancements → Sentence length	7.567***	0.976	6.469***	1.119	7.567***	0.976	6.469***	1.119
R ² – misconduct	R ² = 0.092		R ² = 0.037		R ² = 0.080		R ² = 0.094	
R ² – sentence length	R ² = 0.257		R ² = 0.118		R ² = 0.257		R ² = 0.118	
Note: †marginally significant; p<.10; *p < .05; **p < .01; ***p < .001								

model that predicts violence explains more similar amounts of variance in that behavior for JCY and EnMs (9% vs. 8%), as indicated by R² values.

Model Fit for Individual Characteristics Models

For the full population structural model that predicts misconduct categories using official data variables related to individual characteristics, approximate fit indices improve substantially when estimating a multiple groups model, as displayed in Table 2.5 below. This improvement in overall model fit is consistent, regardless of the misconduct outcome.

Table 2.5. Model Approximate Fit Statistics: Individual Characteristics Models

	df	X ² (p-value)	CFI	RMSEA	RMSEA C.I.
<i>Any Misconduct</i>					
Full model	8	26.193 (.001)	0.829	0.073	0.043-0.105
Multiple Groups	14	23.602 (.051)	0.906	0.057	0.000-0.095
<i>Violent Misconduct</i>					
Full model	8	26.342 (.001)	0.831	0.073	0.043-0.106
Multiple Groups	14	25.059 (.034)	0.906	0.061	0.017-0.099

For both of these outcomes, the models reject the null exact-fit hypothesis that the model-implied covariance matrix is equal to the sample covariance matrix, as indicated by the significant chi-square values. This indicates that any differences between the covariance matrix implied by the model and the sampling covariance matrix not be due to factors other than sampling error – discrepancies between the two may be more than that expected by chance.

However, with EnM status as the grouping variable, the chi-square value is no longer significant for the model predicting *Any* misconduct, and also improves for the model predicting *Violent* misconduct (although still significant at the .05 level). While this not-significant model test statistic provides preliminary evidence in favor of the multiple groups model being more consistent with the covariance data, approximate fit indexes need to once again be evaluated.

The CFI values for this individual characteristics model predicting both *Any* and *Violent* misconduct improve when estimated for multiple groups. The multiple groups model reveals that the relative fit is about a 91% improvement over that of the independence fit model, rather than a 83% improvement reflected by the full structural model. Given this, it can be concluded that the same constructs in this model are manifested in different ways for these two groups.

RMSEA values also decrease when moving from the full structural model to the multiple groups analysis. Because the lower bound of this confidence interval for each model is less than .05, the close-fit hypothesis is not rejected, which indicates that this RMSEA may indicate “good fit.” However, the upper bound of the same confidence interval exceeds .10 in the full structural model, but drops just below .10 in the multiple groups model. For this reason, it is clear that the multiple groups model provides the best fit according to this index because it fails to reject the close-fit hypothesis, but barely rejects the poor-fit hypothesis.

Multivariate Analysis Part II – Institutional Experiences

This part of the analysis looks to the youth interview data to determine if other institutional experiences reveal additional differences for EnM youth compared to their juvenile court counterparts, and if those previously established parameter differences in rates of misconduct and violence hold for the interview sample of those under 18 years of age (N=120, 56 EnM youth and 64 juvenile court youth).

Endogenous Variables

The outcome variable for this analysis are the same two aggregate rates of misconduct incidents reported by DJJ staff during the period of institutionalization following our interviews:

- Any DDMS
- Violent DDMS

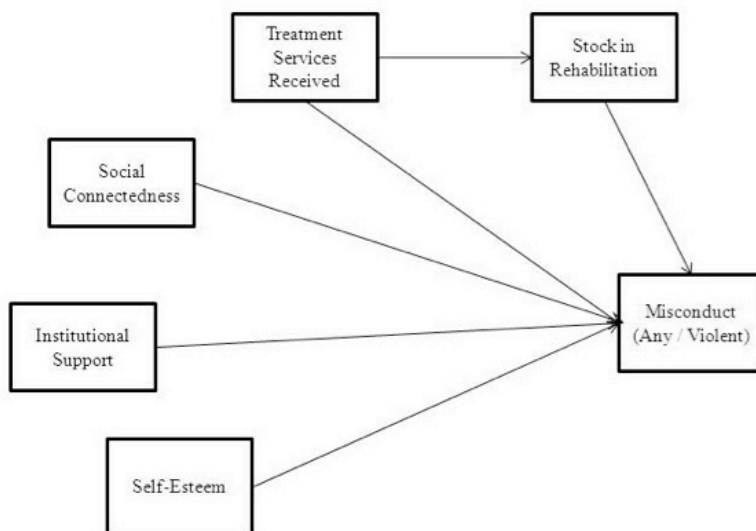
Exogenous Variables

As displayed below in Figure 2.3 below, this model introduces new constructs provided by the youth interview data. While this limits the sample for analysis here to the youth interview sample (N=120), it allows for modification of the model to estimate parameters related to institutional experiences and behavior for these two groups. Figure 2.3 above illustrates a path model that incorporates these additional constructs believed to predict differences in institutional misconduct and violence, while controlling for other factors.

In addition to including key variables previously used from the official data, various youth interview items/indicators are recoded into a composite index for each the following constructs:⁷ *social connectedness, institutional support, stock in rehabilitation, treatment services received, and self-esteem.*

⁷ Confirmatory factor analysis was used to estimate latent variable measurement models for each construct, but a lack of variation in the indicators for EnMs and JCY due to a small sample size prevented a full structural model

Figure 2.3. Predicting Institutional Misconduct with Institutional Experiences



As previously mentioned, institutional violence is very normalized within DJJ facilities. I propose that any lack of rehabilitation (or negative experience) that a youth experiences would encourage him to conduct himself in a way that conforms to these violent institutional norms. I argue that more positive institutional experiences would cause him to deviate from these norms by engaging in less violence. Figure 2 above illustrates the hypothesis that each construct influences misconduct and violence involvement. Following the full structural model analysis that includes EnM status as a covariate, EnM status is used as the grouping variable for the multiple groups analysis. Above and beyond any parameter differences for these two groups, I argue that the model fit for this structural model that incorporates experiences will be better when estimated across two groups than when parameters are constrained to be equal for these two groups. Identical to Figure 1, EnM status is used as a grouping variable.

using these latent variables from being estimated. For this reason, a composite index was calculated for each and included as covariates.

Institutional Experiences

Responses from the youth interview are utilized in this second model to operationalize the concept of “positive/negative experiences” as introduced within the previously outlined hypotheses and theoretical framework. The concept of institutional experiences is operationalized using the following constructs:

Social Connectedness: The extent to which a youth maintains connections to family and friends outside of DJJ.

Institutional Support: The level of support from and strength of rapport with DJJ facility staff that each youth expresses.

Stock in Rehabilitation: The extent to which a youth personally believes treatment services to be necessary and effective.

Treatment Services Received: Measurement of the total number of services that a youth either has received or is currently receiving.

Self-Esteem: Measurement of self-worth using a subset of items from the Rosenberg (1965) self-esteem scale.

These constructs are developed using items from the youth interviews that are theoretically related to each topic, and these indicators are loaded onto an index to measure each of these variables⁸. The value of each construct is then used as a covariate in models to predict *Any* misconduct and *Violent* misconduct. Items from the youth interview used in the composite for each construct are listed below in Table 2.6.

I conceptualize the total number of treatment services received to be a positive experience that should produce a lower level of misconduct and violence. The opposite is also true here: Fewer treatment services received would be a negative experience that should predict higher levels of institutional violence. In addition to items used to measure the number of treatment services received, the youth interview also consists of items that measure stock in the

⁸ In order to create a similar range of values as those provided by the Likert-scaled items, dichotomous items/indices are multiplied by five.

rehabilitative ideal, a higher measure of which should indicate a positive experience and predict lower levels of violence.

Social connectedness and institutional support will also be explored as constructs that have the ability to influence a youth’s violence involvement. My goal here is to operationalize two kinds of social support that protect against institutionalization. Social connectedness keeps

Table 2.6. Individual Indicators for Composite Self-Report Constructs

Social Connectedness
Have any family members or adults you’ve lived with ever been incarcerated? (reverse coded)
Do you have any children?
Do family members or friends visit you in a typical month?
Do you receive letters during a typical month?
Do you have phone conversations with family or friends?
Institutional Support
Are there people in this facility you talk to about personal matters?
If you were in trouble, is there someone here you could talk to?
Dichotomous indicator of paid employment within current facility
Staff here trust me with extra responsibilities.
Staff here allow me more freedoms than other youth in the facility.
Staff here believe I usually behave responsibly.
Treatment Services Received
Do you receive all of the treatment services that you’re supposed to receive according to your Individual Change Plan (ICP)?
Do you receive individual counseling on a regularly scheduled basis?
Do you receive group counseling on a regularly scheduled basis?
Total number of specialized treatment programs received.
Total number of resource groups received.
Incentive level (A=3, B=2, C=1)
Stock in Rehabilitation
In general, do you have a positive or negative feeling about the treatment services that you receive here?
Do you need treatment for any specific problem?
Are there treatment services not currently offered here that might help youth?
Are there services in this facility that reduce violence between youth?
Self-Esteem
I feel that I have a number of good qualities.
I am able to do things as well as most other people.
I take a positive attitude toward myself.

youth connected to family and friends outside of DJJ – working against Goffman’s (1961) “role dispossession” process of institutionalization that creates a barrier between that youth and the outer world. Institutional support results from exposure to positive role models within DJJ and perceived positive rapport with staff members. Employment is included within this construct because paid employment within a DJJ facility, and the associated relationships with co-workers and a supervisor would logically be another source of support, and a tangible incentive for consistently good behavior. I conceptualize a higher level of either type of support to be a positive experience, which I hypothesize will decrease institutional violence overall. Self-esteem is included here because I propose that a higher level of self-esteem would indicate a more positive experience, meaning that self-esteem should be inversely related to the outcome of misconduct and provide a protective factor for EnMs against those violent institutional norms.

Institutional Experiences Structural Model Results: Interview Sample (n=120)

Table 2.7 provides the results of the full structural model that predicts effects of experiential constructs on *Any* and *Violent misconduct*, including EnM status as a covariate. EnM

Table 2.7. Results of Institutional Experiences Structural Model

	Rate of Any Misconduct		Rate of Violent Misconduct	
	Coeff.	S.E.	Coeff.	S.E.
EnM status	0.062†	0.034	-0.010	0.033
Institutional Experiences				
Social Connectedness	-0.009**	0.003	-0.004	0.003
Institutional Support	-0.016***	0.004	-0.005	0.004
Stock in Rehabilitation	-0.001	0.004	0.002	0.004
Treatment Services Received	-0.002	0.004	-0.008*	0.003
Self-esteem	0.017	0.011	-0.005	0.010
Treatment Services Received → Stock in Rehabilitation	0.280***	0.075	0.280***	0.075
R ² – misconduct	0.240		0.098	
R ² – stock in rehabilitation	0.105		0.105	
Note: †marginally significant; p<.10; *p < .05; **p < .01; ***p < .001				

status fails to predict any difference in the rate of *Violent* misconduct, but marginally predicts a higher rate of *Any* misconduct for the interview sample. Social connectedness and institutional support significantly predict lower rates of *Any* misconduct, but fail to reach significance in the model that predicts *Violent* misconduct. Stock in rehabilitation fails to be significant for both outcomes, but a higher number of treatment services received significantly predict a lower rate of *Violent* misconduct. Related, a higher level of treatment services received significantly predicts a higher level of stock in rehabilitation in this structural model.⁹ A higher number of self-reported treatment services received significantly predicts a lower rate of *Violent* misconduct, and self-esteem fails to significantly predict a change in the rate of either misconduct outcome. The multiple group analysis to follow will determine whether EnM status (or lack thereof) is driving these significant parameter estimates for the interview sample, and if that status moderates the overall measurement structure of this model.

Institutional Experiences Multiple Groups Analysis: Interview Sample (n=120)

The constructs related to incarceration experiences produce noteworthy differences in parameter estimates for EnMs and JCY, some of which hold consistent for *Violent* misconduct in addition to the composite rate of *Any* misconduct. These results are reported below in Table 2.8. Social connectedness is significantly predictive of decreased misconduct (both categories of *Any* and *Violent*) for JCY, but has no effect for EnMs. Institutional support significantly predicts a lower rate of *Any* misconduct for EnMs, but fails to predict a difference for this group in *Violent* misconduct. Alternatively, this construct significantly predicts a lower rate of *Violent* misconduct for JCY, but this effect is only marginally significant for *Any* misconduct.

⁹ Preliminary analysis examined a potential reciprocal effect between these two variables, but a higher stock in rehabilitation failed to significantly predict a higher number of treatment services received and detrimentally affected model fit.

Stock in rehabilitation is marginally predictive of a lower rate of *Violent* misconduct for EnMs only, but does not approach significance elsewhere. This implies that a stronger belief in

Table 2.8. Results of Institutional Experiences Multiple Groups Model

	Any Misconduct				Violent Misconduct			
	EnMs (n=56)		JCY (n=64)		EnMs (n=56)		JCY (n=64)	
	Coefficient	S.E.	Coefficient	S.E.	Coefficient	S.E.	Coefficient	S.E.
Institutional Experiences								
Social Connectedness	-0.003	0.005	-0.016***	0.005	0.004	0.005	-0.011**	0.004
Institutional Support	-0.026***	0.005	-0.008†	0.005	-0.002	0.006	-0.009*	0.004
Stock in Rehabilitation	0.003	0.006	-0.001	0.005	-0.011†	0.006	-0.004	0.005
Treatment Services Received	-0.001	0.006	-0.004	0.004	-0.014*	0.006	-0.006	0.004
Self-esteem	0.007	0.018	0.021†	0.013	-0.012	0.019	0.004	0.011
Treatment Services Received → Stock in Rehabilitation	0.402**	0.116	0.152	0.104	0.402**	0.116	0.152	0.104
R ² – misconduct	0.331		0.237		0.115		0.233	
R ² – stock in rehabilitation	0.177		0.032		0.177		0.032	

Note: †marginally significant p<.10; *p < .05; **p < .01; ***p < .001

the rehabilitative ideal exerts a stronger influence on decreasing violence of EnMs compared to JCY. A higher number of treatment services received significantly predicts a lower rate of *Violent* misconduct for EnMs, but fails to be significant elsewhere. Related, a higher number of treatment services received significantly predicts a higher level of stock in rehabilitation for EnMs in this multiple groups model, but is not significant for JCY. Finally, a higher level of self-esteem marginally predicts a higher rate of *Any* misconduct for JCY, but fails to be significant elsewhere. The model that predicts *Any* misconduct explains more variance in that behavior for EnMs than for JCY (33% vs. 24%). Alternatively, the model that predicts violence explains more variance (23%) in that behavior for JCY than for EnMs (12%), as indicated by R² values. These trends are consistent with the previous individual characteristics multiple groups model, but reflect the fact that institutional experiences explain more variance in misconduct outcomes than do individual experiences.

Model Fit for Institutional Experiences Models

For the interview sample structural model that predicts misconduct categories using experiential constructs, approximate fit indices improve substantially when estimating a multiple groups model. As displayed in Table 2.9 below, this improvement in overall model fit is consistent, regardless of the misconduct outcome.

Similar to the institutional experiences model, the models fail to reject the null exact-fit hypothesis that the model-implied covariance matrix is equal to the sample covariance matrix, as indicated by the non-significant Chi-square values. In other words, this indicates that any differences between the covariance matrix implied by the model and the sampling covariance matrix may reasonably be considered to be due to sampling error – the degree of discrepancies between the two is less than that expected by chance. This test statistic takes sampling error into account, which is especially important here because the sample size of N=120 is relatively small. While this insignificant model test statistic provides preliminary evidence in favor of the model

Table 2.9. Model Approximate Fit Statistics: Institutional Experiences Models

	<i>df</i>	X^2 (p-value)	CFI	RMSEA	RMSEA C.I.
<i>Any Misconduct</i>					
Full model	4	5.662 (.226)	0.960	0.059	0.000-0.160
Multiple Groups	6	6.950 (.326)	0.977	0.051	0.000-0.181
<i>Violent Misconduct</i>					
Full model	4	5.662 (.226)	0.917	0.059	0.000-0.160
Multiple Groups	6	6.950 (.326)	0.965	0.051	0.000-0.181

being consistent with the covariance data, other aspects of the correspondence between the model and the data need to be considered, such as approximate fit indexes.

Approximate fit indexes are continuous measures of the correspondence between a model and the data that provide qualitatively descriptive information about model fit (Kline, 2011). Most of these indexes are scaled as goodness-of-fit statistics (the higher the values, the better the

model fit). The Comparative Fit Index (CFI) provides an incremental fit index to determine the improvement in the fit of the utilized model relative to that of a baseline model. For the institutional experiences model predicting both *Any* and *Violent* misconduct that uses EnM status as a grouping variable, the relative fit in the model is about a 97-98% improvement over that of the independence fit model, rather than a 92-96% improvement, as indicated by the CFI values in Table 2.9 above. Given this, it can be concluded that the same constructs in this model are manifested in different ways for these two groups.

The Root Mean Square Error of Approximation (RMSEA) provides a point estimate that is scaled as a badness-of-fit index, with a value closer to zero indicating better model fit. The point estimate of RMSEA for the sample has a confidence interval, the width of which is larger in smaller samples, such as that under study here. Because the lower bound of this confidence interval for each model is less than .05, the close-fit hypothesis is not rejected, which indicates that this RMSEA may indicate “good fit.” However, because the upper bound of the same confidence interval exceeds .10, these models also fail to reject the poor-fit hypothesis, which means that this model warrants less confidence. This mixed finding is not necessarily contradictory, however, and more expected when working with smaller sample sizes. Based on this finding, the best conclusion is that the point estimates of $RMSEA = .051$ and $RMSEA = .059$ are subject to a fair amount of sampling error because they are just as consistent with the close-fit hypothesis as with the poor-fit hypothesis. Additionally, in spite of these limitations, the RMSEA decreases in value when moving from the full model to a multiple groups model for each outcome, providing support that model fit improves when evaluating the difference in measurement structure across groups, rather than constraining these parameters to be equal for these two groups.

More broadly overall model fit as measured by the chi-square model test statistic and various approximate fit indexes is better for this institutional experiences model (see Table 2.9) than for the earlier individual characteristics model (see Table 2.5). Given the larger sample size of that earlier full population model, the increased statistical power should only be beneficial for model fit. Despite the smaller sample size of the interview sample model, however, the measurement structure related to incarceration experiences produces more noteworthy differences based on EnM status than does the model based on individual characteristics. Institutional experiences also explain a greater amount of variance in the misconduct outcomes than do individual characteristics maintained by facility staff. Broadly, this indicates that the experiences during incarceration matter more for EnMs than do their background characteristics, when it comes to engaging in misconduct during juvenile incarceration. Most importantly for this study, though, the improvement in multiple groups model fit for both models provides support that both individual characteristics and institutional experiences predict misconduct in significantly different ways for EnMs compared to their juvenile court counterparts.

Discussion

Using two different samples to estimate two theoretical models, this work contributes to juvenile policy research by providing some important new findings related to how adult court status and other individual characteristics may influence juvenile incarceration experiences and institutional misconduct. The results of this study indicate that adult court status has the power to moderate the effects of some individual characteristics and individual experiences previously established as robust predictors of institutional misconduct. The fact that different factors predict misconduct and violence for EnMs compared to JCY implies that the motives that drive behavior during juvenile incarceration differ considerably for “adult” juveniles compared to “juvenile”

juveniles. Additionally, staff across five juvenile correctional facilities in California may report misconduct differentially for EnMs compared to JCY. A longer sentence length significantly predicts an increase in the rate of *Any* misconduct for EnMs, but fails to be significant for JCY. Given that these groups only marginally differ in sentence length descriptively, staff may be more aware of EnMs with lengthier sentences, perceive them to be more serious offenders, and write them up for more misconduct allegations overall as a result.

The significant findings from the multiple group analysis of the full population model suggests that EnM status drives the significant effects of race on violent misconduct that emerged in the full structural model. Latino race does not predict a change in behavior for either group compared to African-Americans, but falling under the other race category that includes White and Asian predicts significantly lower rates of *Violent* misconduct for EnMs only. This could also be interpreted by stating that African-American EnMs engage in a higher rate of Violent misconduct than African-American JCY, which also suggests that EnM status may be a catalyst for increased reporting by staff. Considering that the proportion of EnMs and JCY do not differ by any racial category, this finding indicates that either 1) EnMs of certain races engage in more violence compared to JCY, or 2) the classification of EnM status aggravates the existing racialization of violence within DJJ facilities.

While limited by a small sample size, the institutional experiences model provides interesting findings related to how self-reported experiences differentially predict behavior for adult court youth. Social connectedness is a measure of the extent to which youth maintain connections with those outside of DJJ. This construct theoretically mitigates the effects of Goffman's "role dispossession" that encourages the development of barriers to the outside world during institutionalization. For JCY, social connectedness is significantly predictive of decreased

misconduct (*Any* and *Violent*). This finding may speak to the fact that JCY will go home when released, which may motivate them to maintain those connections while incarcerated within DJJ. EnMs, on the other hand, are awaiting a transfer to adult prison, which may decrease their motivation to strengthen social connections elsewhere, and may cause them to allow barriers between their roles in society and their roles during incarceration to be solidified.

Institutional support exerts somewhat opposite effects for these two groups, depending on the outcome. A higher level of institutional support predicts a lower rate of *Any* misconduct for EnMs, and alternatively predicts a lower rate of *Violent* misconduct for JCY. It is encouraging that a higher perceived level of support from institutional staff has beneficial effects for both groups. For EnMs, a higher level of support from staff predicts less engagement overall in the more chronic, composite rate of any and all misconduct. This same type of support predicts a lower rate of violence, specifically, for JCY. This may mean that staff rapport exerts different types of influence on these two groups: potentially one of social control on EnMs, and one of discipline and deterrence for JCY.

Stock in rehabilitation marginally predicts a lower rate of specifically *Violent* misconduct for EnMs. This construct failed to be significant in the full structural model, which implies that this construct is moderated by EnM status. This is extremely noteworthy because it validates the assumption that – to the extent we can instill a belief in rehabilitation within juvenile offenders with adult status – this belief has the ability to decrease involvement in violence for this “adultified” group during juvenile incarceration. Additionally, the ability of treatment services received to significantly predict a higher level of stock in rehabilitation from the full structural model only held true for EnMs in the multiple groups model. This provides clear support to suggest that when provided with treatment services during juvenile

incarceration, waived youth develop a stronger belief in the rehabilitative ideal, which influences less engagement in violence during this term of incarceration.

Beyond that, it initially seems surprising that EnM youth who are facing an adult prison sentence would translate a belief in rehabilitation into improved behavior. Given that JCY are likely to go home sooner than EnMs, JCY have a much more tangible incentive to 1) find belief in treatment and rehabilitation, and 2) to behave better as a result of that belief. However, this data provides the opposite finding, as stock in rehabilitation does not predict a change in misconduct for JCY. The EnM “lost causes” who are headed to adult prison actually engage in less violent behavior as a result of stock in rehabilitation. If this finding is interpreted through the lens of adult prison inevitability, it appears that the knowledge of their inevitable transfer to a “worse” adult prison is a catalyst for EnMs motivation to capitalize on as much treatment in this “better” venue while they can. For EnMs, at least, the more treatment services you receive, the more you believe in your ability to change, and perhaps the more you believe in your ability to survive adult incarceration, which may influence better behavior during juvenile incarceration.

Finally, these findings do not support the hypothesis that self-esteem may serve as a protective factor against institutional norms of misconduct and violence for EnMs more so than for JCY. In fact, self-esteem fails to exert any significant effects on misconduct for this structural model and only marginally predicts a higher rate of *Any* misconduct for JCY. This indicates that these two groups differ somewhat on the extent to which a better self-concept influences behavior, and that JCY with higher self-esteem in this carceral environment engage in more misconduct overall.

Moving forward, it is important to consider that the timing of EnM misconduct differs from that of JCY, as indicated by the descriptive differences of misconduct/violence frequencies

compared to rates over time. As youth approach their transfer to adult prison, it is possible that they experience some kind of “prison panic,” during which they engage in more misconduct and violence – either because of fear and anxiety related to the upcoming transfer, or in an attempt to prisonize themselves more in preparation of that transfer. A more detailed time analysis is needed to test the extent to which the timing of misconduct differs for EnMs and JCY. This time analysis is conducted in Chapter 4 to develop theoretical contributions of this work for juvenile institutionalization and prisonization.

The extent to which EnMs and JCY differ on parameters in these multiple group models provides a quantitative context on which to build with the qualitative analysis. In addition to parameter differences, the model fit findings are very important. Whether examining a theoretical structure related to individual characteristics or individual experiences during incarceration, both measurement structures differ substantially by court of commitment. Within a juvenile correctional environment, this status is powerful enough to moderate the influence of various factors on the outcome of misconduct.

Chapter 3 sheds light on whether or not the findings related to experiences are reflected in qualitative responses from EnM youth. Is the concept of social connectedness lacking from the qualitative responses of EnM youth, as it is here quantitatively? Do qualitative responses that reflect a high stock in rehabilitation predict less violence for EnMs? Or when EnMs qualitatively articulate reasons for their belief in rehabilitation (or lack thereof), will themes emerge that make the *type* of stock in rehabilitation important? Qualitative data will also provide a better understanding of how responses related to preparation for adult prison transfer may or may not predict a change in behavior. Chapter 3 delves into these qualitative questions by

examining the open-ended responses of EnM youth, to see if these quantitative findings persist when confronted with qualitative themes and motivations.

Chapter 3. Conceptualizations of “Adultification”

Introduction

The last several decades of juvenile justice have included many efforts by juvenile justice administrators, legislators and policy makers to impose adult sanctions on juveniles, often several years prior to their 18th birthdays. This punitive shift blurs the lines between two systems that were originally created to be distinct entities with very different goals. The juvenile court was founded under the ideology of *parens patriae* – literally translated as “parent of the country,” which indicates a system level of accountability (Ward & Kupchik, 2009). The juvenile justice *system* originally took accountability for individuals such as youth who were either unable to adequately care or make rational decisions for themselves. In contrast, once a person becomes an adult (typically at age 17 or 18), the criminal justice system expects this individual to behave rationally and to exercise mature decision-making capability. Should you break the law, it aims to deter you from doing so again. This deterrence effort traditionally comes in the form of punishment for adults, rather than rehabilitation.

This evolution away from *parens patriae* and toward the “get tough” mentality of the adult criminal justice system has caused two distinct ideologies to collide. The “adultification” youth experience as a result of punitive mechanisms, such as waiver to adult court and lengthy determinate sentences, is symbolic of two justice systems colliding when they were originally intended to be ideologically opposed. One result of this collision is youth waived to adult court and subjected to both jurisdictions – and to both systems of accountability – simultaneously. How do youth waived to and convicted in adult court conceptualize that adult status within a juvenile correctional facility? How do “adultified” youth negotiate their experiences as they prepare for a transfer to adult prison, while housed under the same roof with offenders who were

retained under juvenile court jurisdiction and were committed for similarly serious and violent crimes? The goal of this study is to offer a theoretical elaboration of the role juvenile waiver plays within institutional culture and describe how it may contribute to behavior during terms of juvenile incarceration.

The ways in which youth adapt to incarceration should affect each individual's sense of self, whether that applies to that person's current sense of self-worth, or to the way that person now conceptualizes his or her potential for future success as a result of the punishment imposed. Juvenile waiver research neglects to explore how the application of this policy affects a juvenile's sense of self and how these perspectives may influence experiences and behavior during juvenile incarceration. This "adultification" may also trigger different processes of institutionalization for waived youth, putting them at odds with institutions in ways that differ from those youth retained under juvenile court jurisdiction (Goffman, 1961).

Chapter 2 revealed that EnMs and JCY display quantitatively different patterns of misconduct and violence as a result of the influence of individual characteristics and institutional experiences. This qualitative study now aims to delve into the mindset of these waived youth and explore how waiver policy may influence adolescent identity expression, or self-concept, as it relates to institutional misconduct and other articulations of self as expressed within correctional institutions. The two responses below provide examples of how "adultified" youth 1) perceive disparate treatment when it comes to waiver, and 2) appreciate the advantage of staying in a juvenile correctional facility vs. being transferred to adult prison. These responses set the stage for the following study, which examines youth perceptions of their "adult" statuses and seeks to understand how they navigate this adult status while surrounded by similarly violent juvenile court youth who *do* enjoy the protection of California juvenile facilities until age 25.

Interviewer: *“Do you think your case should have stayed in juvenile court?”*

EnM youth: *“Yes.”*

Interviewer: *“Why?”*

Bryan: *“I’ve seen people here who committed the same crime and went to juvenile court.”*

Bobby: *“Coulda had a better chance of staying in a DJJ facility [rather than being transferred to adult prison]. I was still young.”*

The perceptions of their current circumstances as adult court youth could arguably affect their interactions with other similarly situated youth (many of whom received juvenile court sanctions), and could ultimately influence their behavior during this period of juvenile incarceration.

This project explores these expressions of self in a new venue, among a more specialized population who is experiencing the “adultification” brought on by this ultimate juvenile penalty waiver. This chapter delves into the perspectives of 57 waived youth by exploring qualitative interview responses to determine how they conceptualize “adultification,” and how they live this adult status on the grounds of juvenile facilities.

Very little research has addressed the process and result of waiver to adult court as experienced from the juvenile’s perspective. Few articles specifically report findings from youth interviews that explore juveniles’ perceptions of both procedural justice aspects of waiver and of their correctional experiences following a trial in adult court (Forst, Fagan & Vivona, 1989; Lanza-Kaduce et al., 2002). While some research conducts interviews with incarcerated juveniles, many of these studies are limited, because they use surveys with only closed-ended questions – either dichotomous or Likert scale answers – that somewhat restrict the substantive nature of responses.

For example, Forst, Fagan & Vivona (1989) conducted one study that improves upon such limitations by qualitatively interviewing 59 juveniles committed to state training schools (i.e. juvenile correctional facilities) and 81 similar juveniles sentenced to adult prisons. They examined this treatment-custody distinction to determine the extent that juveniles express differing perspectives toward availability of treatment services, quality of such services and the overall social climate of their given institution. Those youth housed in training schools gave significantly more favorable responses to items in all four dimensions of social climate: social networks, social learning, youth opportunities, and goal orientation. Levels of victimization for specific types of violence, such as sexual assault, staff assaults and attacks with weapons, were also higher for youth in prisons compared with those committed to training schools. While this research explores juvenile offenders' perceptions of institutional differences within juvenile and adult environments, it sheds little light on their understanding of the path that brought them to that institution, their strategies for adapting to this new environment and how their sense of self has changed as a result of this incarceration.

The present study improves upon shortcomings of previous research by providing a more textured examination of waived youth that focuses on expression of self. This work provides considerable substance to the crux of this story by moving beyond Chapter 2's analysis of the observed quantitative experiences of youth who are subjected to waiver policy by delving into their qualitative perceptions. Juvenile waiver to adult court challenges a juvenile's self-conception as an "adolescent" and triggers a process of "adultification" that occurs earlier than it would naturally (Merlo & Benekos, 2010). This project seeks to answer the following research question related to this "adultification":

How do youth conceptualize their EnM statuses within juvenile correctional facilities, while awaiting transfer to adult prison?

A detailed description of the methodology and analysis procedures employed to answer this qualitative research question follows.

Data Sources and Methodology

Settings and Interview Instrument

This investigation of “adultified” EnM youth is drawn from a larger research project that evaluated the landscape of violence within juvenile correctional institutions. Youth interview data were collected during the fall of 2010 at five different juvenile correctional facilities in California – three in the northern part of the state and two in the southern region. All five facilities house similarly severe and violent youth, with the only difference being that one northern facility primarily houses a slightly younger population. As previously discussed in Chapter 2, these interviews were structured based on a survey instrument and gathered information on a variety of topics, including each youth’s background, perceptions of safety and violence involvement. Youth were also asked about other facets of daily life within these facilities, including their typical daily schedule, access to treatment services and opportunities for employment.

The measures of focus for this question are the supplemental youth interview questions asked of EnM youth, which are displayed in Appendix A. This section of interview questions appeared toward the end of the interview, the entirety of which typically lasted for durations of 1 to 1 ½ hours. This is advantageous for the current study because, relative to the beginning of the interview, a considerable amount of rapport was established by this point in the interview, which likely helped to encourage the youth to answer openly and honestly. Of the full population across all five facilities at the time of data collection (N=1,153), the research team conducted

interviews¹⁰ with a random and representative sample of 306 male juvenile offenders. Of these 306 youth, 60 were previously waived to and convicted in adult court, which provided them with an “adult” EnM status within these facilities.

Focal Data Set

This analysis of youth perspectives specifically focuses on data from open-ended interview items asked of only the 60 randomly sampled EnM youth. Three refused to answer the supplemental section of questions that focus on their EnM statuses. As a result, the focal sample for this analysis will include qualitative data from those 57 EnMs who successfully completed interviews. Table 3.1 below provides sample characteristics to illustrate the fact that this interviewed sample of 57 youth is representative of the full population of 174 EnM youth, as indicated by a lack of statistically significant differences between interviewed EnMs and non-interviewed EnMs.

Data Collection

The supplemental interview items gathered qualitative data on perspectives toward punishment and procedural justice, legal consciousness related to the waiver process,¹¹ belief in education and rehabilitation, self-concept related to EnM status, opinions toward their institutional experiences as adult court youth, and thoughts on each youth’s own pending and inevitable transfer to adult prison. In addition to items from the interview, qualitative data also includes side comments made by respondents during the course of the interview and recorded

¹⁰ Interviews took place in a secure location within the facilities to help assure youth about protections of confidentiality. Youth were informed about the research project goals, expected interview duration and offered a study information sheet. Youth were also told that they could terminate the interview at any time without any repercussions from facility staff (which was an apparent concern among some youth).

¹¹ While the interview data provides considerable insight into the legal consciousness of waived youth, this lies outside the scope of the current project on incarceration and will be analyzed in a separate article that focuses on procedural justice and juvenile understanding of the waiver process.

verbatim by the interviewer. Any relevant interviewer observations taken as field notes before, during or after the interview are also included within this analysis.

Table 3.1. Representativeness of EnM Interview Sample

	Interviewed EnMs (N = 57)		Non-interviewed EnMs (N = 117)		Full Population of EnMs (N = 174)	
	N	%	N	%	N	%
Race						
Latino	32	56	78	67	110	63
Black/African Am.	16	28	32	27	48	28
Other (including White and Asian)	9	16	7	6	16	9
Mean age in years	17.3		17.4		17.4	
Gang Member	30	53	74	63	104	60
Registered Sex Offender	5	9	3	3	8	5
Mental Health Treatment Need	14	25	27	23	41	24
Mean age crime committed	15.6		15.6		15.6	
Commitment Offense						
Homicide	5	9	8	7	13	7
Robbery	19	33	44	38	63	36
Assault	25	44	60	51	85	49
Other (including Burglary, Sex Offense, Misc. Felony)	8	14	5	4	13	8
Sentence length in years	12.1		10.9		11.3	
Sentencing Enhancements						
Felony gang	13	22	33	29	46	26
Firearm	28	43	39	36	67	39
Great bodily injury	9	18	20	16	29	17
Other	4	5	1	2	5	3
Note: †marginally significant; p<.10; *p < .05; **p < .01; ***p < .001						

The analysis below focuses on the subjective responses EnM youth provided that are related to their current circumstance as an adult court youth awaiting transfer to an adult prison while incarcerated within a juvenile correctional facility. I aim to explore how youth construct narratives related to EnM status and how this status may affect the institutional culture of juvenile correctional facilities.

The research team conducted initial field site visits in preparation for data collection, in order to meet with facility staff and to coordinate logistics of data collection trips and to evaluate the availability of appropriately confidential interview locations. While I was originally interested in studying youth waived to adult court, it became apparent during these initial site visits that the “EnMs” within these facilities were well-known, among staff and youth alike. Conversations with different staff opened up new avenues of inquiry related to this population, and this fieldwork provided the impetus to develop a supplemental section of interview items devoted to this group of youth. These interactions during site visits justified the investigation of how EnM youth experience all aspects of these institutions, including how they interact with staff and youth, and how they navigate the processes of institutionalization.

Analysis Procedures

Data analysis was an iterative process based on a grounded theory approach to inductive research (Charmaz, 2006). Inductive analysis began by reading through the raw qualitative interview data and making note of broad frames of analysis. These frames provide guidance as to the level of specificity with which the data will be examined (Hatch, 2002). This first iteration provided an opportunity to point to regularities among this sample of EnM youth – both regularities concerning descriptions of their experiences within and perceptions of these facilities, as well as commonalities that exist throughout statements of their self-concepts. The next step was to develop domains, or broad themes, based on semantic relationships discovered within these frames of analysis (Hatch, 2002). This second pass through the data involved open coding of these qualitative responses to more narrowly identify – within the larger frames of analysis – the ways in which these youth conceptualize themselves as a result of their EnM statuses. After this second iteration, I identified salient domains, assigned those preliminary

codes, and put other less salient themes aside. During a third iteration, I reread the data and refined the more salient themes, while keeping a record of relationships and patterns that exist throughout the data. During all iterations, I wrote detailed memos in order to ensure that I accomplished constant comparative analysis – that which continually compares responses within and between domains (Glaser & Strauss, 1967). I then drew on the memos to complete theoretical analysis within each of the most salient domains. Finally, after ensuring that each prominent domain (theme) was sufficiently supported by the data, I selected excerpts from the data to illustrate these broad domains and any subthemes therein.

Qualitative research requires that one be not only alert to both prevalent domains that are supported by the data, but also alert to disconfirming evidence throughout the analysis process. After analyzing the themes most strongly supported by my data, I also searched for examples that either do not fit within or run counter to these more salient domains. Such counterfactual examples are vital to any qualitative study, and are discussed toward the end of the findings section below.

Findings

Youth responses to interview questions provided varied perspectives on how they conceptualize themselves as a result of their “adulthood.” Rather than employ measures previously established to more narrowly measure certain constructs, my intent was to allow these youth to talk about themselves naturally as newly appointed “adults” in a juvenile correctional facility. Doing so creates the potential for grounded theory to be developed from themes that emerge organically among this understudied population of serious and violent juvenile offenders. These data provide information on how youth conceptualize different aspects of their waiver process, how they approach their current juvenile incarceration and their outlook toward future

adult incarceration. Do they think their case should have stayed in juvenile court? How do they view themselves now? How are they preparing for transfer to the adult side? The following findings reveal much about each of these questions and ultimately provide an overarching story of how these youth perceive the entire trajectory of their paths through the waiver process, current terms of juvenile commitment and future terms of adult incarceration. Three broad themes run throughout these findings: techniques used to neutralize commitment offenses, expressions of self anchored toward future possibilities and strategies for survival during incarceration. They will be discussed in turn after a brief overview of relevant literature

Techniques of Neutralization

Youth and adults alike often defend their acts of delinquency and crime by providing justifications for those deviant acts. These justifications are viewed as valid by the delinquent or criminal, but invalid by the legal system or society at large. Sykes and Matza (1957) defined these justifications, or rationalizations for deviant behavior, as five major techniques of neutralization: 1) denial of responsibility, 2) appeal to higher loyalties, 3) denial of injury, 4) denial of the victim, and 5) condemnation of the condemners. The denial of responsibility asserts that the criminal act occurred because of outside forces beyond the actor's control, such as abusive parents, deviant peers and socially disorganized neighborhoods. The appeal to higher loyalties is somewhat connected to this, because it further strengthens the influence of such outside forces by arguing that it is more important to abide by the rules of a deviant, smaller social group than it is to abide by rules set forth within dominant society. Here, the actor believes in both sets of norms, but when faced with the dilemma of which rulebook to follow, he chooses to remain loyal to and supportive of his friends and family (even if those individuals are not law-abiding individuals).

The denial of injury breaks the link between a person's deviant acts and the consequences of those acts by making the following distinction: some crimes are inherently "wrong," while others are illegal but not immoral. The denial of the victim is similar. Rather than emphasize a lack of injury to any victim, this argument justifies any injury as being rightful retaliation, self-defense or punishment. This neutralization technique often includes diminished awareness of the victim overall by describing a deviant act as necessary, given the circumstances.

Finally, the condemnation of the condemners argument shifts the attention away from a person's own deviant acts to the motives and behaviors of those who have "condemned" him. This is particularly salient for the population studied here, given that "adultification" in the form of waiver to and conviction to adult court can and often does drastically change the trajectory of a youth's life. McCorkle and Korn (1954) also termed this "the rejection of the rejectors," and the qualitative data in this study allows the examination of this within a group of youth who have committed very serious crimes and who may still feel as though they have been unjustly "adultified."

The (Im)maturity Argument

When asked if their case should have stayed in juvenile court, 53% of the 57 interviewed youth (or n = 30) say "Yes." If youth feel they have been unfairly waived to adult court, this perception of unfair treatment could logically affect their approach toward, and behavior within, a juvenile correctional environment. When asked why they feel this way, EnMs responded with a variety of answers, the largest proportion of which (n = 10) emphasized their young age and expressed the sentiment that – based only on that young age – the juvenile justice system should not have waived them to the adult criminal justice system. Some youth responded by stating that their cases should have stayed in juvenile court because they were, more generically, "*so young*"

or “*still a juvie.*” More youth, however, mentioned the specific age in their responses as a way to emphasize just exactly how young they were when they committed their crimes:

Enrique:¹² *“’Cause I was only 17!”*

Berto: *“Barely turned 14.”*

Eddie: *“I was only 15 – a kid. So were my co-defendants.”*

Deandre: *“I just turned 15.”*

Ernesto: *“Because of my age. I was 10 when it happened, but arrested for it when I was 15.”*

Burke, Byron: *“’Cause I was so young.”*

Evan elaborated beyond this to further explain why a younger age may justify being retained under juvenile court jurisdiction:

“Because juveniles should not get tried as adults because what a 14-year-old will do when he's 14, he won't do when he's 18. He'll get wiser. At that age, you don't talk to people like you're grown. Someone came talking to you and you don't know how to talk like an adult; you let your gun talk for you. Enemy come to look for one of my homies, so ... they think they're untouchable because they're older, but then you pull out a gun ...”

This quote adds considerable layers to the argument against being waived because of one’s age. He not only argues that an 18-year-old is “wiser” than a 14-year-old, but he also touches on the subcultural norms of learning that violence (a gun) speaks louder than words and adds perceived maturity to a situation when someone is too young to “*talk to people like you’re grown.*” This response was particularly interesting, because he tried to neutralize a firearms offense by emphasizing his young age, while expressing clear pride in the strength and power that the gun provided him at that young age during the commission of his commitment offense.

¹² All names used throughout are pseudonyms. Names that begin with the same letter were incarcerated within the same facility.

By either generally stating that they felt “young” at the commission of their crimes or by adding a specific age and detail to the argument, many of these waived youth attempt to neutralize the severity of their crime by emphasizing their level of immaturity. Focusing on immaturity provides them with a way to condemn the condemners of the juvenile justice system who waived them to the adult system, despite their young age.

The Denial of Injury Argument

Denial of injury is the technique of neutralization that is used second most often (n = 8) among these adult court youth. While each youth is clearly aware that his commitment offense runs counter to law, this fact is mitigated by a lack of harm caused to anyone during the commission of that crime. The lack of injury is often coupled with an emphasis on the intentions of the actor – those being to, say, acquire property illegally in the event of a robbery but *not* to inflict physical harm (Maruna & Copes, 2005). When asked why they feel that their cases should have stayed in juvenile court, many youth in this sample provide short, direct, dismissive statements such as “*nobody got hurt.*” Others elaborate slightly by stating that the crime “*wasn’t really that violent*” or “*wasn’t super serious.*” Then others take it a step further by acknowledging that violence occurred, while stating that “*nobody got shot*” or “*nobody died.*” They imply that acts of violence short of shootings or that do not result in a fatality are minor enough that they do not warrant waiver to adult court.

Those who elaborate beyond these short, matter-of-fact statements tend to mention their sentence length as being unjustifiably long, considering the lack of harm incurred as a result of their crimes. Derek stated the following:

“Cause it was [juvenile delinquency]. They said I had a gun. I didn’t have nothing. I robbed someone, took his hat off and started hitting him. Said I was hitting him with the gun, but they never found it. Went to adult court and got 7 years for that shit. Guy had a little bruise, that’s it.”

Similarly, another youth stated that he committed a robbery where no one got hurt, but that now he will “do 85% of 5 years.” Similar to detailing a specific age to emphasize immaturity, these youth detail a specific sentence length (or expected percentage of sentence length) to emphasize the conceptual imbalance they perceive between lack of injury and severity of punishment.

In very few cases did youth respond in a way that used both the denial of injury and immaturity techniques of neutralization, such as Ben, who stated:

“I was barely 15 – it was my first offense. And yes, we did scare people, but the gun was not loaded.”

Here, he focuses on the fact that he was “barely” 15, with no prior offenses. While he acknowledges that he and his co-offenders frightened the victim, no harm was actually done because the gun was not loaded. Respondents who utilized both strategies may appreciate the gravity of their violent commitment offenses more than others and, for that reason, find it necessary to neutralize the crime in more than one manner.

Given the fact that many of these youth come from socially disadvantaged homes, and many are past or current gang members, it is surprising that very few utilized the denial of responsibility or appealed to higher loyalties as techniques for neutralizing their crimes. In fact, only two youth emphasized the role of their co-offenders, such as Ben, who provided the following response: “*I was involved, but my partner was holding the gun.*” Similarly, only Brett stated “*self-defense*” as the reason that his case should have stayed in juvenile court. This was the only time a youth used denial of victim as a way to neutralize the severity of his crime. Most youth appeared to take responsibility for their commitment offense (*responsibility, not full accountability*). However, most failed to use the influence of outside forces, such as fellow gang

members, while minimizing the severity of their crimes and maximizing the importance of their youthful age.

Theories of neutralization were initially thought to apply more to “victimless” crimes, such as property crimes and white-collar crime (Sykes and Matza, 1957). For example, auto thieves such as young joyriders often emphasize that no harm was done, because they were just “borrowing” the car and eventually returned it to the rightful owner (Copes, 2003). This study reveals additional evidence that techniques of neutralization are also utilized to justify or mitigate the impact of previously committed crimes against persons. EnM youth in this sample even neutralize offenses of the most violent sort that result in waiver to and conviction in adult court, commitment to a state juvenile correctional agency, and an eventual transfer to adult prison. Now that it is clear that some EnMs feel they were unfairly waived to adult court, the following set of findings elaborates on perceptions of self that they express now that they are experiencing the initial term of punishment that resulted from that waiver.

Balanced Possibilities

Developmental scholars break adolescence into three stages: early (ages 10-13), middle (ages 14-17), and late (ages 18-21). During early adolescence, youth become equipped with new ways of thinking about their surroundings and become cognitively mature enough to think about and articulate feelings toward hypothetical and future events, as well as goals they wish to accomplish. This systematic thinking that is oriented toward the future manifests itself in two ways: 1) cognitive change that provides them with the ability to imagine possible future versions of themselves, and 2) increase in overall future orientation, meaning gaining the ability to consider consequences of their actions (Steinberg, 2010). While a pre-adolescent child’s

thinking is more concrete and anchored in the present time, adolescents begin to mature in a way that allows them to think seriously about becoming a different person (Steinberg, 2010).

Interviewer: *“Why did you leave your gang?”*

Eddie: *“More to live for. Don’t wanna die. More to live for.”*

This response from Eddie is anchored toward the future and reflects his ability to conceptualize different possible versions of his future “self”: one that finds more to live for and the other that acknowledges the possibility of his gang membership lifestyle eventually resulting in his death.

Related to the articulation of such future orientation, Markus and Nurius (1986) introduced the idea of *possible selves* to complement other ideas of self-knowledge. This improved on other self-concept inventories that explore an individual’s perception of who he is *now* and instead acknowledges that the phenomenon of self-concept reaches deeper in time. Their proposed concept of possible selves reflected the potential for growth and change and more adequately appreciated the dynamic and malleable period of identity transition that youth experience during adolescence. They proposed that these possible selves manifest in three different forms, any of which may serve to mediate personal functioning: expected, hoped for (or ideal) and feared (or dreaded) possible selves. Regardless of the type, every possible self consists of an image that a person can conceptualize as possible, but that is not yet realized.

Possible selves are derived from past representations of the self and include representations of the future self. They are different from the current, “now self,” but are intimately connected to and anchored within current feelings about one’s self-concept. Knowledge about the self, regarding what is possible to achieve, becomes the impetus for motivation and has the ability to guide the course of behavior from that point forward. For the current project, a juvenile’s waiver to and conviction within adult court may influence his

expression of his “now” or “future” self, which could in turn influence his behavior while incarcerated.

Initial Exploration of the Possible Self

Porter, Markus and Nurius (1984) examined the ability of possible selves to function as incentives when faced with a crisis in life. They compared responses of 30 people who had recently experienced a crisis (i.e. end of a long-term relationship or death of a loved one) to responses of 30 people who had not experienced a crisis. When faced with a crisis, the ability to construct and express positive possible selves appeared to be therapeutic, as indicated by a higher number of positive possible selves among those who reported better recovery overall.

While the idea of one’s self in a desired end-state and the idea of one’s self in a feared for or undesired end-state can both be motivational forces, research reveals that a balance between the two is ideal. If a youth possesses only an image of himself in a feared state of being in prison or unemployed, for example, then this can breed inaction and cause a person to stop in his tracks if not balanced by the polar opposite of an ideal possible self (Atkinson, 1958). Additionally, a person can capitalize on maximum motivational effectiveness if he possesses a feared self as well as a countervailing possible self within the same domain (i.e. unemployed vs. stable legitimate employment).

For the majority of juvenile offenders, however, and for most of those in the present study, the construction of possible selves may be a much more difficult process from the outset. Because of challenges existing in their backgrounds, these youth often struggle to develop positive possible selves within the more conventional domains of peers, family and school (Oysterman & Markus, 1990). As a result, they look to other domains of life for alternative ways to define themselves. Whether an adolescent either lacks a clear image of a feared self or

possesses one because of adversity that exists in his background, any harsh punishment imposed on that adolescent should create very compelling feared selves for him (or further strengthen any that existed previously).

Markus and Nurius (1986) argue that possible selves can be thought of as personalized cognitive carriers of the dynamic aspects of one's personality. Given that this more dynamic type of self-knowledge is the most vulnerable and responsive to situations that communicate new information about the self, this framework is especially relevant to the imposition of "adult" status onto a juvenile offender as described in the current project. Beyond just the label of "adult," "adult court commitment" or "delinquent" and "criminal," this process of waiver communicates new information to a youth about the kind of person he or she is on many levels, including severity of offender and amenability to treatment. This arguably provides a catalyst for change in a juvenile's current self-concept, as well as a change in the number and type of possible selves that a newly appointed "adult" may conceptualize.

Identity Construction within Correctional Facilities

Many studies explore adolescent identity construction specifically within correctional or institutional settings. Ethnographies of juvenile correctional institutions emerged during the 1960s and 1970s (Feld, 1977; Polsky, 1962). Field studies within more contemporary juvenile facilities are quite limited, especially following the swing toward more punitive measures by which to "treat" juvenile offenders. Abrams and colleagues (2005, 2009) and Inderbitzin (2009) have begun to bring these venues back under the scrutiny of empirical research, using primarily qualitative methods to explore the process of identity negotiation of juvenile offenders during periods of incarceration.

Abrams and Aguilar (2005) examined juvenile offenders' responses to treatment in a correctional treatment facility. Most offenders expressed versions of hoped-for selves that were anchored in positive role models from their lives. They feared the selves that would result from ongoing criminality. During ethnographic work within one residential treatment facility, Inderbitzin (2009) also found that these youth described their futures with both fearful and hopeful statements, which supports their ability to conceptualize and articulate balanced possible selves.

In this study, I broadly hypothesize that “adultification” serves to modify¹³ a youth's conceptualization of self in some manner. The interview items of focus inquire about a youth's current desire to become educated and rehabilitated, and about his current approach to his term of juvenile incarceration within one of five DJJ facilities. EnMs' conceptualizations of self manifest themselves in two main ways throughout this interview data: 1) orientation toward the present, or current, self and 2) an expression of future possible selves. These qualitative data reveal that these youth more often respond in ways that speak of themselves in the future, rather than in ways that focus on their present, “now” selves. Additionally, rather than discussing their possible selves as anchored primarily in an ideal or feared manner, EnM youth most often articulate possible selves that reflect a balance between the two. Some youth, however, express either a predominantly optimistic ideal self or a predominantly pessimistic feared self. Imbalanced possible selves are the exception within this sample and are discussed first below, followed by a lengthier discussion of balanced possible selves that emerge among these EnM youth.

¹³ A limitation of this work is that the data are cross-sectional. For this reason, I am unable to investigate change in a youth's self-concept over time. However, if a youth anchors his responses to his EnM status, it can be assumed that his self-concept has changed by virtue of acquiring that new status.

Imbalanced Selves: Optimism vs. Pessimism

Some youth in this study express a desire to continue education and/or treatment services during the course of their current commitment to a juvenile correctional environment. Most acknowledge their belief that graduating from high school significantly increases their chances of “success”:

Dominic: *“You need a high school diploma to get a good job, do good in life.”*

Emmanuel: *“’Cause I wanna graduate so I can be successful in life.”*

Barrett: *“I’m gonna change – have a great life.”*

Edgar: *“’Cause I need to do good. I need to graduate for when I get out.”*

These youth respond in a manner that only reflects their beliefs in positive outcomes for themselves, without addressing or acknowledging their current circumstances of being incarcerated and the severity of the punishments that they face. These exclusively positive, ideal selves emerge more often than one might think for youth who are facing lengthy terms of incarceration in adult prison.

When discussing the desire for, or perceived potential for, rehabilitation, other youth express a much more pessimistic view of their situation – a perspective that is often couched within acknowledgment of their lengthy adult prison sentence. Dylan was facing a life sentence and stated very plainly, *“I don’t see no hope, no point to it [continuing his education].”* Similarly, Braxton stated: *“I don’t pay attention [to treatment services]. I got 14 years.”*

Some youth also respond in a way that implies they feel as though the juvenile justice system has no faith in them, which is why they feel no need or desire to take advantage of services at the juvenile level. When asked what DJJ can do for them during the current term of commitment, two youth responded:

Evan: *“Nothing – can’t help me. They’re not comin’ with me [to adult prison], so they can’t help me.”*

Bryan: *“I’m going to prison. It’s not gonna help. I’ll just wait.”*

Previously, EnMs were differentiated by the fact that “E-numbers” were definitely going to be transferred to adult prison at age 18. “M-numbers” could remain in DJJ facilities if they completed their adult court sentence prior to age 21. A matter of days before the interview data were collected, California rolled out a statewide policy that required “M-numbers” to also be transferred to the adult side at the age of 18, regardless of when they completed their sentence.

Three days prior to his interview, Chris found out that he would have to go to adult prison for one year, rather than staying in DJJ for that year. When asked to elaborate on how he felt about the change, Chris stated: *“Just disappointed I did the whole program for nothing.”* His response clearly aligns with those discussed above in the way that the inevitability of an adult prison sentences reduces the importance of education and/or rehabilitation for these youth. When asked what DJJ could do for him before his adult prison transfer, Eli simply replied: *“Not send me [to adult prison].”* For these pessimistic youth, a looming prison sentence on the adult side appears to diminish their stock in the rehabilitative ideal and reduces their motivation to take advantage of education and treatment services while committed to a juvenile facility.

Normative Balance

The articulation of ideal possible selves often reveals a sense of optimism, but more often than not, youth pit this optimism against acknowledgment of the pessimistic reality of their own adult status, including the associated punishments and sentence lengths. David emphasized optimism toward education and his sentence length by maintaining a focus on a better life and expressing a desire to improve:

“Some say if it was me, I'd be doing this and that, fightin' 'n stuff... It's hard - but I try my best. I wanna get my diploma. I don't picture 18 years [reflecting sentence length], I picture 2.”

Here, he rejects the motivation to misbehave in this environment, even when pressured by his peers. A desire to get his high school diploma and serve a shorter sentence in prison (expression of ideal possible selves) is balanced by acknowledgment of an 18-year sentence (expression of a feared self). When asked about his concerns regarding his eventual release from incarceration, Danny responded with the following:

“Still got an ‘L,’ [indicating a life sentence] so it could go on forever. If I can get that ‘L’ taken off, then I might have a chance of getting out.”

He clearly appreciates the potential reality of a life sentence as being indefinite, but still holds out hope that he might be able to get the “life” qualifier of his sentence removed.

These responses are consistent with others discussed throughout in the way that they detail exact sentence lengths of 18 years or life, rather than speaking in generic terms of “long” or “many.” Clearly, the exact length is in the forefront of their minds (for pessimists and balanced youth alike), yet some are able to envision the possibility of a shorter sentence that may be actualized by displaying good behavior and furthering their education while incarcerated.

Other youth balance an idea of educational success against the difficulty of acquiring such success in an adult prison, such as Bryant, who said he wanted to continue his education in DJJ “*so I can get my diploma – easier here to do it than in the pen.*” Similarly, when asked about continuing education and treatment services, Eli expressed his view that education is “*only way out of the hood,*” and that treatment could help him “*learn how to manage my anger.*” This youth first acknowledges the difficulty of moving beyond the neighborhood where he grew up, but also articulates a desire to find his way out of that negative environment. Similarly, he

acknowledges the feared version of himself that displays poor anger management, but reveals his belief that learning to manage that problem can rehabilitate him to some extent.

Others also couch the desire to further their education within the desire for their mothers to be proud of them:

Dominic: *“Because my Mom wants me to. I want her to be proud of me – [I’m] not just a gang member.”*

Eric: *“Make my mom proud. Even though I’m in jail, I could get something done.”*

Again, the feared self of being “just a gang member” or being in jail is balanced against the ideal self of their mothers being proud of them as they progress toward becoming more law-abiding, productive members of society.

These findings suggest that waiver to and conviction within adult court creates ideal and feared possible selves that most often occur in combination rather than separately. These balanced possible selves tend to appreciate the goals of becoming educated and rehabilitated while also acknowledging the feared domains of becoming a lifetime adult criminal and prison inmate. Markus & Nurius (1986) eloquently articulate the power differential of positive and negative possible selves:

“Positive possible selves can be exceedingly liberating because they foster hope that the present self is not immutable. At the same time, negative possible selves can be powerfully imprisoning because their associated affect and expectations may stifle attempts to change or develop.” (p. 963)

These data allowed for a qualitative exploration of this power differential, as expressed by adult court youth housed within juvenile correctional facilities. The data suggest that while these youth may feel emotionally and physically imprisoned by their feared possible selves, they are able to pit that imprisonment against a sense of liberating hope for something more positive to develop in their lives.

Strategies for Survival: Mind over Matter

Devon: *“I’m gonna be fresh meat up there at the pen – only 18.”*

The scarce institutional research on juvenile perspectives toward different correctional facilities has produced somewhat mixed findings. Much of the research reveals that youth experience a higher level of treatment and educational services within juvenile correctional facilities and experience higher rates of violence and victimization within adult prisons (Forst, Fagan & Vivona, 1989; Lanza-Kaduce et al., 2002; Fagan & Kupchik, 2011). Alternatively, other work suggests that waived youth are marginalized in juvenile facilities and actually report better access to services within adult facilities (Kupchik, 2007). Service availability aside, research consistently shows that waived juveniles experience higher rates of victimization within adult prisons than within facilities at the juvenile correctional level (Forst, Fagan & Vivona, 1989; Bishop, 2000; Lanza-Kaduce et al., 2002; Kupchik, 2006). The interview responses suggest that this is common knowledge among juvenile offenders:

Interviewer: *“What do you do here to prepare for adult prison?”*

Emmitt: *“Get big. People die in the pen. People get stabbed in there.”*

Statements made by EnM youth in response to this question and others reveal their approaches to their current terms of juvenile incarceration, given that a transfer to the adult side lies ahead. These approaches include strategies these youth use to initially adapt to their EnM statuses and perspectives about the need for survival during upcoming terms of incarceration. As demonstrated by the quote above, all youth are wary (if not entirely fearful) about transferring to the adult side. Their strategies to prepare for such a transfer differ, however, and emerged in this qualitative data as two distinct types of survivalism: mental and physical.

Existing research consistently reveals high rates of juvenile offender victimization in adult prisons, and youth consistently express similar ideas about that reality, whether based on what family member and friends have told them or based on what other youth in correctional facilities have told them. Given this, one might expect youth to more often focus on developing physical strength in preparation for their adult prison transfer. Simply put, the stronger you are, the better you can fight and the longer you will survive. Of the 57 interviewed EnMs, surprisingly only 10 youth articulated a strategy for physical survival. When asked about how they are preparing for the transfer to adult prison, these youth often responded by stating that they want to work out and gain physical strength in the hopes of being able to defend themselves when faced with inevitable fights with adult inmates in adult prison. While violence in DJJ facilities is extremely normalized, many youth interviewed appreciated the difference between fighting with youth in DJJ and fighting with adult men in CDCR. Physical survivalists emphasize this need for physical strength as preparation for the future:

Ben: *“I work out. Out there [adult prison], there's not [sic] no little kids no more. They're all grown men.”*

Dylan: *“Everything's grown man there, no little kid shit – how long I'm able to survive.”*

Other youth in this group of physical survivalists also express the desire to become physically stronger by taking advantage of the “weights” provided for exercise within DJJ facilities. Alex also stated very simply that he intended to “*practice*” as a way to prepare for adult prison. When the interviewer inquired about what he intended to practice, Alex provided little elaboration, but said in a very matter-of-fact manner: *“Fighting.”*

Mental survivalists, on the other hand, express the need to modify their mindset, given the fact that their final destination is an adult prison. Of the 57 youth in this sample, 35

responded to interview questions in a way that expressed a strategy for mental survival. The following quote from Aaron provides an example of a mental survivalist:

“I’m more mature because I know where I’m going [adult prison]. I don’t play into this – just a temporary stay ... I’m learning how to be quiet, not talk a lot, analyze and watch people, observe how they move. Observe your surroundings. Pay attention!”

This youth connects his current behavior to the knowledge that he will soon be transferred to adult prison. He emphasizes a self-imposed level of maturity that he displays by increasing his mental awareness of those around him. With this heightened awareness comes mental vigilance and a need to present one’s self in a certain way – in a more mature, non-juvenile manner. Others similarly responded by stating the desire to *“get my mind in the right place,” “learn respect,”* and *“learn to stay quiet.”*

Youth also express isolation and withdrawal from the juvenile correctional environment as a type of mental preparedness. Some state that they keep to themselves to prepare for the adult side, and others express the intention to isolate once they are transferred. Anthony states the following when asked how he is preparing for transfer: *“Act a little bit older. Keep to myself.”* Others also acknowledge the inevitability of forced isolation with responses such as Eric, who prepares *“mentally – just get used to being in that room,”* and Drake who stated the strategy to *“Keep to self. Get comfortable with being alone.”*

A clear distinction emerges in these data between those youth who view physical size, strength and the ability to fight as key to survival, and those who channel their self-imposed maturity into a mind over muscle approach. Very rarely do youth express a combination of the two methods of survival. With the exception of two responses, all youth in this study situate themselves in either one camp or the other.

Exceptions to the Rule

As mentioned in the sections on methods and analysis procedures above, it is important to pay attention to disconfirming evidence that may run counter to the more prevalent domains or themes within qualitative analysis. These counterfactual examples can provide deviant cases that help to refine the ever-evolving conceptual understanding of the social phenomenon under study (Lindegaard, Miller, & Reynald, 2013). Here, I select one deviant case for further scrutiny:

Ethan, one of the few youth who agreed with his waiver to adult court. When asked if his case should have stayed in juvenile court, Ethan was one of only five youth to respond “No.” When asked why not, Ethan responded:

“Better in adult court – if I’d stayed in juvenile court I would have got out and done something stupid. Two other kids I hung with – one went to [adult] county [jail] and he’s fighting the death penalty. Another passed away – drug overdose. For the long run, I’m glad I got arrested.”

Ethan did not attempt to neutralize his crime in any way as indicated by this perceived fairness regarding his waiver to adult court. With regard to the other domains presented above, however, Ethan expressed a balanced possible self and was one of the two youth mentioned above who situated himself within both mental and physical survival camps.

At the time of his interview, Ethan had recently been involved in a physical altercation at his place of employment: the laundry unit at his facility. It is worth noting that Ethan was one of only three EnM youth who reported that he held paid employment in DJJ at the time of our interviews. He reported that three youth of another ethnicity approached him and asked him who he would “run with” [align with] in adult prison. When he tried to avoid the question, they physically assaulted him. However, the correctional staff that intervened found him engaged in a one-on-one altercation, as the other two youth had vacated the premises by that point. For this reason, Ethan was also written up for this altercation (rather than considered the victim of a

group attack). At the time of his interview, he was concerned that this altercation would cause him to be transferred to a Level 4 adult prison, rather than a Level 3:

"If I get Level 3 [for the fight yesterday], I already have 49 points – it will bump me up to Level 4 prison. [I'm] Guaranteed level 3 prison right now."

Because this event was extremely recent, and clearly salient to Ethan at the time of our interview, it may have influenced his responses. Other responses made it clear that – while expressing acceptance of his adult status – he was apprehensive about his upcoming two-year sentence in adult prison. Ethan discussed the fact that he was on track to potentially play football in college, but that he decided to go out with his cousin one night and became involved in criminal behavior. He was very aware that he had made a bad decision, and this likely contributed to his ability to adopt both modes of survival and express a balanced possible self. He appreciated the need to find ways to survive on the adult side, partially because he expressed belief in his own potential.

Ethan provides only one example of a youth whose responses run counter to some of the themes presented above, but who also relies on possible selves and survivalism as ways to cope with his upcoming transfer to the adult side. Ethan's case and other such counterfactuals within the qualitative data will be invaluable as I conduct further analyses. A separate project will focus on data that speak to legal consciousness of the waiver process and perceptions of procedural justice, frames of analysis that emerged from this qualitative data but that fall outside the scope of this dissertation.

Discussion

Given that waiver is a punitive mechanism that can drastically change the trajectory of an adolescent's development as he approaches adulthood, an important question is: What is the effect of this policy on the youth who experience it? This project uses the current era of mass

incarceration as a broad context and creates a conceptual bridge (adaptation to EnM status) between the imposition of this punitive policy on juveniles and their subsequent expression of self during terms of juvenile incarceration.

The rehabilitative ideal of the juvenile justice system argues that all “juveniles” deserve therapeutic, more than punitive, interventions in an attempt to capitalize on the malleability of their youthful age in a way that molds them into more productive, law-abiding members of society. Much of the empirical research on recidivism during the last couple of decades suggests that juvenile interventions often fail to accomplish this goal, as indicated by high rates of recidivism upon release from juvenile correctional facilities (Lattimore, MacDonald, Piquero, Linster, & Visser, 2004; Trulson, Marquart, Mullings, & Caeti, 2005; Huebner, Varano & Bynum, 2007). Meta-analyses reveal that treatment for violent juvenile offenders can be effective if delivered in the right therapeutic, intensive dose (Lipsey & Wilson, 1998; Lipsey, 2009). What is less well understood is how similarly violent youth, with drastically different punishments, navigate a juvenile correctional environment that is designed to be equally rehabilitative for all juveniles committed therein. This study contributes to this conversation by examining how “adultified” youth conceptualize themselves within this juvenile environment, while alongside those sanctioned via juvenile court.

EnM youth conceptualized themselves in three broad manners when discussing their “adultification” and the resulting punishment: 1) by neutralizing their commitment offense; 2) by expressing often balanced possible selves, despite their adult status; and 3) by articulating their own versions of survivalism, given their current trajectory. These findings reveal a common thread through these expressions of self that situates these youth as believing in their own youthful malleability, feeling optimistic toward their own potential for self-improvement, and

having a desire to survive within an adult prison and an often well-articulated strategy by which to do so.

These findings support Taylor's (1983) argument that people need to "gain a sense of mastery as they adjust to life-threatening events." Here, it appears that possible selves served to carry or represent those feelings of mastery when faced with the adversity of being waived to and convicted within adult court and a pending adult prison term. Porter, Markus and Nurius (1984) also found that the ability to express positive possible selves aids in recovery when faced with a crisis or adversity. Youth in this sample who express the most well-articulated positive/ideal possible selves may adapt to "adultification" in a more beneficial manner as they travel down their given trajectory of incarceration.

Consistent with previous research, nearly all offenders in this sample articulated strategies for achieving hoped-for selves, even if those strategies were not very organized or somewhat vague (Abrams & Aguilar, 2005). In some cases, these strategies spoke more toward survivalism than optimism but, either way, these youth can envision an ideal version of the future – be it surviving adult prison and/or becoming further educated and rehabilitated. While the cross-sectional interview data does not have the ability to measure change or development of self over time, the voices of these EnM youth illustrate how waiver to adult court has affected their senses of selves.

Obstacles such as those posed by contact with the juvenile or adult justice systems can make it an increasingly difficult process to not only continue the development necessary to believe in a constructive future, but to also take steps toward achieving it (Erikson, 1959; Oysterman & Markus, 1990). While not as immediately life threatening as cancer or other forms of life crises, the "adultification" that waived youth experience is arguably another form of crisis

that threatens their livelihood (Merlo & Benekos, 2010). The qualitative focus of this study aims to develop grounded theory about how waived youth express their “selves” when facing an adult punishment that often includes an eventual transfer to adult prison. Gaining a feeling of control over such a challenging event is thought to be vital to coping (Taylor, 1983). Despite experiencing adversity in the form of “adultification,” many of these youth exert agency by conceptualizing distinct and balanced possible selves. In doing so, they situate themselves within this juvenile institution differently than they might have otherwise, which may affect the institutional culture of these facilities. Rather than simply following suit of juvenile court youth by ascribing to the expectations of normalized violence, it appears that EnMs in these facilities distinguish themselves from this normative culture and, perhaps withdraw, rather than engage, as a way to cope with their new adult status.

Markus and Nurius (1986) previously argued that it is important to analyze the nature and valence of possible selves in order to more adequately specify the mediating role of self-concept in behavioral regulation. The mediating role of the self between other individual characteristics and behavior has received considerable attention, but the mechanisms by which the self works to regulate behavior have yet to be fully explained. For the purposes of this project, the outcome of “behavior” in this equation is operationalized as misconduct and violence within an institutionalized setting. The following chapter will introduce these key qualitative themes related to neutralization, possible selves and survivalism into quantitative models to determine if conceptualization of self predicts misconduct and violence for this sample of waived youth. The mixed methodological design to follow will determine whether or not the observed behavior of EnMs aligns logically with their own qualitative interview responses.

The Chapter 4 analysis will examine the strength of any patterns that may exist across prevalent themes. First, latent profile analysis will be used to determine if separate classes of EnM youth exist that differ on institutional experiences. Then, the qualitative themes presented here will be introduced as dichotomous indicators into quantitative models that predict 1) latent profile assignment, and 2) behavior. This mixed methodological approach will effectively explore possible patterns that exist among EnM youth by comparing the prevalence of qualitative themes with the frequency and type of institutional misconduct that these youth display within this juvenile correctional environment.

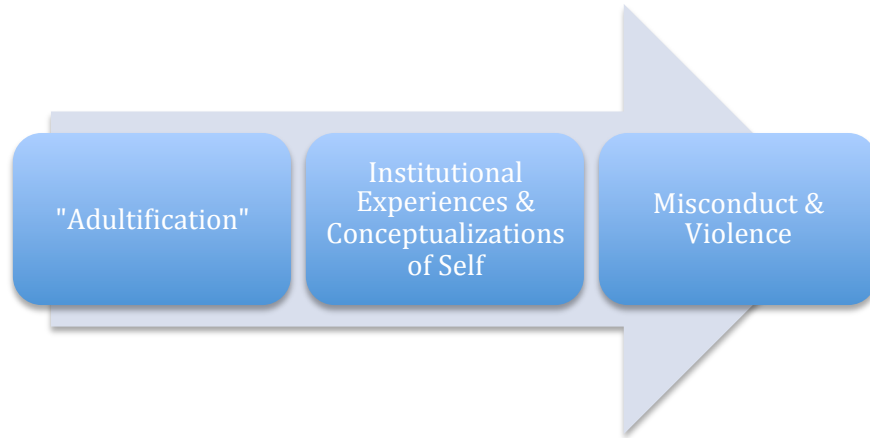
Through inductive theory building, the goal of this chapter was to uncover social processes that were not apparent in the quantitative analysis of Chapter 2 but that emerge from the qualitative data. Chapter 4's analysis will blend these two methods in order to further understand the patterns of self-concept and behavior among EnM youth, following their "adultification," as they continue to adapt to juvenile incarceration. Finally, Chapter 5 will discuss in detail the theoretical implications that emerge from the previous three chapters. More specifically, Chapter 5 will use the results from the quantitative, qualitative and mixed methodological analyses to develop a theory of institutionalization that is specific to these "adultified" youth. The concluding chapter will discuss linkages between the former chapters to provide a better understanding of how these EnM youth interact with (and are often at odds with) institutions in ways that differ from their juvenile court counterparts.

Chapter 4. Self-fulfilling Prophecies among “Adultified” Youth: Do Experiences and Perceptions Predict Behavior During Juvenile Incarceration?

The goal of this chapter is to utilize a mixed methodological approach to gain a deeper understanding of “adultification.” The characteristics, institutional experiences, and conceptualizations of self that exist among the sample of 57 interviewed EnM youth can provide additional lenses through which to evaluate this process of “adultification.” Since the effects of juvenile waiver policy on recidivism have been well established in the literature, this provides an opportunity to explore the impact of waiver to adult court on two more proximal outcomes: 1) self-concept construction and individual experiences during incarceration, and 2) misconduct and violence influenced by such conceptualizations of self and experiences.

This chapter investigates two areas related to these EnM youth. First, this chapter explores the patterns of institutional experiences across this sample of youth using a latent profile analysis. This section of analysis aims to test for the presence of different EnM profiles based on the distributions of the different institutional experience measures that were previously utilized for the multiple groups analysis of Chapter 2: *social connectedness*, *institutional support*, *stock in rehabilitation*, and *treatment services received*. Second, this chapter explores 1) the extent to which qualitative conceptualizations of self identified in Chapter 3 (as well as individual characteristics related to demographics, facility classifications, and offender severity) predict membership within a given experiential profile, and 2) the extent to which these profiles and other factors predict misconduct and violence involvement during juvenile incarceration. A mixed methodological approach is necessary for this chapter because this broader question of how “adultification” is lived on the ground benefits from multiple methods of analytical force. In attempting to blend the previous two chapters (one quantitative and one qualitative), the goal is to further elucidate the following path of carceral adjustment for youth convicted via adult court.

Figure 4.1. Conceptual Framework



Using the extant research on institutional theory (reviewed in Chapter 1), institutional misconduct (reviewed in Chapter 2) and identity construction of incarcerated youth (reviewed in Chapter 3) as departure points, the current Chapter takes another step toward developing a theory of “adultification.” As youth who have been waived to and convicted within adult court adjust to their first portion of incarceration within juvenile correctional facilities, their institutional experiences and their own qualitative interview responses related to identity and expression of self can illuminate the ways in which these “adultified” youth negotiate 1) a juvenile correctional environment, and 2) adjustment to their “adult” status within such an environment. In doing so, this study answers the following research questions:

1. How do institutional experiences cluster around EnM youth?
2. How do individual characteristics and qualitative conceptualizations of self predict assignment to latent profiles of EnM youth?
3. Which factors (including individual characteristics, latent profile assignment, and conceptualizations of self) among EnMs most strongly predict involvement in institutional misconduct and violence?

Data Sources and Methodology

Sample and Data

This study utilizes the same sample of interviewed EnM youth ($N = 57$) examined for the qualitative analysis of Chapter 3. Data for this analysis derive from the self-report survey and the official data for these 57 adult court youth. The latent profile analysis investigates the following institutional experiences that were examined in Chapter 2: social connectedness, institutional support, stock in rehabilitation, treatment services received, and self-esteem. The descriptive statistics of these variables for this sample are provided below in Table 4.1.

Latent Profile Analysis (LPA) to Predict EnM Profiles

1. How do institutional experiences cluster around EnM youth?

Various types of cluster analysis and mixture modeling have been developed in order to identify latent groups. Gibson (1959) developed latent profile analysis (hereafter, LPA) to accomplish the same goal, but this technique moved beyond a common factor model to propose that continuous latent factors explain observed associations. Rather than data being sampled from a population based on a single probability distribution, a mixture model uses the idea that data are sampled based on a mix of distributions, where a unique set of parameters is used to develop each cluster distribution.

The assumption of this analysis is that associations are produced from differences in the means of the continuous measures over the latent groups or profiles (Gibson, 1959). LPA provides the opportunity to explore which types of individuals (here, which types of EnM youth) belong to each profile by relating profiles to covariates, also known as auxiliary variables. The latent variable in this situation refers to the latent categorical variable of profile membership.

LPA is known as a person-centered approach because the focus of this analysis is on relationships of variables among individuals. The goal of this approach is to classify EnM youth into distinct groups or categories based on individual interview response patterns so that individuals within a given profile (or cluster) are more similar than individuals between profiles. The LPA to generate the following findings was conducted in Mplus using structural equation modeling because this software package allows for the use of robust maximum likelihood estimation, which provides statistical control of nonnormality and outliers (Curren, West, & Finch, 1996). As discussed in Chapter 2, such structural equation models are useful because they provide the ability to test multiple relationships simultaneously while controlling for measurement error (Bollen, 1989).

Toward the goal of determining overall model fit, this analysis began by estimating the mixture mode based on the latent profile indicators, with a gradually increasing number of profiles. Log-likelihood, Bayes information criteria (BIC), Akaike information criteria (AIC) and entropy were compared for each class solution, as it is recommended that all are used to evaluate latent profile models (Grant et al., 2006). A better fit of the model to the data is indicated by smaller values of log-likelihood, AIC, and BIC. Additionally, higher values of entropy indicate a better/clearer distinction between latent profiles (Kline, 2011). BIC is prioritized during evaluation of the following latent profile models because evidence suggests that this information criteria index performs better than others (Nylund, Asparouhov, & Muthen, 2007). Rather than a more conventional analysis of variance model that measures observed group membership, LPA instead estimates this group membership. Each of the variables included in the LPA is described below in turn.

Key Variables

Institutional Experiences:

Social Connectedness: The extent to which a youth maintains connections to family and friends outside of DJJ.

Institutional Support: The level of support from and strength of rapport with DJJ facility staff that each youth expresses.

Stock in Rehabilitation: The extent to which a youth personally believes treatment services to be necessary and effective.

Treatment Services Received: Measurement of the total number of treatment services that a youth either has received or is currently receiving.

Self-Esteem: Measurement of self-worth using a subset of items from the Rosenberg (1965) self-esteem scale.

Table 4.1. Descriptive Statistics of Variables Used in LPA

Variable	N	Mean	Min	Max	sd
Social Connectedness	57	2.73	0	4	1.02
Institutional Support	57	12.32	5	17	2.98
Stock in Rehabilitation	57	4.75	1	8	1.27
Treatment Services Received	57	3.13	1	9	1.66
Self-Esteem	57	12.34	10	15	1.24

Findings

Latent Profile Analysis (LPA)

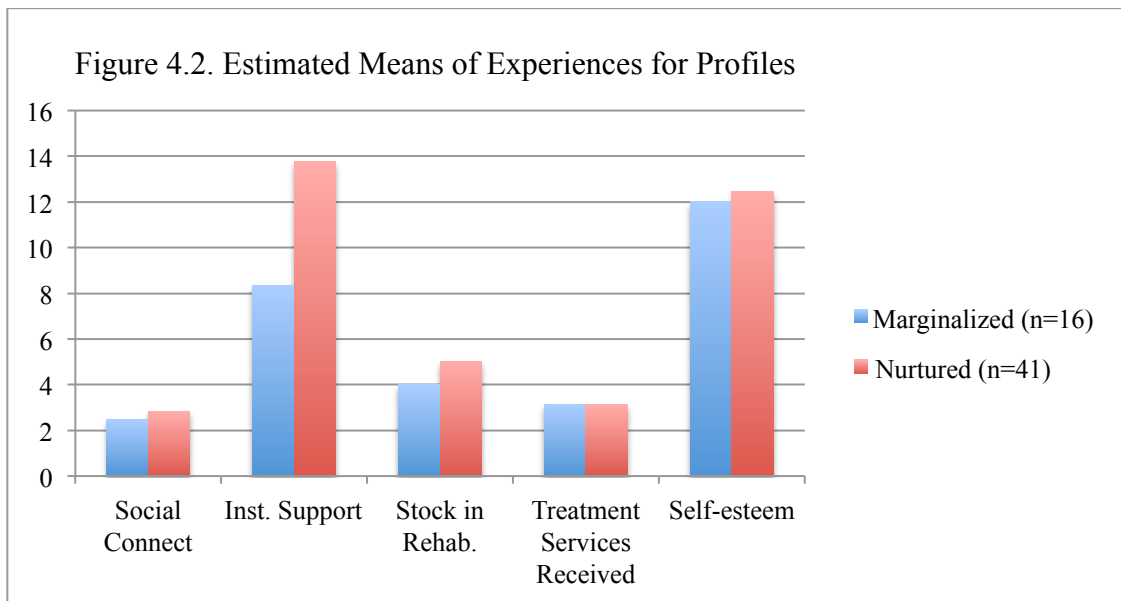
Latent profile models containing one through three profiles were fit to exhaust available models. This three-profile model would not converge and was judged to be unsuitable for the data. Table 4.2 provides fit parameters, and illustrates the fact that fit (measured using AIC, BIC, and log-likelihood) improved somewhat moving from the 1-class solution to the 2-class solution.

Table 4.2. Latent Profile Fit Indices

Number of profiles	Loglikelihood	Number of parameters	BIC	AIC	Entropy	LRT p-value of k-1 classes
1	-518.884	10	1046.763	1057.769	-----	-----
2	-511.697	16	1037.785	1055.394	0.830	
3	-----	-----	-----	-----	-----	-----

The 2-class solution was selected because it provided the lowest BIC and, while not the highest entropy, a level of entropy above 80, which is considered to be sufficient in order to achieve good model fit in estimating latent profiles.

Here, one class appears to perceive being more nurtured overall by the institution, while the other appears to be a group of EnMs that perceives more marginalization from institutional staff that may affect their overall belief in rehabilitation. Figure 4.2 below illustrates the distribution of these two profiles of EnMs across the institutional experience domains used to estimate these two profiles. The first and largest class will be referred to as the *Nurtured* group, and consists of 41 youth (or 72% of this sample). This profile of EnMs includes youth with levels of structural domains that indicate more positive experiences overall within this juvenile correctional environment.



The second class will be referred to as the *Marginalized* group, which includes the remaining 16 youth (or 28% of this sample). This group is composed of EnMs who are more likely to have reported negative experiences overall. Social connectedness and self-esteem levels are only slightly lower for this profile compared to those in the *Nurtured* group, but those in the

Marginalized group report significantly lower levels of institutional support and stock in rehabilitation. Interestingly, these two profiles self-reported nearly identical levels of treatment services received during their current terms of commitment, despite the significant difference in their respective beliefs about rehabilitation. The greatest distinction between these two profiles is that the *Nurtured* class reports receiving a significantly higher level of institutional support than does the other class.

Predicting EnM Profile Assignment: Logistic Regression Analysis

Now that the two EnM profiles have been identified, this section of analysis is devoted to identifying factors that increase the likelihood that a given EnM was assigned to one latent profile over the other. Since the endogenous variable of EnM profile is categorical and binary, logistic regression is used to analyze the following second research question.

2. How do individual characteristics and qualitative conceptualizations of self predict assignment to the *Marginalized* EnM profile?

First, however, descriptive differences of key variables for these two EnM profiles are discussed below to inform the regression analysis to follow. This is the same set of variables used in the quantitative models within Chapter 2, as they are believed to potentially influence institutional experiences overall.

Key Variables

Demographics:

Age/Time Remaining in DJJ: The official age of each youth at the time of interview/data collection. This is particularly important for this group because it is conceptually the same predictor as time remaining for term of commitment to DJJ facilities prior to adult prison transfer (given that the closer an EnM is to the age of 18, the less time he has left within this juvenile correctional environment).

Race: The race of each youth is categorized into African American, Latino, and Other (includes White and Asian). For the analysis, Latino is the reference group.

Facility Classifications:

Gang membership: Gang member status is a classification assigned to each youth upon intake to DJJ. This status is determined by a variety of factors that occur either alone or in combination (i.e. self-identified gang member, gang enhancement, previously recorded as a gang member within California's gang database, etc.).

Registered sex offender: Sex offender status assigned to a youth who either 1) has a sex offense as their commitment offense category, or 2) was required to register as a sex offender for a prior offense.

Mental health treatment need: This is a dichotomous variable within the official data that indicates a youth's need for treatment from psychological and/or psychiatric professionals (beyond the general counseling provided by Youth Correctional Counselors within DJJ).

Severity of Offender:

Age crime committed: The official age of each youth at the time of his commitment offense, as recorded within DJJ official data.

Sentence length: Length of sentence in years.

Grievances Filed: This is raw count of all grievances filed during a youth's current term of incarceration.

Time in DJJ: Length of time committed to DJJ pre-interview.

Conceptualizations of Self:

Possible selves: Based on the qualitative analysis presented in Chapter 3, these variables are indicators of whether each youth constructs one of the following types of possible selves within his qualitative interview responses:

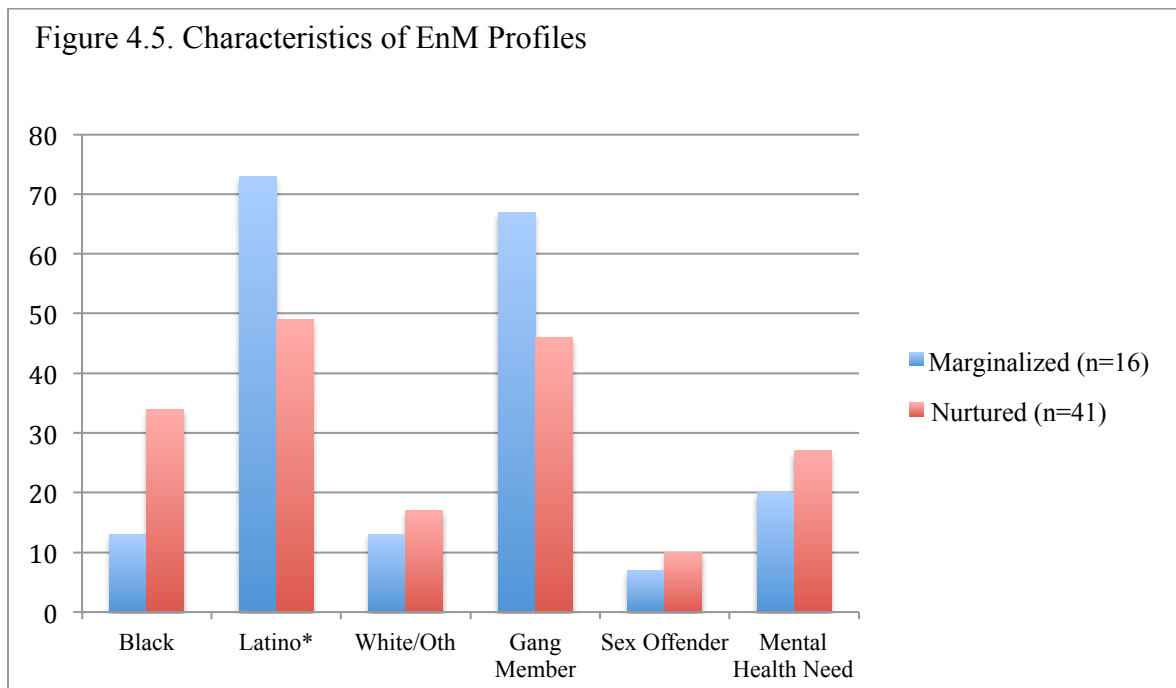
- Optimistic Ideal Self
- Pessimistic Feared Self
- Balance

Strategies of Survival: Based on the qualitative analysis presented in Chapter 3, these variables are indicators of whether each youth conceptualizes one of two strategies for survival when discussing his preparation for adult prison:

- Mental survivalist: Expression of the need to modify his mindset in preparation for further incarceration.
- Physical survivalist: Emphasis on the need to develop physical strength prior to adult prison transfer.

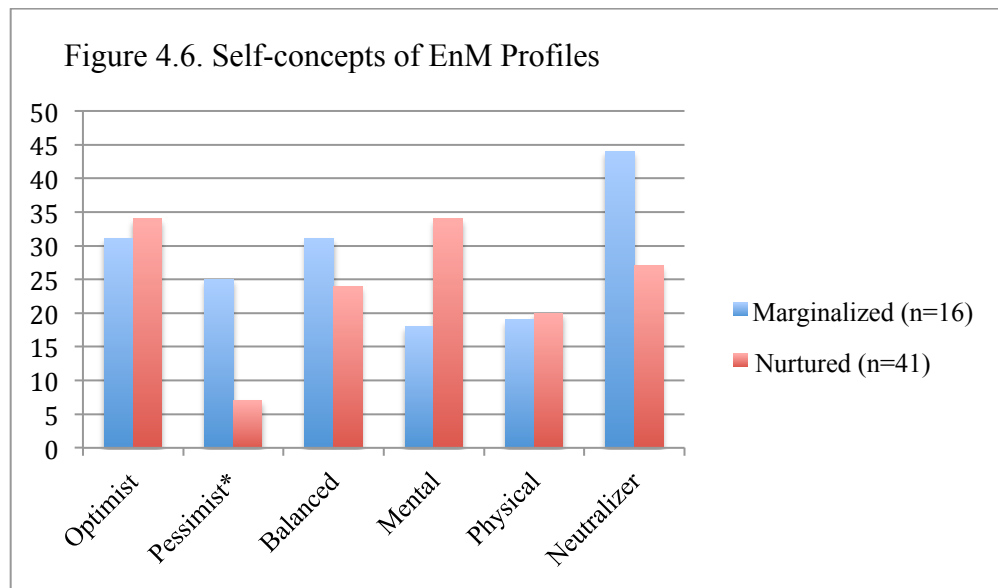
Techniques of Neutralization: Based on the qualitative analysis presented in Chapter 3, this variable is a dichotomous indicator of whether each youth articulates a technique by which to neutralize (minimize) his commitment offense. This is an indicator of whether a youth neutralizes his offense by either 1) emphasizing his own immaturity, or 2) denying that any injury resulted from the crime. For the following analysis, both techniques of neutralization are collapsed into one dichotomous indicator of a youth being a “neutralizer.”

First, the two figures below display how the two profiles vary descriptively across the different structural domains of exogenous variables (with an asterisk indicating a significant difference): Figure 4.5 provides proportions of individual characteristics, and Figure 4.6 provides proportions of qualitative conceptualizations of self.



The *Marginalized* group includes a significantly higher proportion of Latino youth, which is probably partially due to the fact that a high proportion of DJJ youth are 1) Latino, and 2) Latino gang members. Consistent with this, the *Marginalized* group consists of a higher (though not statistically significant) proportion of gang member youth, which is an institutional classification that creates great concern for institutional staff, from a violence management perspective. With regard to other institutional classifications, a slightly higher proportion of sex

offenders and those in need of mental health treatment were assigned to the *Nurtured* profile of EnM youth, though neither difference is statistically significant. This makes sense, given that both of these populations have the potential to be housed within specialized treatment units that specifically target the challenges raised by each of these classifications. While not included in Figure 5, due to being continuous variables, these two groups do not differ significantly in age, with both groups at average age of 17.3 years at the time of the interview. However, those within the *Marginalized* group were 15.9 years old at the time they committed their crimes, while those in the *Nurtured* group were 15.4 at commission of their crimes. Additionally, those in the *Marginalized* group have filed an average of 1.0 grievance during their term of commitment to DJJ, while those in the *Nurtured* group have filed an average of 0.44 grievances.



The *Marginalized* group label gains additional support here because, in addition to having lower levels of measures previously determined to indicate positive institutional experiences, Figure 4.6 also displays that a significantly higher proportion of youth expressing pessimism through feared possible selves belong to this group, as do a higher proportion of EnM youth who neutralize their crimes (though this difference is not statistically significant).

Additionally, while not statistically significant, a higher proportion of those who express a strategy of mental survivalism belong to the *Nurtured* group than to the *Marginalized* group. Interestingly, an expression of the need for physical survival does not differ for these two groups of EnMs. The following regression analysis explores the extent to which these descriptive differences are maintained when controlling for other factors that theoretically predict latent profile membership.

Endogenous Variable

This section of results discusses findings from the logistic regression that predicts assignment to the *Marginalized* profile. The outcome variable for this second research question is an EnM's membership within the *Marginalized* profile category. The assigned profile for each youth from the LPA was first added to the primary dataset and is now used as the outcome variable for this analysis. As displayed above in Figure 4.2, most experiences are quite similar for these two classes. However, levels of most experiences appear to be more negative for the *Marginalized* group, and this group reports significantly more negative experiences on two domains. These profile differences raise the following question: Why is nearly one third of these EnM youth reporting significantly less support from the institution and less stock in the rehabilitative ideal? The following logistic regression analyses will provide more information about factors that predict assignment to the *Marginalized* group, beyond having what appear to be more negative, and less supportive institutional experiences overall.

Exogenous Variables

The model to predict inclusion in a given experiential profile includes a variety of individual level variables. These variables were included in the model if they were believed to influence membership in a certain profile as indicated by an earlier significant descriptive

difference. This is a subset of variables used above for the descriptive analysis, and modifications were made to variables as needed to account for skewed distributions, including the use of a logged count of all grievances filed. Additionally, this model controls for past behavior by including a logged rate of misconduct and violence as recorded by DJJ's official agency data during the period of DJJ commitment pre-interview.

Given the larger number of youth assigned to the *Nurtured* profile of EnMs I consider that group to have reported the types of institutional experiences that are likely more expected. The question then becomes: If membership with the *Nurtured* profile is more expected, how do we reconcile assignment of the other 16 youth to the less supported, likely more marginalized group? Again, I refer to this group as *Marginalized*, given that they report less supportive and more negative institutional experiences overall.

Table 4.3 below displays the findings from the final model, which is informed by the introductory bivariate analysis presented above and includes an appropriate number of variables given the small sample size. While no significant descriptive differences emerged for the age of youth in each group, an older age at the time a youth committed his crime is associated with an increase in relative log odds of being in the *Marginalized* profile. These findings make sense, considering the fact that older youth have likely had more time in the facility to build rapport with institutional staff (potentially protecting them from marginalization). By the same token, however, those older when they committed their commitment offenses would have less time to develop such a rapport with staff. This model also reveals that, compared to Latino youth, African American youth are significantly less likely to be assigned to the *Marginalized* profile. This confirms that, when controlling for other factors that are theoretically predictive of profile membership, the significant descriptive difference in proportion of Latino youth in the

Marginalized group is sustained in this final model. The number of grievances filed fails to significantly predict assignment to the *Marginalized* group when controlling for other factors.

Table 4.3. Logistic Regression: Predicting Assignment to Marginalized Latent Profile

	Coefficient	S.E.
Age crime committed	0.98	0.63*
Race (Latino reference)		
Black/African Am.	-2.27	1.14*
Other (including White and Asian)	-1.15	1.22
Grievances filed (log)	-1.34	1.04
Qualitative Conceptualizations of Self		
Optimist/Ideal Possible Self	0.49	1.02
Pessimist/Feared Possible Self	3.07	1.38*
Balanced Possible Self	1.86	1.24
Physical Survivalist	-1.33	1.18
Mental Survivalist	-2.22	1.25*
Neutralizer	0.79	0.84
Time in DJJ (pre-interview)	-0.06	0.10
Previous misconduct (pre-interview)	1.36	1.44
R ²	0.30	
Note: Due to the small sample size of N=57, †marginally significant; *p<.10, **p<.05, ***p<.01		

A youth’s qualitative conceptualizations of self are included in this model because they are likely associated with the ways in which youth perceive their institutional experiences overall. For this reason, the qualitative themes from Chapter 3 are introduced into this model to explore the extent to which these qualitative perceptions predict membership within one EnM profile compared to the other. The model reveals that a youth who articulates an exclusively feared possible self through the expression of pessimism in their qualitative responses is associated with a 3.07 increase in the relative log odds of being in the *Marginalized* class versus the *Nurtured* class. This finding implies that expressing such feared possible selves is potentially a risk factor for inclusion within the *Marginalized* group. Alternatively, expressing optimism through expression of ideal possible selves or balanced possible selves may be a protective factor against such marginalization for EnMs. Additionally, an articulated strategy for mental

survivalism is associated with a 2.22 decrease in the relative log odds of being in the *Marginalized* group, implying that mental survivalism more than physical survivalism protects against assignment to this EnM profile.

The following section introduces this *Marginalized* profile membership into regression models as an exogenous predictor that may influence the rate of misconduct and/or violence for these EnMs during their juvenile incarceration. The previous analyses of this chapter, and the qualitative analysis from Chapter 3, have produced variables that clearly play a role in the process of “adultification” for these youth. In order to answer the third and final research question, these new variables (latent profile membership and qualitative self-concepts) are included within models that predict misconduct and violence outcomes in order to determine if they may influence such institutional behavior above and beyond other individual characteristics, delinquent/criminal history variables, and institutional classifications.

Predicting Misconduct & Violence: Linear Regression Analysis

3. Which factors (including individual characteristics, latent profile assignment, and conceptualizations of self) among EnMs most strongly predict involvement in institutional misconduct and violence?

The prior analyses revealed that 28% of this interviewed EnM sample falls into a class that appears to have different overall institutional experiences compared to the rest. I have labeled this group as *Marginalized* because the difference in experiences is related to more negative perceptions overall: most notably lower self-reported levels of institutional support and stock in rehabilitation. Conceptualization of selves that include either exclusively pessimistic feared selves or balanced possible selves significantly predict inclusion within the *Marginalized* group. These previous findings from the first two research questions inform the analyses for this third and final research question, which tests the following hypotheses:

H1: EnM youth assigned to the *Marginalized* profile will display higher rates of misconduct and violence than those in the *Nurtured* class, when controlling for other factors.

H2: EnM youth who articulate more pessimism through expression of feared possible selves will display higher rates of misconduct and violence than others in this sample, when controlling for other factors.

H3: Based on the qualitative analysis from Chapter 3, the two types of survivalism will differentially predict misconduct/violence. Physical survivalism will predict higher rates of misconduct and violence, while mental survivalism will predict lower rates of misconduct and violence.

Similar to Chapter 2, multiple group analysis would be ideal here in order to examine how parameters manifest differentially for those in the *Nurtured* profile compared to those in the *Marginalized* profile. Unfortunately, the sample size is limiting for this methodology and a lack of variation exists in the different predictors for each group, which prevents a multiple group analysis from successfully converging for this small sample.

Linear regression is used below to examine the strength of various factors to predict outcomes related to misconduct and violence for this sample of interviewed EnMs. While this means that profile assignment will be included as a covariate (rather than a grouping variable), this analysis will still reveal the extent to which this profile assignment influences misconduct and violence involvement relative to other individual characteristics and conceptualizations of self.

Key Variables

Consistent with the analysis from Chapter 2, the endogenous variables for this analysis will be the following two comprehensive categories of institutional misconduct and violence involvement:

- Any DDMS
- Violent DDMS

The aggregate measure of *Any* misconduct emphasizes the need to consider chronicity of behavior overall (combining non-violent and violent), while *Violent* provides a more narrow outcome that captures a higher severity of misconduct. To avoid redundancy, the exogenous variables for this analysis include the same variables used in the logistic regression above (p. 45). The only additional variables used in these regression analyses are those related to youth commitment offenses:

Commitment offense category (Assault is reference offense category)

- Homicide offense
- Robbery offense
- Misc. offense: Sex, burglary, misc. felony

These variables are included within this regression model because – while all youth in DJJ are committed for serious and violent offenses – commitment of a certain type of offense may more strongly influence behavior for some EnMs more than others. Those EnMs convicted for a homicide or aggravated assault may be facing longer sentences in adult prison than those convicted for other offenses, which may influence a change in behavior during their term of DJJ incarceration.

Outcome of Any Misconduct

Prior to detailing the findings for these models, it is worth noting that the experiential measures and perceptions used in the qualitative analysis were both collected during youth interviews. Since these interviews were conducted prior to the period of time during which misconduct rates were measured, proper time order is ensured for this analysis.

For this sample of interviewed EnM youth, Table 4.4 below reveals that only two variables significantly predict any change in the rate of *Any* misconduct when controlling for other factors: *Marginalized* profile membership and physical survivalism. Assignment to the

Marginalized class/profile of EnMs (which also implies significantly lower self-reported levels of institutional support and stock in rehabilitation) significantly predicts a higher rate of any and

Table 4.4. Linear Regression Predicting Misconduct & Violence

	Any Misconduct		Violent Misconduct	
	Coefficient	S.E.	Coefficient	S.E.
Member of Marginalized EnM Profile	1.04	0.50**	0.55	0.35
Age	-0.6	0.54	-0.05	0.41
Age crime committed	-0.03	0.34	-0.11	0.29
Race (Latino reference)				
African American	-0.21	0.5	-0.15	0.38
Other (including White and Asian)	-0.98	0.59	-0.78	0.46
Facility Classifications				
Gang Member	0.81	0.49	0.27	0.4
Registered Sex Offender	-0.92	0.85	-0.4	0.67
Mental Health Treatment Need	-0.08	0.44	0.06	0.31
Commitment Offense Category (Assault ref.)				
Homicide	-0.2	0.88	-0.55	0.64
Robbery	0.06	0.4	-0.04	0.3
Misc. Off.	0.41	0.76	0.2	0.68
Sentence length in years	0	0.02	-0.01	0.02
Total number of sentencing enhancements	0.15	0.34	0.4	0.25
Grievances filed (log)	-0.43	0.39	-0.08	0.29
Qualitative Conceptualizations of Self				
Optimist/Ideal Possible Self	-0.21	0.48	0.2	0.36
Pessimist/Feared Possible Self	-0.14	0.68	-1.03	0.49**
Balanced Possible Self	0.18	0.74	0.14	0.53
Physical Survivalist	0.92	0.54*	0.79	0.39*
Mental Survivalist	0.07	0.46	0.63	0.33*
Neutralizer	-0.03	0.39	0.12	0.29
Previous misconduct/violence (pre-interview)	-0.44	0.73	0.24	0.48
Time in DJJ (pre-interview)	-0.02	0.05	-0.03	0.03
R ²	0.51		0.47	
Note: †marginally significant; p<.10; *p < .05; **p < .01; ***p < .001				

all misconduct. Here, it is possible that youth within that *Marginalized* group have engaged in rule-breaking behavior during the entire course of their DJJ incarceration, which partially

contributed to their interview responses related to less perceived support from the institution and their relative lack of belief in the rehabilitative ideal. This model does, however, control for the rate of any and all misconduct prior to the interview date, as these are potential predictors of a youth feeling marginalized or unsupported within the institution. These measures of past misconduct rates fail to significantly predict profile membership, though, which implies that other factors are at play. Additionally, youth who articulate the need for a physical strategy of survival during incarceration display a significantly higher rate of this comprehensive misconduct measure.

Outcome of Violent Misconduct

While membership within the *Marginalized* EnM profile predicted a higher rate of *Any* misconduct, this finding is not replicated when predicting violent behavior, specifically. The findings that significantly predict a change in this outcome of *Violent* misconduct derive from the qualitative themes that have now been introduced into these quantitative regression models.

First, youth who articulate feared possible selves (labeled here as *Pessimists*) are significantly likely to display a lower rate of *Violent* behavior. This finding fails to support the second hypothesis, which stated that this type of pessimistic outlook anchored to feared possible selves would predict higher rates of misconduct and/or violence. As discussed in Chapter 3, however, some of these feared selves express a sense of hopelessness in addition to expressing a lack of interest in receiving treatment services. Perhaps this hopelessness – often related to an upcoming adult prison term – triggers a process of withdrawal from the institutional norms of violence that the majority of youth engage in during commitment to DJJ. Rather than adolescent negativity (i.e. pessimism) being a catalyst for youth to engage in normative violence, the

pessimism articulated by these EnM youth serves more as a catalyst for apathy, withdrawal, and isolation as they await their transfer to the adult side.

The qualitative data on physical survivalists implied that these youth might actually withdraw or isolate from the institutional culture to some extent, a reaction similar to that of the pessimists discussed above. This means that they could potentially be removing themselves from opportunities during which they may benefit from institutional support (marginalizing themselves, in other words). Similar to the previous model that predicts *Any* misconduct, physical survivalism also predicts a significantly higher rate of *Violent* misconduct. Additionally, while mental survivalism failed to reach significance in the previous model, it emerges here as also being predictive of a higher rate of violence overall. For both outcomes, however (*Any* and *Violent*), physical survivalism significantly predicts a higher rate of misconduct/violence. Likewise, mental survivalism predicts a higher rate of *Violence*, but does not significantly influence the overall quantity/variety of misconduct captured by the *Any* misconduct outcome.

The specific focuses of each of these strategies of survival differed to some extent among these youth. Physical survival for some entailed “getting big,” and for others meant “practicing” (to fight). Similarly, mental survivalists expressed goals of keeping to themselves, acting older, and learning respect. While these responses could be interpreted as generating more isolative and mature behavior (maturity being synonymous with better behavior), this analysis reveals the opposite. Regardless of the type of mental or physical survival, this analysis reveals that – when controlling for other factors – a youth who articulates any strategy to prepare for survival on the adult side displays a significantly higher rate of violence during this term of juvenile incarceration.

Discussion

This chapter's aim is to build upon institutional theories to better understand how juvenile offenders subjected to the policy of waiver to adult court may adapt to carceral environments, and more specifically how they engage in (or withdraw from) processes of juvenile institutionalization. In order to fully understand how EnM youth integrate themselves within and interact with aspects of juvenile institutions, this analysis blended the qualitative findings of Chapter 3 into the quantitative variables and analysis of Chapter 2. This integration of qualitative themes from interview responses into quantitative models produced additional evidence that can be used toward the development of a theory of "adultification."

The results presented here confirm that EnM youth organize themselves into specific latent profiles based upon their self-reported institutional experiences. Additionally, the findings reveal that such profiles and qualitative self-concepts have the ability to predict a change in misconduct and violence rates above and beyond other indicators provided by the official data.

These findings also provide evidence that membership within the *Marginalized* latent profile of EnM youth significantly predicts a higher rate of any and all institutional misconduct during juvenile incarceration. This finding does not emerge, however, for violence involvement specifically. While this model controls for time order by measuring misconduct that occurred following the youth interviews that collected data on institutional experiences, it is still quite plausible that these youth reported more negative experiences because they had engaged in higher levels of misconduct prior to the interview date.

EnM youth who are older at the time of our interview were significantly less likely to be assigned to the *Marginalized* group, as were Black youth (compared to Latino youth). Gang members and sex offenders were more likely to fall into this group, which may indicate different

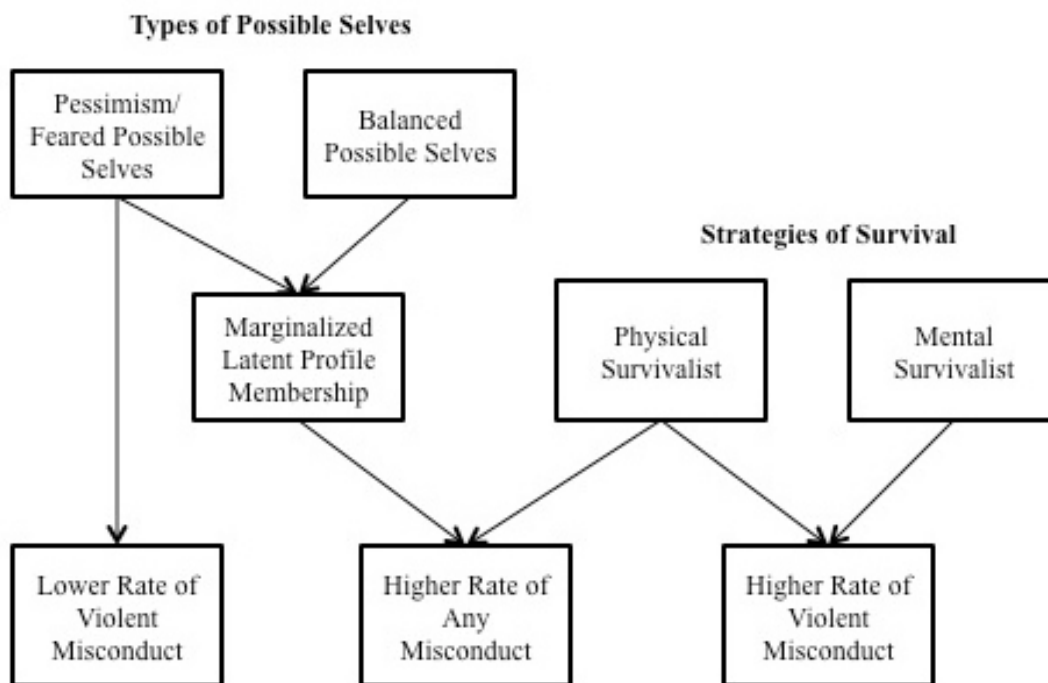
types of marginalization. The fact that gang members (and Latino youth) perceive less positive experiences overall makes sense, given that DJJ staff perceive the Latino gangs from Northern and Southern California to be the biggest challenges to violence management across all DJJ institutions. It is not surprising, then, that these Latino gang members perceive less institutional support overall, as it is probable that staff likely monitor them more closely than other groups within the institutions. Sex offenders, on the other hand, receive a higher level of support in the form of specialized treatment units that not only provide therapeutic treatment specific to their circumstances as sex offenders, but that also protect them from the general population by housing them together in the same units (when possible). Youth interviews did indicate, however, that sex offenders feel targeted by other youth. Perhaps this accounts for their perceptions of less support overall.

The above findings shed light on, and to some extent validate what is already known about how institutional staff manage youth of certain races and classifications. The more interesting part of this analysis is the role that possible selves play in latent profile assignment. While optimism expressed through ideal possible selves failed to significantly predict profile membership, youth who expressed pessimistic feared selves *and* those who expressed balanced possible selves were both more likely to fall into the *Marginalized* profile of EnMs. Past research on possible selves has suggested that balance between viewing one's self in a desired, ideal end-state and viewing one's self in a feared or undesired end-state is ideal if a person is to remain motivated to improve (Atkinson, 1958; Oysterman & Markus, 1990). While the presence of feared selves among those within the *Marginalized* latent profile of EnMs makes sense, this analysis reveals that balanced possible selves may not be enough to keep these youth motivated to improve, which conflicts with existing literature. The feared selves for these youth often

involved the discussion of a lengthy sentence that will likely be served in adult prison. For that reason, this finding may reveal the fact that the *magnitude* of fear expressed by these youth may outweigh any acknowledgment of an ideal future that is pitted against such fear.

To conclude, Figure 4.7 below displays the picture of influential qualitative conceptualizations of self that have emerged for these EnM youth, and illustrates the ways in which these qualitative themes predict misconduct and violence:

Figure 4.7. Summary of Findings



Two key concepts are significantly associated with rates of misconduct and violence: pessimism/feared possible selves and strategies of survival. Expression of feared selves is strongly associated with membership within the *Marginalized* profile, which in turn influences higher rates of the aggregate, more comprehensive rate of any and all misconduct. Pessimism via feared selves does not independently influence this outcome of *Any* misconduct, but significantly predicts a lower rate of *Violent* misconduct, specifically. Since violence is extremely normalized within these facilities, this finding implies that – for EnM youth specifically – pessimism is a

catalyst for them to withdraw from these violent institutional norms. The youth who exclusively articulate feared possible selves appear to exert agency within this environment by decreasing their involvement in violence, perhaps because the type of pessimism they are experiencing is anchored toward hopelessness related to their upcoming adult prison terms. Instead of pessimism breeding anger, frustration, and externalized violence (as is expected among the general population of DJJ), for these youth pessimism may breed internalized behaviors such as apathy and isolation.

The findings related to survivalism are particularly interesting when evaluating how the policy of waiver to adult court is lived on the ground of institutions. Interview items asked only of EnM youth encouraged them to speak freely about how they are approaching this term of juvenile incarceration (desire to rehabilitate and educate or not, for example) and about how they are preparing for their transfers to adult prison at the age of 18. In coming to terms with this adult punishment, and the looming inevitable term of adult incarceration, many EnM youth articulate their intention to prepare for survival. Some focus on mental aspects of survival such as awareness, vigilance, self-imposed maturity, and learning – learning to treat others with respect, learning to “stay quiet,” and learning how to anticipate the actions of others. Those who express the need for physical survival focus on gaining physical strength before they are incarcerated with “*grown men*” where “*there’s not no little kids no more.*” Regardless of which type of survival strategy these youth articulate, all survivalists in this sample of EnM youth display significantly higher rates of violence during juvenile incarceration.

If EnM youth were protected by DJJ jurisdiction until the age of 25 as are JCY, this need for survival would not exist for some. When asked what DJJ could do to help him during juvenile incarceration, one youth simply replied “*Not send me [to adult prison].*” If DJJ could

simply “not send them” by eliminating that inevitable transfer at 18, then that lack of need for preparation and less emphasis on survival might have implications for violence reduction among these “adultified” youth. This and other implications related to juvenile correctional policy and institutional theory are discussed in detail within the upcoming and final Chapter 5.

Chapter 5. Research Implications

How does “adultification” unfold on the ground of juvenile correctional institutions? This dissertation uses that broad question as a departure point, and aims to tell a story of the youth waived to adult court in California, how their adult statuses affected their institutional experiences and behavior, and how they conceptualize that adult status moving forward toward a term of adult incarceration. This concluding chapter first revisits the broad theoretical frame of this project, then summarizes the noteworthy findings through the lens of institutional theory, discusses limitations and policy implications of this research, and outlines future directions for the study of “adultification.”

As discussed in Chapter 1, scholars have produced micro-sociological examinations of carceral environments in order to delineate the ways in which inmates interact with institutions and with each other. Clemmer (1940) and Goffman (1961) approach the problem from a deprivation perspective, analyzing institutions based on how those institutions deprive inmates of certain liberties and life experiences. Others such as Wheeler (1961) began to introduce the concept of importation into this picture, which for Wheeler meant the consideration of the extra-prison factor of the approaching release date when evaluating one’s level of prisonization. For others, importation involves the individual characteristics that an inmate brings into an institution, and how those defining characteristics influence adaptation to that environment.

A growing consensus exists that a hybrid of the deprivation and importation models is best equipped to explain prisonization and processes of institutionalization (Thomas, 1977; Huebner, 2003; Hochstetler & DeLisi, 2005). Thomas (1977) found the importation of post-prison expectations and deprivation through structurally-created powerlessness to both significantly predict self-identification as a criminal. This blending of these two models suggests

that, in combination, negative evaluation of future life-chances and perception of powerlessness influence an inmate to have a higher level of criminal identification and experience a higher level of prisonization as a result.

Using this theoretical frame as a departure point, this project provides a nuanced examination of “adultification” as lived on the ground of juvenile correctional institutions. This project examines a group of serious and violent incarcerated juvenile offenders to explore the ways in which the importation of EnM status, a key extra-prison construct, may affect levels of prisonization, institutionalization, perceived powerlessness, and ultimately institutional behavior. This project uses three methodologically different approaches to work toward developing a theory of “adultification.”

Toward a Theory of “Adultification”

EnM Status Influences Experiences and Behavior

After introducing the theoretical foundation in Chapter 1, the subsequent chapters produce findings that are interestingly interpreted within the context of institutional theories. The second substantive chapter of this story uses multiple group analysis within structural equation modeling to determine that EnM status is powerful enough to moderate the effects of two measurement structures on the outcomes of misconduct and violence. Beyond a significant improvement in model fit, the group comparisons of these measurement structures reveal that differential motives drive behavior for EnMs versus JCY, as indicated by different factors predicting a change in rates of misconduct and violence for these two groups.

Most notably, two types of social support exert different behavioral effects on these two groups. A higher level of social connectedness to the outside world predicts a lower rate of misconduct and violence for JCY, but has no effect on the behavior of EnMs. This finding for

JCY echoes one from Wheeler's work, which found that married men displayed higher rates of conformity during incarceration (Wheeler, 1961). In addition to ongoing attachments such as spouses and family members, an inmate often makes increasingly more contacts with those outside prison as he approaches his release date. As these pro-social contacts increase, the prisonized status previously enhanced by the inmate code and prison culture loses its significance (Wheeler, 1961).

Social connectedness during incarceration and especially approaching release may mitigate prisonization for all adults in Wheeler's study, but within this juvenile correctional environment, another finding emerges. EnMs do not appear to make social connectedness a priority and – to the extent that they are connected to others outside – it has no positive effect on their behavior. The construct of social connectedness arguably mitigates Goffman's process of institutionalization known as "role dispossession." The stronger an inmate's social connections are to the outside, the more difficult it is for an institution to build barriers between that inmate and the outside world. The findings here suggest that EnMs may succumb to role dispossession to a greater degree than do their JCY counterparts. Given that EnMs view "release" differently from JCY – release meaning transfer to adult prison – they may lack the motivation to maintain those social connections during juvenile incarceration.

Alternatively, this research finds that institutional support (stronger rapport with correctional staff, perceived support from staff, opportunities for advancement within the facility) predicts better behavior for both groups – a lower rate of any and all misconduct for EnMs and a lower rate of violence for JCY. This suggests that such rapport with institutional staff functions as a tool of deterrence and violence management for JCY, which is likely influenced by the fact that JCY can receive additional time on their sentence as a result of

institutional behavior (where EnMs cannot). For this reason, JCY may capitalize on institutional support when motivated to display better behavior. Such support from the institution appears to exert a more broadly sweeping influence of social control for EnMs, as higher levels of such support predicts a decrease in the aggregate rate of any and all misconduct.

From a rehabilitative standpoint, this chapter also reveals that – to the extent EnMs receive treatment services – such treatment significantly increases their stock in the rehabilitative ideal, a construct on which they did not descriptively differ on the outset. EnMs did, however, report that they received significantly fewer treatment services than JCY, which complicates the picture of this institution. Given that these two groups are not “treated alike and required to do the same things together,” a criterion by which Goffman measures the totality of institutions, DJJ facilities may indeed represent not-so-total institutions where inmates are differentially provided services based on the imported characteristic of EnM status (Farrington, 1992). Finally, an increase in the value of stock in rehabilitation in turn decreases the violent behavior of EnMs. For these youth, belief in rehabilitation mitigates their level of prisonization. Even for youth facing an adult prison term, and even more so than for JCY, treatment matters. These findings suggest that treatment services represent pro-social definitions that appear to strengthen loyalty to correctional staff (consistent with the institutional support findings above), and weaken affiliation to other JCY inmate primary groups (Clemmer, 1940).

More broadly, these findings also challenge one primary assumption of Goffman’s processes of institutionalization: in this juvenile correctional context, institutions do not appear to exert *identical* effects on those confined. Additionally, EnMs not only experience the “trimming” of personal characteristics upon admission to incarceration, but also experience the imposition of a new layer – that of EnM status. While each EnM is similarly “shaped and coded

into an object that can be fed into the administrative machinery of the establishment,” each EnM status brings with it the ability to challenge Goffman’s assumption of creating a “dull” and “inconspicuous” inmate. Within these DJJ institutions, the findings above argue that EnMs are more conspicuous than JCY and utilize agency to counteract institutional norms more often than do the JCY.

EnMs Embrace Future Orientation

The qualitative analysis of the third chapter produced evidence to suggest that EnMs anchor themselves to the future more than to the present or the past. Of the qualitative themes discussed, neutralization of past crimes was the conceptualization expressed least among these youth. While those who neutralize their behavior focus on their immaturity or on lack of injury that resulted from the crime committed, this expression of self is the least prevalent, third to the articulation of survival strategies and the expression of possible selves. EnM youth provided qualitative responses that suggest they desire personal improvement, believe in their own malleability, and strategize for survival on the adult side. Additionally, some articulate balanced possible selves that pit pessimism or fear of that adult prison transfer with optimism about the future, despite their bleak current circumstances. Rather than succumb to the inevitability of becoming a single, helpless cog within a larger carceral machine, as suggested by Goffman (1961), these EnMs use possible selves to cope and to develop a feeling of mastery over their situation. This mastery appears to involve a somewhat unexpectedly positive outlook toward treatment, that is supported by a positive behavioral response to treatment.

Wheeler (1961) emphasized the need to consider the impact that prisonization has on an offender’s self-conception, rather than focusing solely on their attitudes toward the outside world. This project confirms the fact that EnMs’ conceptualizations of themselves very much

depend on their attitudes toward the outside world. More specifically, they find different ways to process the reality of adult prison as the next step in their trajectory (rather than release to the community). If Wheeler (1961) found that the salience of the inmate culture reduces as inmates prepare to leave, the salience of a juvenile correctional environment may be modified simply by the knowledge that a different, adult correctional environment awaits.

Future Orientation of EnMs Drives Behavior

Wheeler's work also revealed that conformity may only be possible at the cost of isolation. He found an absence of social bonds among conforming inmates, which implies 1) isolation from each other, and 2) potentially only social bonds between conforming inmates and correctional staff. Wheeler also cautioned about the detrimental effects of such isolation:

“If the withdrawal pattern characteristic of those who conform to the staff is not offset by strong ties to persons outside the institution, the effects of social isolation may be quite severe” (Wheeler, p. 705-706).

As discussed above, social connectedness fails to exert any influence on the behavior of EnMs. However, the latent class analysis of Chapter 4 reveals that nearly one third of the interviewed EnMs report descriptively more negative institutional experiences overall, and I refer to this group as the *Marginalized* latent class of EnM youth. Pessimism expressed through feared possible selves predict membership within this *Marginalized* profile, but these same feared possible selves also predict a lower rate of violence. This may indicate that adult court youth are utilizing agency to withdraw from normative violence, partially as a result of their being pessimistic about their futures in adult prison. This response could be a form of isolation for these youth – a kind of pessimism about their feared futures that actually encourages withdrawal and apathy rather than engagement in the normalized violence displayed by other juvenile court adolescents.

Additionally, expression of a survival strategy (whether mental or physical) predicts a significantly higher rate of violence. During this period of juvenile incarceration, all youth experience Goffman's (1961) institutionalization process of contaminative exposure, whether by being exposed to poor housing conditions or by being exposed to undesirable others. However, knowledge of an inevitable transfer to the adult side may cause EnMs to anticipate a higher level of interpersonal contaminative exposure to occur in that adult environment. These findings suggest that such knowledge creates an urgent need for survival, and that their survival strategies breed violence within their current juvenile correctional environment.

Limitations, Policy Implications, and Future Directions

Limitations

While this project utilizes many data sources and multiple methodologies to examine the social phenomenon of "adultification," there are still limitations of this work that need to be acknowledged. First, this research examines a unique population of serious and violent offenders committed to DJJ facilities, and lacks a comparison group from another location or agency. The analyses are also limited by the relatively small sample size under study here. While official data on the entire DJJ population can be used for some of the analyses, most of this work relies on the self-report youth interview data, which requires reducing the sample to only those interviewed. With the benefit of having rich, self-report data comes the cost of a smaller sample. For these reasons, the current findings are limited to this particular setting and this particular point in time and may not be generalized beyond this context.

This research is also limited because the primary youth interview is cross-sectional in nature. These youth interviews do, however, capture a wealth of information on these youth's backgrounds, their attitudes toward safety and violence within the institutions, and their self-

reported violence involvement. The official secondary data provided by DJJ includes longitudinal data on institutional misconduct and violence, which considerably strengthens the design of this project by allowing me to measure the rate of misconduct and violence post-interview, while also controlling for pre-interview involvement in such behavior. While the interview data provides a cross-sectional snapshot of 306 youth within DJJ, these data are also strengthened by the inclusion of open-ended interview items that produced the qualitative data analyzed in Chapter 3. That being said, semi-structured interviews with the 57 interviewed EnMs would have provided considerably more qualitative data to analyze with regard to these youth's conceptualizations of self. Limitations aside, this project is fortunate to have multiple data sources that construct a methodologically interesting and nuanced picture of "adultification."

Policy Implications

The findings from this project not only take substantial steps toward understanding "adultification" from a theoretical perspective, but also have a number of implications for juvenile justice policy. These implications include reconsideration of the amenability to treatment criterion in juvenile assessment, jurisdictional considerations related to timing of transfer to adult prison for waived youth, and violence management strategies during incarceration.

The findings in Chapter 2 reveal that EnM status has the power to moderate experiences and behavior during juvenile incarceration. Previous work suggests that incarceration may be the sanction that has the greatest impact on an offender's ability to achieve psychosocial maturity (Chung, Little, & Steinberg, 2005). If that is the case, then correctional facilities – especially those that house adolescents – must provide as many positive experiences as possible to combat against a prison's ability to stunt psychosocial maturation.

During initial facility site visits prior to data collection, waived youth were occasionally referred to as lost causes by staff, and this work finds that EnMs fail to receive as many self-reported treatment services as similarly situated juvenile court youth, which is also consistent with other research (Kupchik, 2007). As discussed above, the receipt of treatment services significantly increases EnMs' stock in the rehabilitative ideal, which in turn decreases their violent behavior. In other words, it appears that rather than lost causes, they may be even more responsive to treatment efforts than their juvenile court counterparts. Simply put: If EnMs receive treatment, they believe in it more. They might be motivated to capitalize on treatment services within a "better" venue of juvenile incarceration before moving on to a "worse" venue. In fact, when asked why he wanted to continue receiving treatment while in DJJ, one EnM stated that he wanted to *"get as much help as I can while I'm here with mental health because I can't take meds when I get there [to adult prison]. That's what I've been told."* This provides support for an equalized playing field at the juvenile correctional level with regard to provision of treatment services, regardless of court of commitment.

The qualitative analysis reveals a predominantly future orientation among EnM youth, and reveals that the majority of these youth articulate the need for a survival strategy as they move toward adult incarceration. The mixed methodology of Chapter 4 then revealed that such survivalism (whether mental or physical) significantly predicts a higher rate of violent behavior. Given that these EnM youth are transferred to the adult side up to seven years earlier than the juvenile court youth released from juvenile incarceration (at 18 years of age rather than 25 years of age), these findings suggest that knowledge of that looming transfer affects their mindset and behavior at the juvenile level. Due to recent policy changes within DJJ, this project lacks a comparison group of EnMs who are allowed to stay in DJJ facilities beyond their 18th birthdays.

Despite this, it is reasonable to speculate that extending the jurisdiction for these waived youth to equal that enjoyed by JCY may alleviate some of the stress associated with that upcoming transfer.

Amenability to treatment and jurisdictional considerations tie in to the violence management implications of this work. The findings discussed above suggest that equal procedures should be utilized for juvenile and adult court youth by 1) encouraging EnM youth to participate in more treatment services, and 2) allowing EnM youth to remain in juvenile correctional facilities beyond their 18th birthdays. Modifications such as these may have positive affects within these juvenile correctional environments by reducing the rate of violent behavior displayed by these “adult” youth.

Future Directions

This dissertation provides a rich methodological springboard from which to study “adultification” within other populations and in other jurisdictions. California is considered by many to have a unique correctional system and, given the large proportion of gang-involved youth (many with firearm enhancements) within this project’s sample, it would be advantageous to examine “adultification” in other states that may more often waive youth because of other criminological problems specific to that geographical region. For California specifically, future work should also focus on adult court youth housed at the county level. As juvenile offenders are realigned from state to county incarceration, it is important to see if the findings here extend to the experiences and behavior of adult court youth within juvenile halls, as they await a transfer to adult county jails.

The temporal aspect of prisonization first introduced by Wheeler deserves further inquiry as it pertains to adult court youth awaiting transfer to adult prison. A more extensive test of

Wheeler's U-shaped curve of prisonization is warranted in order to better understand the intersection of "adultification," rehabilitation, misconduct, and time (Reid & Haerle, in progress). Chapter 3 revealed that EnMs most often embrace future orientation in the way that they conceptualize their current circumstances, whether in the form of possible selves or survivalism. The mixed methodological approach of Chapter 4 revealed that this future orientation drives behavior in juvenile correctional environments, to some extent. These findings generate support for the hypothesis that – when possessing knowledge of an adult prison transfer rather than release – EnMs may behave worse and experience some sort of "prison panic" as that transfer date approaches. Rather than relying on an overall rate of violence over time incarcerated, the next step of this research will include a more sophisticated temporal analysis that will explore whether or not violent behavior clusters for EnMs around different time points differently than it does for JCY.

This finding could potentially turn Wheeler's theory of prisonization on its head by suggesting that anticipatory socialization does not occur for EnMs. If strategies for survival predict a higher rate of violent behavior, these youth may indeed experience *anticipatory criminalization* as they approach their upcoming transfer to adult prison. The rhetoric of juvenile waiver policy perpetuates the idea that some youth are lost causes and should be transferred to adult jurisdiction, given an adult sanction, and then transferred to adult incarceration. Those subjected to waiver policy in California, those who live this policy on the ground of juvenile institutions experience a different reality. The reality of this story of "adultification" consists of belief in the ability to change backed up by improved behavior, future orientation that includes unlikely optimism in the face of adult sanctions, and the need for survival in adult prison that breeds institutional violence. These findings provide the first pieces of a much larger puzzle of

“adulthood,” but this project makes significant strides toward understanding how “adult” juveniles adapt to adult sanctions under the roof of juvenile institutions.

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APPENDIX. EnM Youth Interview Items

136.	What type of court committed you to DJJ?	Juvenile, Adult, Dual Case
137.	Do youth generally know who the E & M numbers are here?	Yes, No
138.	Do the staff members here treat E & M numbers differently?	Yes, No
138a.	[If yes] How?	
<p>[If youth is an adult or dual court commitment (E/M number), continue with these questions; else Skip to Friendship Network questions.]</p> <p><i>The next group of questions concerns your experience here in DJJ as an adult court commitment (E or M number). We will not be talking to anyone else about your answers and everything you say will be held confidential.</i></p>		
139.	Did you have a fitness hearing before your case went to adult court? [If youth asks “what is that?”, interviewer should respond with the following: It is a hearing in a juvenile court where the judge decides if a youth should be transferred to adult court or not]	Yes, No
139a.	[If yes] What was that experience like for you?	
139b.	[If no] Why not?	
139c.	[If no] How did your case go to adult criminal court? What was the process?	
140.	Do you think your case should have stayed in juvenile court?	Yes, No
140a.	Why or why not?	
141.	Since you’ve been in DJJ, has any staff explained your E or M number status to you?	Yes, No
141a.	[If yes] Who?	
141b.	When?	
141c.	What did they say?	
142.	Do staff treat you differently because of your E/M number?	Yes, No
142a.	[If yes] How?	
143.	Do you behave differently here because an adult court committed you?	Yes, No
143a.	[If yes] In what way(s)?	
144.	Do other youth think you should behave a certain way because of your E/M number?	Yes, No
144a.	[If yes] How?	
145.	Do you want to continue your education while in DJJ?	Yes, No
145a.	Why or why not?	
146.	Do you want to receive treatment services while in DJJ?	Yes, No
146a.	Why or why not?	
147.	Are you going to be transferred to adult prison?	Yes, No

	[If yes, continue with 148; If no, skip to 152]	
148.	Do you believe your behavior here could affect your experience in adult prison?	Yes, No
148a.	[If yes] In what way(s)?	
149.	Is there anything you feel like you have to do here to get ready for adult prison?	Yes, No
149a.	[If yes] What?	
150.	What are your concerns about moving to an adult prison?	
150a.	[If more than one] Of those things you just listed, what concerns you <u>most</u> about transferring to the adult side?	
151.	What do you think DJJ can do to help you before you move to adult prison? [Skip to Q154 Most staff...]	
152.	Why aren't you being transferred to adult prison?	
153.	Is there any way that you could be transferred to prison?	Yes, No
153a.	[If yes] How?	Time added, New charge, Other:
<i>Now I'd like to read you a few statements. Please tell me whether you strongly agree, agree, disagree or strongly disagree with each statement.</i>		
154.	Most staff would hire an E & M number for a job in this facility as easily as they would hire a youth from juvenile court.	[Don't read "Neutral"] Strongly Agree, Agree, Disagree, Strongly Disagree Neutral
155.	E & M numbers are not treated fairly compared to youth from juvenile court.	[Don't read "Neutral"] Strongly Agree, Agree, Disagree, Strongly Disagree Neutral
156.	It is easier for you to only hang out with other youth who are also E & M numbers.	[Don't read "Neutral"] Strongly Agree, Agree, Disagree, Strongly Disagree Neutral
157.	Staff here trust E & M numbers as much as youth from juvenile court.	[Don't read "Neutral"] Strongly Agree, Agree, Disagree, Strongly Disagree Neutral
158.	Most people here think that E & M numbers are more serious offenders than youth from juvenile court.	[Don't read "Neutral"] Strongly Agree, Agree, Disagree, Strongly Disagree Neutral
159.	There is no reason to hide the fact that you are an E & M number (instead of from juvenile court).	[Don't read "Neutral"] Strongly Agree, Agree, Disagree, Strongly Disagree Neutral