

## ABSTRACT

Title of Document: IS THE EFFECTIVENESS OF TEEN COURT  
DEPENDANT UPON GENDER?

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Teen Court (TC) is an innovative juvenile diversion program that has spread rapidly across the United States in recent years. Although this program has received many praises from the media, parents, and teens, rigorous research on its effectiveness is lacking. Only a few studies have been conducted and the results have been mixed. Recently, the University of Maryland conducted a randomized evaluation of four TCs in Maryland. This study expands upon the evaluation specifically examining whether the effects of TC on delinquency are conditional upon gender. Based on labeling theory it is hypothesized that labeling will increase delinquency through a negative self-concept. Alternatively, gender socialization suggests males and females will respond differently to the characteristics of TC. It is hypothesized that TC will result in positive self-concept for females only. Hence, TC will reduce levels of future delinquency for females only. Implications related to the findings will be discussed.

IS THE EFFECTIVENESS OF TEEN COURT DEPENDANT UPON GENDER?

By

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## Chapter 1: Introduction

Addressing juvenile crime and delinquency has been a persistent problem in the Juvenile Justice system. Disagreement surrounds how to process juvenile delinquents and what types of sanctioning should be used. Teen Court (TC) is an innovative juvenile justice diversion program that uses other teens to punish juveniles who have committed misdemeanor offenses. Teen Courts incorporate components of restorative justice and positive peer pressure to deter any future crime by these juveniles. Although the program appears to be effective, evaluation studies have been mixed in terms of TCs ability to prevent recidivism. In addition, only a few studies have applied theory to how and why TCs work and no studies have examined whether TC outcomes are different for boys and girls. Using labeling theory, I will present a scenario that may result in different outcomes for boys and girls involved in TC.

## Chapter 2: Literature Review

### **Juvenile Crime and Delinquency**

Although the juvenile arrest rate has been declining since 1994, juvenile crime remains a concern in the field of criminology (Snyder, 2004; Herrenkohl, Guo, Kosterman, Hawkins, Catalano & Smith, 2001). Approximately 2.3 million juveniles, under the age of 18, were arrested in 2002 (Snyder, 2004). The Federal Bureau of Investigation reported that 17% of all arrests and 15% of violent crime arrests were perpetrated by juveniles, even though juveniles only account for roughly 6% of the general population (Johnson, Simons & Conger, 2004; Snyder, 2004). It must also be noted that the statistics reported relate to arrest data and therefore represent only a fraction of the crimes and delinquency committed by juveniles. It is highly likely that many more juveniles are involved in delinquency, but are not caught.

Furthermore between 1993 and 2002, the trends of arrest rates for individual offenses differed according to gender<sup>1</sup> (Snyder, 2004). Arrests of females either increased more or decreased less than males. A recent examination of three prominent data sources suggested that although girls' criminal activity has not changed, that policy changes have resulted in more attention to female related crimes making it appear as though girls are engaging in more crime (Steffensmeier, Schwartz, Zhong & Ackerman, 2005). More frequent arrests of girls are leading to

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<sup>1</sup> Although gender is considered to be a continuum of characteristics that both males and females can possess, in this context gender is referred to as one's biological sex.

the unnecessary criminalization of females since similar offenses by boys are not receiving the same attention. Boys tend to commit more serious offenses than girls which become the focus of law enforcement for this gender as opposed to the less serious crimes which are currently the focus of law enforcement for females. As will be discussed in more detail later, both formal and informal labeling has the potential to result in increased future crime. If the arrests of girls committing misdemeanor offenses are not dealt with properly, more adult female crime may be the result.

When a youth is arrested he or she becomes involved with the juvenile justice system, which is operating over capacity. Butts and Harrell (1998) argue that the public and elected officials claim that the juvenile court is ineffective in responding to juvenile delinquency. For example in 1995, 45% of the 1.7 million juvenile delinquency cases were handled without formal court action (Butts & Harrell, 1998). In addition, 73% of delinquency cases involving youth under the age of 13 were handled with no formal services or sanctions (Butts & Harrell, 1998). If accountability is necessary for decreasing criminal behaviors, the juvenile justice system is operating ineffectively. It is apparent that high rates of juvenile delinquency are causing juvenile courts to be selective in choosing who is sanctioned. Undoubtedly, other methods for holding juvenile delinquents accountable are necessary, especially the most minor juvenile delinquents.

Teen court (TC) is an innovative program that has been implemented in many states as an attempt to curb early juvenile delinquency. Rigorous research, however, is lacking on these programs and their effectiveness is currently unknown. Using data from a recent randomized evaluation conducted by the University of Maryland



(UMD) of four TCs in Maryland (Povitsky Stickle, Connell, Dugas & Gottfredson, 2006), I will test whether girls respond differently to TC than boys. More specifically, does the TC process have different effects on boys' and girls' self concepts, a component of labeling theory, that will result in differing levels of future delinquency?

### **Teen Court Overview**

Some researchers have suggested that TCs developed in response to the 1967 President's Commission on Law Enforcement and the Administration of Justice where there was a call for diverting juveniles from the formal juvenile court system to reduce labeling (LoGalbo & Callahan, 2001; Harrison, Maupin & Mays, 2000; Seyfrit, Reichel & Stutts, 1987). Although TCs have been in existence since the 70's, they have recently become increasingly popular across the U.S. (Pearson & Jurich, 2005; Butts, Buck & Coggeshall, 2002). The most recent summary of TCs stated that 1,035 TC's were in operation in 2005; a 1,330% increase in operation within a ten year period (Pearson & Jurich, 2005). The only two states without at least one TC program were Connecticut and New Jersey (Pearson & Jurich, 2005). Since the Pearson and Jurich report was published, New Jersey has also added TC to its Juvenile Justice system. It is estimated that between 110,000 and 125,000 teenage offenders are involved in TCs every year (Pearson & Jurich, 2005). In addition, another approximately 100,000 youth participate as volunteers (Pearson & Jurich, 2005).

Most TCs generally accept first time offenders who commit a minor offense and admit guilt. Pearson and Jurich (2005) reported that 92% of TCs require the

admittance of guilt as a condition of participation. These juveniles are then subject to a trial by their peers, consisting of both previous offenders and volunteers, who evaluate the offense committed and other related circumstances. Appropriate sanctions are then assigned and the offender is given a time period to complete said sanctions. Once the sanctions are complete, the offense is removed from the juveniles' record. If the sanctions are not completed, the case is referred back to the Department of Juvenile Services (DJS).

There are four courtroom models typically used by TCs; adult judge, youth judge, peer jury, and youth tribunal. The most common model cited by the Pearson and Jurich review (2005) is adult judge. Forty percent of TCs used this model in which teens hold all roles (attorney, bailiff, clerk and jury) except that of judge (Pearson & Jurich, 2005; Butts & Buck, 2002; Butts & Buck, 2000). The second most prominent model, peer jury, accounted for 26% of TCs and also includes an adult judge (Pearson & Jurich, 2005). Similar to a grand jury, a jury of the juvenile offenders' peers evaluates the offense instead of attorneys (Butts & Buck, 2002; Butts & Buck, 2000). The youth judge model accounting for 17% of TCs is similar to the adult judge model, but a teen acts as the judge (Pearson & Jurich, 2005; Butts & Buck, 2002; Butts & Buck, 2000). Finally the youth tribunal accounted for 8% of TCs and instead of a jury, a panel of three youth judges is responsible for developing appropriate sanctions (Pearson & Jurich, 2005; Butts & Buck, 2002; Butts & Buck, 2000). Attorneys are also involved with the youth tribunal model. In addition, 9% of TCs used a combination of two or more of these models, usually adult judge and peer jury (Pearson & Jurich, 2005).

## **Previous Research on Teen Court**

Rigorous research is lacking on TCs and is needed because of its increased popularity. Even though in theory TCs appear to be an effective and promising program, without evaluation studies it can not be determined whether TCs are viable, cost effective, and successful programs. Although studies using sound methodologies are lacking, some researchers have reported on TC completion and recidivism rates. Seyfrit et al. (1987) conducted one of the earliest evaluations of a TC reporting a 10% recidivism rate for TC participants over 18 months, compared to a 12% recidivism rate for a comparison group. Unfortunately the researchers failed to randomize, and the comparison group may have been dissimilar to the treatment since participants were selected from a more racially diverse county (Seyfrit et al., 1987). Hissong (1991) reported a 25% recidivism rate for TC, compared to a rate of 36% for a matched non-TC sample who committed similar offenses. Although Hissong (1991) used a better comparison group, he also failed to randomize or define the follow up period and the measure of recidivism. A number of studies (Rasmussen, 2004; Harrison et al., 2001; Minor et al., 1999) have also reported recidivism rates between 12% and 32%, as well as completion rates between 71% and 92%. No comparison groups were used in these studies. Based upon the evaluations described using less than optimal research designs and varying definitions of recidivism with vague descriptions of the follow up period, it is difficult to determine the actual effectiveness of TCs.

In 2005, Povitsky produced a more rigorous study of TCs. Although the participants were still not randomized, an adequate comparison group was used and

the follow up period was clearly defined. She compared the recidivism rates of a sample of first time TC offenders to a similar sample involved with DJS. The TC sample consisted of 211 teens processed by a Maryland county TC between July 2000 and June 2003. The control group was selected from a demographically similar county, with no existing TC or alternative diversion program. These 781 teens committed similar offenses during the same time period and were in the same age range as the TC sample. Recidivism was measured 18 months following arrest and was defined as a rearrest. The results showed that the TC sample was significantly more likely to recidivate than the DJS sample. The R-squared for the model was very low indicating that other factors omitted in the model account for the variation in recidivism rates. Hence, caution should be used when interpreting these results because some of the omitted variables could be driving the TC result.

Prior to the evaluation conducted by the UMD (Povitsky Stickle et al., 2006), the most comprehensive study of TCs was conducted by Butts et al. (2002). These researchers also failed to randomize but, adequate comparison groups as well as a sufficient sample size were used. They collected data on 500 youth referred to TCs in Alaska, Arizona, Maryland and Missouri. In addition, comparison groups in each state were composed of youth who were involved in the regular juvenile justice system and were matched on demographics and offense to treatment participants. The programs varied on a number of factors resulting in slight differences in comparison groups and outcomes measures, with the greatest difference in MD. Participants in the MD comparison were known to receive services while the other comparison groups likely received no services. Also, while recidivism in the other

three groups was defined as a new referral to the juvenile justice system, recidivism in MD was characterized as a new citation or arrest. The four programs also differed on the type of courtroom model; two used a combination while two used only one model. In addition, two required the offender to admit guilt prior to the hearing while two determined innocence or guilt during the hearing. For further descriptions of each individual program see Butts et al. (2002) p. 13-17. Descriptive analyses showed few differences in demographics between the four sites.

The results of the study showed that the TC groups were significantly less likely to recidivate than the controls in Alaska and Missouri. The TC group was also less likely to recidivate in Arizona, but the difference was not statistically significant. In Maryland the control group was less likely to recidivate, but the difference was not significant and both comparison and treatment groups had low rates of recidivism, 4% and 8% respectively. Recall that the Maryland comparison group did receive services, likely contributing to the low recidivism rate. Butts et al. concluded that TCs are a “promising alternative for the juvenile justice system” (2002). This is especially true in areas that do not or can not process first time offenders. Moreover, even in areas that do provide alternative services, TC may be just as effective as a system run by adults and may be more cost-effective (Butts et al., 2002).

In 2004, the UMD received funding to evaluate TCs in Maryland (Povitsky Stickle et al., 2006). Teen Courts in Anne Arundel, Charles, Kent and St. Mary’s counties participated in all parts of the evaluation. Participants who qualified for TC were randomly assigned to either TC or DJS. Although few significant findings were discovered, participants in TC were significantly more likely to report delinquent

behaviors during the 6 month follow up than the control. Moreover, although not significant, all of the findings were in the direction of TC participants fairing worse than the control (Povitsky Stickle et al., 2006). Official records were also collected for participants and although the TC sample recidivated slightly more than the DJS sample (11% vs. 9%), the difference was not statistically significant.

Based on these three rigorous evaluations, it is not clear if TCs are effective. This study extends the UMD evaluation to explore if the findings differ according to the gender of the offender.

### **Underlying Theories of the TC Model**

There are a number of mechanisms identified in the literature through which TCs propose to meet their ultimate goal of reducing future delinquency. Although TCs were not developed with specific criminological theories in mind, the underlying constructs can be applied to criminological theories. Considering the diversity of TCs, theory is necessary for determining which programs work best for which type of offender. That is, certain components of TC may only be effective for some juveniles and theory application can help determine which characteristics of TC will be effective as well as the population these programs should be applied to. Recently a group of researchers pointed out the lack of theory application in guiding research studies on TCs, and related three theories (labeling, deterrence, and differential association) to TC discussing how attention to these theories can improve future evaluations (Dick, Pence, Jones & Geertsen, 2004). For example, differential association and social learning theories focus on the role of delinquent peers in generating delinquent behavior. Teen Courts were built on this idea, but focus

instead on positive peer pressure and the reinforcement of nondelinquent behaviors to reduce future instances of delinquency. Following the Dick et al. article, the study by Povitsky (2005) cited above also discussed TCs relation to labeling theory, as well as to restorative justice, diversion, and reintegrative shaming. More importantly, Povitsky (2005) pointed out that due to TCs distinct nature, more than one theory may be necessary to explain how and why TCs should work. Although future evaluations should take Povitsky's suggestion into consideration, the application of theory in explaining TCs is in its infancy. It is necessary to first understand how individual theories apply to TC before theories can be considered in combination. Therefore I will use only labeling theory, which has recently been rethought, in an attempt to explain how TCs reduce delinquency or as will be introduced, how they might increase delinquency.

### Labeling Theory

Teen courts are a way to supplement the juvenile justice system, which is often criticized for being overcrowded resulting in failure to formally process many minor offenses (Forgays, DeMilio & Schuster, 2004; Rasmussen, 2004; Harrison et al., 2000; Butts and Harrell, 1998). Teen courts are one type of diversion program intended to relieve some of the pressure of overcrowded courts, ensuring that offenders are held accountable. Pearson and Jurich (2005) reported that approximately 9% of juvenile arrests were diverted to teen courts. However, diversion programs are susceptible to potential net widening effects (Butts & Buck, 2002; Acker, Hendrix, Hogan & Kordzek, 2001; Seyfrit et al., 1987). Net widening occurs when lower risk individuals who would otherwise receive no

punishment/treatment are accepted into a program. While advocates argue for the importance of holding minor offenders accountable, critics suggest that TC will lead to negative labeling effects of teens who would otherwise not be processed (Rasmussen, 2004; Butts & Buck, 2002; Acker et al., 2001; Butts & Buck, 2000). If negative effects of labeling do occur in TC, recidivism rates for this group could potentially increase. It is unknown whether negative effects from labeling during the TC process occur or perhaps more importantly, whether TC results in more labeling than if the teen were to go through the regular juvenile justice system process.

Lemert (1981) suggested that the label is not as important as the individual's reaction to it; therefore on one hand TC may be a method for holding offenders accountable but be developed in a way such that teens do not feel labeled. Alternatively and more likely, teens may feel more labeled as compared to the regular juvenile justice process. As will be discussed in more detail, although TC was developed to reduce formal labeling it subjects teens to a greater level of informal labeling. Moreover, recall that teens who have been arrested for minor offenses often "fall through the cracks" in the regular juvenile justice system and are never formally processed. Thus TC may involve a greater level of both formal and informal labeling than compared to the regular juvenile justice process which suggests that further examination into labeling as a result of TC participation compared to traditional services is necessary.

Labeling theory, which was introduced in the 1930's, focuses on those who judge an individual's delinquent actions rather than the offender. The theory became more popular in the 1960's when Lemert (1951) extended the explanation of the



theory distinguishing between two kinds of deviance; primary and secondary. Primary deviance results from a number of outside circumstances often used by an individual to rationalize delinquent behavior to avoid feeling defined by this behavior. It is only after others begin to associate a deviant label with the individual, either through increased deviance or being caught in a delinquent act, that he or she will internalize the label. Accepting the label then leads to more deviance, or secondary deviance, as a result of the individual's need to fulfill the label.

Much research was conducted on the theory in the 1960's, but in the 1970's researchers criticized the theory as being ambiguous and lacking explanatory power (Bernburg & Krohn, 2003; Zhang, 1997; Paternoster and Iovanni, 1989). Others argued that tests of the theory lacked support. These issues were related because labeling theory had not clearly identified intermediate variables through which labeling potentially leads to delinquency. As a result, tests of the theory were oversimplified and found little to no support.

In 1989, Paternoster and Iovanni wrote a reflection paper on labeling theory calling for its revitalization. They proposed a number of intermediary variables through which labeling could lead to delinquency. They also recognized that other pathways likely exist through which labeling could influence delinquency, and suggested this potentially influential theory once again become a focus to criminologists. Since then a number of researchers have expanded labeling theory to include intermediating variables, as well as used other prominent theories in conjunction with it to explain delinquency (Bernburg, Krohn & Rivera, 2006; Bernburg & Krohn, 2003; Zhang, 1997). In other words, instead of having a direct

effect on delinquency it is now proposed that labeling has an indirect effect through other variables. Contrary to its inception, labeling theory now focuses on the offender in addition to those who may judge him or her.

Teen court focuses on reducing or preventing secondary deviance by eliminating formal labeling from the juvenile justice system. In addition to the lack of a formal hearing by the juvenile justice system, those who successfully complete the TC process can have their record expunged. This component of labeling theory stems from symbolic interactionism which focuses on the meanings individual's give to both situations and themselves. These meanings are partially developed by the individual's perceptions of how others see him or her. These "reflected appraisals" are a major component in defining oneself as delinquent, which presumably leads to more delinquency (Matsueda, 1992). Using data from the National Youth Survey (NYS), Matsueda (1992) found support for the contribution of reflected appraisals in leading to delinquency. Specifically, he found that reflected appraisals as a rule violator significantly predicted delinquent behavior as well as mediated the effect of parental labeling on delinquency (Matsueda, 1992).

Even though TC proposes to reduce formal labeling, as mentioned it may actually subject teens to a greater level of labeling. Presumably much of the argument for the reduction of the formal label surrounds the elimination of a formal record, provided the teen successfully completes the process. This benefit may be apparent to an adult, but it is possible that a teenager, especially a young teen, may not be focused on the effects a criminal record could have on his or her future. Considering that the TC hearing process resembles a regular hearing, these teens are

undoubtedly labeled during the process. Moreover, even though for this particular study no data on the services provided to the control cases was collected, there is some question as to the amount of services, if any, provided to teens who commit minor offenses. It is notable that in my attempts to set up posttests, many contacts with parents of control cases included questions as to the services their child would be receiving. Many parents indicated that although they believed action was necessary, their teen had yet to receive any services from the regular juvenile justice system.

While TC may be able to reduce the effects of formal labeling, it without question subjects teens to a greater level of informal labeling by parents, peers, and the community as compared to traditional juvenile justice services. Informal labeling, which has more recently been found to have similar or even greater effects on subsequent delinquency (Adams, Robertson, Gray-Ray & Ray, 2003; Zhang, 1997; Jensen, 1980), was not greatly emphasized in early studies of labeling theory. In attempts to decrease informal labeling, TC has adopted components of restorative justice. Restorative justice attempts to hold the offender accountable and also assists with reengagement into the community. Promoting community cohesion through sanctions such as community service and apology letters is meant to decrease feelings of informal labeling. Presumably, participating in sanctions such as these will generate positive feels about oneself which has been linked to both labeling and delinquency.

One of the ways in which TC is supposed to reduce delinquency, which has also been found to be an intervening factor between labeling and delinquency, is through the generation of a positive self-concept. Hepburn (1977, p.236) has

collapsed a number of definitions relating to self-concept into one that defines the construct as “the organization of roles, self-attitudes, personal attributes, and or objects by the actor into a coherent, stable view of himself”. This definition suggests that one’s self-concept will partially be formed through labeling and reflected appraisals.

Prior to the Paternoster and Iovanni article, Thomas and Bishop (1984) claimed labeling would lead to altered self-conceptions. Their study provided no support for the claim, but it suffered from many limitations. For example, the measure of self-concept included only 3 items and the response set was larger than necessary. Also, even though they claimed to be measuring informal labeling, the measure reflected sanctioning by school officials rather than labeling. The variable measures whether or not the individual gets in trouble. A better measure would be to collect the students’ perceptions of the school officials’ views of them.

In the article calling for the revitalization of labeling theory, Paternoster and Iovanni (1989) hypothesized that labeling could lead to the alteration of one’s personal identity. Since then a number of researchers have examined the relationships between labeling, self-concept, and delinquency. Al-Talib and Griffin (1994) compared three groups on levels of self-concept and found labeled delinquents to have the lowest self-concept, followed by non-labeled delinquents, then non-delinquents. Since this study was cross sectional, it can not be determined whether the label predicts the negative self-concept or the negative self-concept led to the behavior that was labeled. Adams et al. (2003) also conducted a cross sectional study on a mostly male sample and found that their measure of a negative self-concept

significantly predicted self-reported delinquency. They also found the labeling variables were significant predictors of delinquency. Again only partial support is provided because it is unclear whether labeling came before the negative self-concept. Recently, Bernburg et al. (2006) conducted a longitudinal study of the mediating effects of delinquent peer groups between formal labeling and delinquency. They hypothesized that formal labeling would lead to increased involvement with delinquent peers, subsequently leading to future delinquency. Their hypothesis was supported although it only accounted for some of the explained variance in delinquency, and they note that a negative self-concept may be the source of the unexplained variance. Hence, there has been some support for labeling altering self-concept and subsequently increasing delinquency.

### **Gender, TC, and Labeling Theory**

Numerous researchers have hypothesized that the process through which deviant labels are integrated into one's self concept may differ for boys and girls. It is well documented that gender is one of the strongest and most consistent correlates of delinquency (Piquero, Gover, MacDonald & Piquero, 2005; Liu & Kaplan, 1999; Mazerolle, 1998; Mears, Ploeger & Warr, 1998; Bartusch & Matsueda, 1996; Heimer, 1996; Steffensmeier & Allan, 1996) since males commit more crime than females. Heimer (1996) has stated that gender is pivotal to the formation of a self-concept. Moreover, it is well reported that boys and girls are socialized differently. Girls are socialized to be more concerned with interpersonal relationships, while boys are expected to be more autonomous (Huebner & Betts, 2002; Mears et al., 1998; Ray & Downs, 1986). Bartusch and Matsueda (1996) reviewed research specifically

suggesting that the female self-concept is highly influenced by reflected appraisals. Females, especially adolescents, were more concerned with being well liked. The male self-concept, on the other hand, is developed more independently from what others think (Bartusch & Matsueda, 1996).

The arguments above suggest that the connection between delinquent labels and self-concept will be different for boys and girls. For example, it appears as though girls will be more affected by negative labels, especially informal labels, than boys. Prior research suggests two potential pathways between labeling and self-concept for both males and females. First, it appears as though labeling will have an effect on females' self-concept but it is not clear whether the effect will be positive or negative. On the one hand, as suggested by labeling theory, labeling may cause females to internalize the deviant label. According to labeling theory, internalizing the deviant label should result in a negative self-concept leading to more delinquency. On the other hand, contrary to labeling theory, females' desire to be well liked and their concern with reflected appraisals may cause them to reject the delinquent label. Females would instead strive to conform to the norms of society, becoming less delinquent. Therefore, the desire to be well liked and the rejection of the label should result in a positive self-concept resulting in less delinquency.

The pathway for males is less distinct. Perhaps because males are less concerned with what others think, labeling will have no effect on their self-concept or subsequent delinquent behavior. On the other hand, delinquency may be an avenue for males to display masculinity (Bartusch & Matsueda, 1996; Heimer, 1996). Labeling of males would then lead to the internalization of the label and the feeling of

being masculine resulting in a negative self-concept and further delinquency. The following literature review attempts to discern which pathway is more likely for males and females.

During the 1980's, when a renewed interest in labeling theory arose, Ray and Downs (1986) conducted a longitudinal study examining gender differences in the relationship between delinquency (measured by drug use) and labeling. The results showed that boys' self label and formal labels predicted future drug use while drug use did not predict any of the labels. Self labels in particular were the strongest predictor of future drug use, but interestingly were not affected by formal or parental labels. This suggests that boys may develop a delinquent self label independent of other variables, possibly as a result of the desire to display masculine qualities. Alternatively for girls, none of the label variables predicted drug use and drug use was found to be prior to the self-label. In other words, increasing drug use resulted in the formation of a delinquent self label for girls.

Other researchers have used the NYS data to examine gender differences related to the relationship between labeling and delinquency. Zhang (1997) found that while delinquent behavior had a greater effect on parent's labeling for girls, parental labeling was more likely to lead to future delinquent behavior for boys only. Future delinquency for boys was also affected by prior delinquency. Boys were also more likely to perceive labeling by parents, friends and teachers. While this study provides partial support of a labeling effect for males, the researcher failed to examine whether labeling leads to a decrease in delinquent behavior for females. The

researcher also failed to consider an intervening variable between labeling and delinquency.

Also using the NYS data, Bartusch and Matsueda (1996) reported similar findings to the article by Zhang. These researchers did report that the effect of parental labeling on future delinquency for girls, although small and insignificant, was negative suggesting a possible deterrent effect. In addition to the findings reported by Zhang these researchers found that for both genders, reflected appraisals as a rule violator significantly predicted future delinquency. Therefore when an individual of either gender perceives that others view him or her as delinquent, he or she will be more likely to engage in delinquent behavior. Although the effect was detected for both genders it was stronger for boys, indicating that reflected appraisals may be a self-fulfilling prophecy. More importantly, support was found for the mediating effects of reflected appraisals between parental labeling and delinquency. Although there were direct effects of parental labeling on delinquency, more of the variance in this relationship was explained by the individual's internalized views of negative labeling by parents.

A third researcher also used the NYS data to examine a similar research question, but alternative measures were used to represent some of the constructs (Heimer, 1996). First, Heimer reported that the anticipated disapproval of delinquency by friends' resulted in a lower likelihood of engaging in delinquency for girls only. This finding may be particularly important in the context of a TC hearing. If girls believe that their peers disapprove of delinquency through labeling during the TC hearing, they may be less likely to engage in delinquent behavior. As mentioned,



a possible mechanism through which this relationship will exhibit itself is a positive self-concept. This relationship was not found for boys; anticipated disapproval of delinquency did not influence future delinquency. Attitudes favoring deviance and delinquency were the most predictive variable for boys in engaging in future delinquency. Therefore, boys' negative self-concept may be formed independent of labeling. Even though differences were found between genders related to the influence of anticipated disapproval of delinquency on future delinquency, a cross group test comparing this difference was insignificant. However, the combined findings support the importance of a negative self-concept in leading to delinquency.

Review of the research suggests support for a labeling effect on delinquency which operates through self-concept. Support is also provided for differential gender effects on the relationship between labeling and delinquency, although the exact effect of gender on this relationship is unclear. Since TC is such a unique experience compared to traditional juvenile justice services, it has the potential for labeling teens even though its intentions are to reduce labeling. Teen Court intends to be a less formal process, but in all reality is highly similar to a regular court; the main differences being the involvement of other teens and the ability for the offense to be expunged from the individual's record. Furthermore when one considers the offenses eligible for TC, it is likely that many of those teens who are arrested and not sent to TC will be deliberately ignored<sup>2</sup>. In addition to the feeling of formal labeling, TC also subjects teens to labeling by their peers, parents and the community. Therefore based on prior research it is hypothesized that the effect of TC on delinquency will be

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<sup>2</sup> Recall that the juvenile justice system is operating over capacity resulting in the failure to formally process many minor offenses. If TC's did not exist, many of those offenders would not be processed and would never be labeled through TC.

conditional upon gender and this relationship will operate through self-concept as a result of reactions to labeling during the TC process. Three hypotheses will be tested to determine if there is support for the above:

1. A positive self-concept will be related to less delinquency for both males and females
2. TC will result in a more positive self concept for females only
3. TC will result in less delinquency for females only

## Chapter 3: Methods

### Sample

Four TCs in Maryland, each in a different county, participated in both the process and outcome parts of the original evaluation conducted by Povitsky Stickle et al. (2006)<sup>3</sup>. The counties included are Anne Arundel, Charles, Kent and St. Mary's. Youth in each county who were eligible for TC were randomized into either the treatment group (received services from TC) or the control group (received services from DJS). The randomization period occurred from January 15, 2005 to May 30, 2005. Although eligibility standards differed slightly by county, generally offenders had to be between the ages of 11 and 17 and have committed a misdemeanor offense for which they admitted guilt<sup>4, 5</sup>.

A total of 168 youth were randomized into either the treatment or control group. Following parental consent, 107 of the original 168 youth were allowed to participate in the evaluation. This resulted in 56 treatment and 51 control cases (see Table 1).

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<sup>3</sup> The original evaluation consisted of two parts; the process evaluation examined whether the TCs were meeting the standards defined by themselves while the outcome evaluation examined whether the outcomes they had defined were actually occurring (i.e. reduce delinquency).

<sup>4</sup> For more information on the randomization procedure, see Povitsky Stickle et al. (2006)

<sup>5</sup> Although repeat offenders were eligible for the study provided they had not participated in TC within the past two years, the majority of the cases were first time offenders. Comparisons in the original study suggest the inclusion of repeat offenders did not bias differences between the treatment and control groups.

**Table 1: Number Randomly Assigned and Rates of Study Participation, by Group**

	Randomized N	Participated N(%)
TC	83	56 (67%)
DJS	85	51 (60%)
Total	168	107 (64%)

Three to four months following intake, each participant was contacted by phone to set up a time to take a survey. Due to the inability to contact or refusal, only 75 participants completed the posttest for a 70% response rate (see Table 2). Of the TC group, 42 completed the posttest compared to 33 from the control.

**Table 2: Number of Study Participants and Rates of Posttest Completion, by Group**

	Participated N	Completed Posttest N(%)
TC	56	42 (75%)
DJS	51	33 (65%)
Total	107	75 (70%)

Table 3 shows the results of an attrition analysis comparing those who did not take the posttest with those who did. The only significant difference between those post tested and those not post tested is for age of the control group; those in the control group who failed to take the posttest were older than those who did (15.72 and 14.51 years, respectively). Unfortunately, significant attrition by condition interactions were found for age and grade. Those who took the posttest and were part of the treatment group were more likely to be older (15.05 years old), on average, than those in the treatment group that did not take the posttest (14.42 years old). On the other hand, those that took the posttest and were part of the control group were

significantly younger (14.51 years old) than those in the control group who did not take the posttest (15.72 years old). This is a potential serious threat to internal validity in that the treatment group retained a greater percentage of older participants than the control. This could confound the results since it is well known that older youth tend to be more delinquent than younger youth. Hence, age will be controlled in the analyses.

**Table 3: Attrition Analysis**

	Not Post-Tested (N=32)			Post-Tested (N=75)			TOTAL
	Mean or %	SD	N	Mean or %	SD	N	N
Percent White							
Treatment	69.20		13	75.60		41	54
Control	83.30		18	58.10		31	49
Total	77.42		31	68.06		72	103
Percent Male							
Treatment	57.10		14	57.10		42	56
Control	72.20		18	72.70		33	51
Total	66.00		32	64.00		75	107
Age <sup>a</sup>							
Treatment	14.42	1.45	14	15.05	1.59	42	56
Control*	15.72	1.64	18	14.51	1.58	33	51
Total	15.16	1.67	32	14.81	1.80	75	107
Grade <sup>a</sup>							
Treatment	8.56	1.51	9	9.58	1.70	36	45
Control	9.86	1.79	14	9.19	1.69	32	46
Total	9.35	1.77	23	9.40	1.69	68	91

<sup>a</sup> Significant Attrition X Condition interaction,  $p < .05$ .

\* Difference between those who were not post-tested and those who were post-tested is significant,  $p < .05$ .

Table 4 compares the treatment and control groups on demographics for only those who took the posttest. Although there are no significant differences between the groups, the attrition reported above cannot be ignored. Moreover due to the small sample sizes, the probability of type II errors is high. This suggests that there may

actually be important differences between the groups that are not reaching levels of significance. To account for any possible preexisting differences between the treatment and control groups that could potentially be driving the results, a sensitivity analysis was conducted in the original report (Povistky Stickle et al., 2006). This method imputed values for outcome scales for all cases with missing data on these scales. These imputed values were based upon scale averages of cases matched on gender, age and race. The analysis suggested that results based on the scores that had been augmented with imputed data for the missing cases, did not deviate from the results without these missing cases (see Povitsky Stickle et al., 2006 for more information). Therefore, some support is provided that the attrition by condition interactions did not bias the results.

**Table 4: Attrition Analysis (all respondents post-tested by September 2005)**

Outcomes	Teen Court (N=42)			DJS (N=33)		
	Mean	SD	N	Mean	SD	N
Age	15.05	1.59	(42)	14.52	1.58	(33)
Grade	9.58	1.70	(36)	9.19	1.69	(32)
	<u>%</u>			<u>%</u>		
Gender (% Male)	57.1%		(42)	72.7%		(33)
Race (% White)	75.6%		(41)	58.1%		(31)

Given that so few rigorous evaluations have been conducted on TC, the original evaluation was not meant to generalize to all TCs. It was merely testing whether or not there are any casual effects of the TC's included in the study on the outcome measures. This study does not intend to generalize to any population. The purpose here is to examine whether there is a casual effect of TC on delinquent self-perceptions and delinquency that is dependent upon gender. If a casual effect is

discovered, future larger scale studies should examine this effect across different samples, settings and times.

## **Measures**

All variables for the current study are measured by a posttest developed by UMD researchers. The posttest consists of demographic items and scales measuring outcomes identified by the participating counties as being most likely to be affected by TC including delinquency, susceptibility to peer influence, attitudes towards the community, self-perceptions, respect for authority, and perceptions of negative consequences. This study uses only a portion of the survey in the analysis (see appendix A for items).

## Demographics

Participants were asked about their gender, age, race, whether or not they attended school and their grade in school. All demographic variables are control variables aside from male which is an independent variable for two of the hypotheses. Male is a dummy variable (1=male; 0=female), age is a discrete variable ranging from 11-18 (11=11 years old; 18=18 years old), white is a dummy variable (1=white; 0=minority), school is a dummy variable (1=attends school; 0=does not attend school), and grade is a discrete variable ranging from 6-11 (6=6<sup>th</sup> grade; 11=11<sup>th</sup> grade).

## Program

As mentioned, participants were randomly assigned to the program condition which will serve as the second independent variable in the study. This variable, called TC, is coded as 1 indicating TC and 0 indicating DJS.

## Delinquency Measure

The dependent variable for the first and third hypotheses, delinquency, was measured through the use of three scales. Each scale was examined individually when determining whether the independent variables significantly predict delinquency. All scales (variety drug use and delinquent behavior since TC<sup>6</sup> and last month frequency drug use) were from the *What About You* survey developed by Gottfredson and Gottfredson (1992). The mean of all items in each scale was computed and will serve as an estimate of each individual's level of delinquency; higher scores indicating more delinquency.

Reliabilities were computed for each scale based upon those that took the posttest. Table 5 shows that all three scales are acceptably reliable. As these scales have been used previously, validity has been adequately established. The technical manual for the *What About You* survey reports validity data for the three measures used (Gottfredson and Gottfredson, 1992). This conclusion is supported by correlations with other scales thought to be related to these three measures based upon theory. All three measures were shown to be valid across race and gender.

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<sup>6</sup> For the purposes of this evaluation, the reference category for these items was changed from the last year to since teen court.



### Positive Self-Concept Measure

The dependent variable for the second hypothesis will be measured by a positive self-concept scale consisting of 12 items. This scale is from the Effective School Battery Scale (Gottfredson, 1984). Since this scale has three different response sets, all items were recoded to a two response format. The mean was also computed for this scale; higher scores indicating a more positive self-concept. Table 5 reports the reliability for the scale and it can be concluded that this scale is acceptably reliable. In addition, validity has been established and is reported in the manual for the Effective School Battery Scale (Gottfredson, 1984). Scale items were correlated with constructs which have been theoretically established to be either positively or negatively correlated with self-concept.

**Table 5: Scale Reliabilities (All Cases with Post-Test Data)**

<b>SCALE</b>	<b>ALPHA</b>	<b>N</b>
Last Month Frequency Drug Use (0-3; low score is positive; 5 items)	.81	74
Variety Drug Use Since TC (0-2; low score is positive; 5 items)	.77	75
Delinquent Behavior Since TC (0-2; low score is positive; 13 items)	.80	74
Positive Self-Concept (0-1; high score is positive; 12 items)	.67	69

Table 6 shows the mean, standard deviation, ranges for those involved in the study and the sample size for each of the variables involved in the study. The sample is 65% male and 64% white with an average age of 15 years old. In addition 90% of the students attend school with the average being in 10<sup>th</sup> grade.

**Table 6: Descriptives for Variables**

Variable	Mean	SD	Range	N
Male	.65	.48	0-1	75
Age	15.16	1.66	11-18	75
White	.64	.48	0-1	75
School	.90	.30	0-1	72
Grade	10.03	1.53	6-12	69
Teen Court	.56	.50	0-1	75
Last Month Frequency Drug Use	.43	.56	0-2	75
Variety Drug Use Since TC	.61	.55	0-1.8	75
Delinquent Behavior Since TC	.25	.30	0-1.2	75
Positive Self-Concept	.68	.19	.08-1	75

**Procedure**

For the first hypothesis an ordinary least squares regression analysis will be conducted. The demographics discussed in the measures section will be included as controls. Examining the correlations between the control variables showed that the grade and school variables were multicollinear with age. Dropping grade and school as opposed to age allows for the retention of the entire sample. Considering the small sample size, grade and school were dropped from all following regression analyses. Also, the errors for the delinquency dependent variables are not normally distributed. To correct for this violation, the natural log of the dependent variables were computed after adding .1 to each variable to account for the values of zero. The natural logged variables resulted in normal error terms and improved the  $R^2$  for each model.

For the first hypothesis (a positive self concept will be related to less delinquency for both males and females) each of the three delinquency variables will be the dependent variable while positive self-concept will be the independent

variable. Based upon my hypothesis the coefficient for self-concept should be negative.

$$\text{Delinquency} = \beta_0 + \beta_1 \text{ Positive Self-Concept} + \beta_2 \dots \beta_k \text{ Demographics}$$

For the second hypothesis (TC will result in a more positive self-concept for females only), considering the small sample size, individual t-tests will first be conducted to explore the relationship between self-concept, gender and program. That is, the mean level of self-concept will be compared for boys and girls by program. Provided there are any interesting findings from the individual t-tests, an OLS regression may be conducted to examine whether an interaction between gender and program can predict a positive self-concept. The dependent variable for the second hypothesis is self-concept while the independent variables are TC and male. An interaction term will be computed to determine whether there is an interaction between gender and program predicting a positive self-concept. According to the hypothesis, this interaction term should be significant and negative.

$$\text{Self-Concept} = \beta_0 + \beta_1 \text{ TC} + \beta_2 \text{ Male} + \beta_3 \text{ TC*Male} + \beta_4 \dots \beta_k \text{ Demographics}$$

Again due to the small sample size, individual t-tests will first be conducted to explore the third hypothesis (TC will result in less delinquency for females only). The mean of each of the three delinquency variables will be compared independently for boys and girls by program. If the findings are interesting, further exploration using OLS will be conducted to examine whether an interaction between gender and program can predict the three delinquency variables. The dependent variable for the third hypothesis is each of the three delinquency variables and the independent variables are TC and male. The interaction term between gender and program from

the second hypothesis will also be used to determine whether the interaction predicts delinquency. According to this hypothesis, this interaction term should be significant and positive.

$$\text{Delinquency} = \beta_0 + \beta_1 \text{TC} + \beta_2 \text{Male} + \beta_3 \text{TC*Male} + \beta_4 \dots \beta_k \text{Demographics}$$

## Chapter 4: Results

### Hypothesis 1

The first set of regression analyses support the first hypothesis; teens with a more positive self-concept are less likely to report all three types of delinquency. Age also predicts all three types of delinquency. Since it is well known that older teens are more likely to be involved in delinquent behaviors, these findings are expected. Finally, as is reported in the original report, being a male or involved in TC is related to greater involvement in delinquent behaviors. In addition to these two findings, minorities also report greater involvement in delinquent behaviors.

**Table 7: Regression Analysis Examining the Impact of Self-Concept on Delinquency**

	(LN) Last Month Frequency Drug Use (N = 75)		(LN) Variety Drug Use since Teen Court (N = 75)		(LN) Delinquent Behavior since Teen Court (N = 75)	
	$\beta$	p	$\beta$	p	$\beta$	p
Positive Self-Concept	-1.999*	.002	-1.962*	.001	-1.709*	.000
Male	.087	.728	-.148	.497	.442*	.007
Teen Court	.080	.742	.227	.284	.500*	.002
Age	.282*	.000	.329*	.000	.093**	.043
White	-.126	.615	.076	.729	-.537*	.001
	$R^2 = .272$		$R^2 = .410$		$R^2 = .396$	

\*  $p < .01$ , two-tailed test

\*\*  $p < .05$ , two-tailed test

Note - Unstandardized regression coefficients are reported.

### Hypothesis 2

Since a positive self-concept is related to less delinquency for both boys and girls combined, the second step is to determine whether TC results in a more positive self-concept for girls only. Individual t-tests were conducted to compare boys and

girls on levels of self-concept by program. While the difference in self-concept between girls in the treatment and control groups is not significant, the difference in self-concept between boys in the treatment and control groups is. Boys who were involved with TC, on average, report lower levels of self-concept than boys involved with DJS. In fact, TC boys report the lowest level of self-concept of all three groups and although not significantly different from DJS females, TC females report the highest level of self-concept. Although I did not hypothesize that this effect would be found, previous research suggests that TC may be an avenue for displaying masculinity, potentially resulting in a more negative self-concept for TC males. Since a significant finding was discovered, an OLS regression will be conducted to explore further the relationship between gender, program and self-concept.

**Table 8: Means for Positive Self-Concept, by Program and Gender**

Females (N = 26)						
	<u>TC</u>			<u>DJS</u>		
	Mean	SD	N	Mean	SD	N
Positive Self-Concept	.741	.225	18	.696	.192	8
Males (N = 49)						
	Mean	SD	N	Mean	SD	N
Positive Self-Concept	.582*	.156	24	.717	.165	25

\*  $p < .01$ , two-tailed test

Stepwise regression analyses show that for both the basic model and the full model including the control variables, the p-value for the interaction term between gender and TC approaches significance (ranging from .058 to .103 in the different models). Since the sample size is small, these p-values are notable. These findings

coupled with the individual t-tests suggest that the association between TC and self-concept may vary by gender.

**Table 9: Regression Analysis Examining the Difference between Male and Female Control and Treatment Cases on Levels on Self-Concept**

Positive Self-Concept (N=75)								
	Model 1		Model 2		Model 3		Model 4	
	$\beta$	p	$\beta$	p	$\beta$	p	$\beta$	p
TC*Male	-.179	.058	-.179	.058	-.157	.098	-.155	.103
Teen Court	.045	.563	.042	.585	.044	.568	.041	.598
Male	.021	.780	.024	.745	.012	.871	.016	.833
Age	-	-	.009	.464	-	-	.013	.333
White	-	-	-	-	-.060	.194	-.067	.150
	$R^2 = .157$		$R^2 = .157$		$R^2 = .157$		$R^2 = .157$	

Note - Unstandardized regression coefficients are reported.

### Hypothesis 3

After finding support for the first hypothesis (teens with a more positive self-concept engage in less delinquency) and the suggestion of a negative effect of TC on males' self-concept, it must be determined whether TC boys engage in more delinquency than TC girls. Due to the small sample size, boys and girls were again compared independently by group on each of the three delinquency variables. There are no significant differences in reported levels of delinquency when treatment and control girls are compared. On the other hand TC boys, on average, reported more drug use since TC and more delinquent behavior since TC. This finding suggests that of all four groups, TC males engage in the most delinquency. Since a significant finding was discovered, an OLS regression will be conducted to further explore the relationship between gender, program and delinquency.

**Table 10: Means for Delinquency Variables, by Program and Gender**

Females (N = 26)						
	<u>TC</u>			<u>DJS</u>		
	Mean	SD	N	Mean	SD	N
Last Month Frequency Drug Use	.378	.480	18	.325	.385	8
Variety Drug Use Since TC	.589	.463	18	.575	.483	8
Delinquent Behavior Since TC	.198	.281	18	.077	.082	8
Males (N = 49)						
	Mean	SD	N	Mean	SD	N
Last Month Frequency Drug Use	.625	.749	24	.304	.392	25
Variety Drug Use Since TC	.800*	.610	24	.440	.548	25
Delinquent Behavior Since TC	.397*	.324	24	.188	.277	25

\*  $p < .05$ , two-tailed test

Stepwise regression analyses show that the interaction term between TC and gender fails to significantly predict any of the delinquency variables. The regressions do show that older teens report higher levels of last month variety drug use and drug use since TC. Also, minorities report higher levels of delinquent behavior since TC. If the regressions are run without the interaction term, all three significant findings are upheld. In addition, as reported in the original analysis, males and those involved with TC significantly report more delinquent behavior since TC ( $p < .01$ ). Although not significant, the p-values suggest that there may be an interaction between gender and TC in predicting variety of drug use (Table 12) and delinquent behavior since TC (Table 13). For the full model predicting delinquent behavior since TC and the model including the significant variable, the p values for the interaction term are .123 and



.135, respectively. Considering the small sample size these values are notable.

Although the p values are slightly higher for variety drug use since TC, the same pattern emerges with lower p values for the full model and the model including the significant variable.

**Table 11: Regression Analysis Examining the Impact of Gender and Program on Last Month Frequency Drug Use**

(LN) Last Month Frequency Drug Use (N = 75)								
	Model 1		Model 2		Model 3		Model 4	
	$\beta$	p	$\beta$	p	$\beta$	p	$\beta$	p
TC*Male	.473	.406	.464	.379	.419	.471	.466	.388
Male	-.136	.762	-.041	.922	-.115	.801	-.042	.921
Teen Court	-.042	.930	-.106	.808	-.040	.933	-.106	.809
Age	-	-	.258*	.001	-	-	.258*	.001
White	-	-	-	-	.148	.599	-.006	.983
	$R^2 = .028$		$R^2 = .177$		$R^2 = .032$		$R^2 = .177$	

\*  $p < .01$ , two-tailed test

Note - Unstandardized regression coefficients are reported.

**Table 12: Regression Analysis Examining the Impact of Gender and Program on Variety Drug Use Since Teen Court**

(LN) Variety Drug Use since Teen Court (N = 75)								
	Model 1		Model 2		Model 3		Model 4	
	$\beta$	p	$\beta$	p	$\beta$	p	$\beta$	p
TC*Male	.704	.191	.693	.140	.572	.292	.628	.189
Male	-.518	.225	-.402	.280	-.466	.274	-.379	.311
Teen Court	.005	.991	-.074	.849	.010	.982	-.069	.859
Age	-	-	.314*	.000	-	-	.305*	.000
White	-	-	-	-	.360	.172	.179	.445
	$R^2 = .080$		$R^2 = .314$		$R^2 = .053$		$R^2 = .320$	

\*  $p < .01$ , two-tailed test

Note - Unstandardized regression coefficients are reported.

**Table 13: Regression Analysis Examining the Impact of Gender and Program on Delinquent Behavior Since Teen Court**

(LN) Delinquent Behavior since Teen Court (N = 75)								
	Model 1		Model 2		Model 3		Model 4	
	$\beta$	p	$\beta$	p	$\beta$	p	$\beta$	p
TC*Male	.399	.281	.397	.283	.548	.135	.561	.123
Male	.270	.358	.289	.326	.211	.460	.231	.414
Teen Court	.257	.401	.244	.426	.251	.398	.233	.431
Age	-	-	.052	.310	-	-	.073	.146
White	-	-	-	-	-.406**	.024	-.499**	.013
	$R^2 = .190$		$R^2 = .202$		$R^2 = .032$		$R^2 = .270$	

\*\*  $p < .05$ , two-tailed test

Note - Unstandardized regression coefficients are reported.

## Chapter 5: Conclusions

The present evaluation extended the only study of TCs using an experimental design to date, to further explain the negative results found for TC participants.

Specifically I examined whether TC has a different effect on levels of self-concept and delinquency by gender, using labeling theory as the theoretical framework.

The results support the first hypothesis; a more positive self-concept is related to less delinquency for the entire sample. Second, although the regression results fail to support a significant interaction between gender and program predicting self-concept and delinquency, individual t-tests provide some interesting findings. It was originally anticipated that TC girls would report a more positive self-concept and as a result, less involvement in delinquency than the control girls. These hypotheses were not supported, but the individual t-tests support that TC boys report a more negative self-concept and more involvement in delinquency when compared to the control boys. In other words, there is some evidence that program type does not matter for girls but boys in TC fair worse than those in DJS. Although these findings are suggestive, they can not be definitely stated since the regression analyses failed to reach appropriate levels of significance. Perhaps if the sample size were larger the interaction terms in the second and third regression analyses would have been significant.

There are a number of possible explanations for the findings of the t-tests. First, Bartusch and Matsueda (1996) report that the female self-concept is highly influenced by reflected appraisals. Originally it was hypothesized that TC girls

would experience a reverse labeling effect, causing them to reject the delinquent role due to their desire to be well liked. This rejection would then presumably lead to a more positive self-concept and less delinquency. If the TC girls did not feel as though the jury actually represented their peers, the effect may not have been strong enough to produce a more positive self-concept than the DJS girls. Alternatively if the TC jury was actually composed of the girls' peers, the effect may have been different.

It is also possible that the rejection of the delinquent label occurs for girls in TC as well as those in DJS. DJS girls are not labeled by their peers, but are still formally labeled during the arrest and court process and are also informally labeled by their parents. Perhaps being involved in the study itself also contributed to the findings. If both groups of girls felt labeled by being a part of the study, they may have both rejected the role of delinquent resulting in similar levels of self-concept and delinquency. Overall, there is some evidence suggesting that program type may not have an effect on delinquency outcomes for girls.

Program type may, on the other hand, be important for boys; DJS boys fared better than TC. It was anticipated that TC would have no effect on males' self-concept or delinquency. However, as suggested by Bartusch and Matsueda (1996) and Heimer (1996), delinquency may be a means for displaying masculinity. Therefore, TC boys may feel labeled by the TC process causing them to internalize the label and feel masculine. Presumably, a more negative self-concept and greater involvement in delinquency would be the result. Although DJS boys may also feel formally labeled, there are more actors involved in the TC process. The greater sense

of labeling by peers may feed TC boys' egos increasing feelings of masculinity and future engagement in delinquency, if in fact masculinity is tied to delinquency. For example, Ray and Downs (1986) report that males self label was the strongest predictor of drug use, but self labels were not affected by formal or parental labels. The TC study suggests that labeling by peers could predict boys self labels resulting in a more negative self-concept and greater involvement in delinquency. The links between masculinity and delinquency as well as peer labeling and self labels should be explored further, but it is suggested that for boys, little or no action may be better than holding them publicly accountable.

### **Limitations and Future Research**

Even though an experimental design was employed, no study is without its limitations and this one is no exception. The first major issue is the small sample size, especially in this case when an already small sample size is analyzed by gender. For example, only eight of the DJS participants are female. This small number undoubtedly made it difficult to detect any differences between females by program type. Type II errors are highly likely when the sample size is too small. Perhaps if a larger sample was collected, TC girls may have significantly reported a more positive self-concept and less delinquency.

The second major issue is the significant attrition by condition finding. t-tests confirmed that there are no significant demographic differences between the groups that took the post-test. However, it cannot be ignored that the treatment group retained more of the older participants while the control group retained more of the younger participants. A number of tests were conducted to show this finding does not

bias the results, but future studies should try to avoid this situation and determine whether the results replicate.

Another limitation related to the nature of the study and the availability of existing research on TCs is its lack of generalizability. Both this study and the original are strictly exploratory. The effect of TCs on delinquency and other related outcomes is still unknown; these studies were designed to establish causal relationships that can then be explored further. Future studies should examine the relationships suggested here with a larger sample.

In addition, recall that teen courts are extremely diverse. Conceivably, one courtroom model could be driving the significant results reported for TC boys on levels of self-concept and delinquency. If one particular model results in more negative outcomes for boys, this model could be avoided. The sample was too small to determine differences between courts and/or counties. Once more, larger studies should be conducted to examine specific differences between TCs and control groups.

Finally, there is a causality issue related to the first hypothesis. Since participants were randomized to program type it can be assumed that the groups are equal prior to the treatment. When program is treated as the independent variable, differences in the dependent variable can be attributed to the program. The first hypothesis examines the impact of self-concept on delinquency and although individuals with a more positive self-concept engage in less delinquency, the nature of the causality can not be determined. It is possible that less delinquency results in a more positive self-concept rather than a positive self-concept resulting in less delinquency. If a pre-test was used, this difference would have been clear. Future

studies should not only randomize, but should also use both pre and post-tests allowing for more causal statements. Using a pre-post design will also allow the researcher to confidently state that differences in the variables of interest are due to the treatment condition as opposed to possible differences between groups prior to the treatment.

### **Other Theoretical Mechanisms**

As mentioned in the introduction, TCs were developed atheoretically. In addition, few studies have applied theory to findings related to TC. This study used labeling theory in an attempt to explain TC gender differences. Future research on TCs with larger samples should consider the role of theory in the planning process in an effort to better describe what about teen courts is effective. For example, self-concept was the intermediating variable of focus for this study but others have suggested that labeling leads to greater involvement with delinquent peers which then results in more delinquency. Perhaps this element could also explain the gender differences reported in the results and account for more of the variation in the dependent variables. In the remainder, I present ideas of how theory can be related to the variables TCs expect to influence, ideally then resulting in less delinquency. Future researchers should build upon the following ideas to make TC a more theoretically focused program which could then result in a better program that will be more effective.

## Differential Association and Social Learning Theories

The use of positive peer pressure is one of the mechanisms through which TCs hope to curb early juvenile delinquency. Teen court intends to direct peer pressure toward the disapproval of negative behaviors and toward approval of positive behaviors (Butts & Buck, 2002; Harrison, Maupin & Mays, 2001; Minor, Wells, Soderstrom, Bingham & Williamson, 1999). During adolescence, relationships with peers take precedence over relationships with family members; therefore it is believed that teens will respond more to their peers than to adult authority figures (Harmon, Lemm & Lippman, 2003; Butts & Buck, 2000). In fact, a strong connection has been found between peer interactions and delinquency. More specifically the more delinquent peers, the more likely an individual will be delinquent. Since a strong relationship exists between delinquent peers and delinquent behavior, it is assumed that the reverse will be true as well.

Two prominent theories are used to explain the relationship between peers and delinquency; Sutherland's differential association theory (1947) and social learning theory (Ackers, 1985). Both theories stress the importance of an excess of definitions favorable to breaking the law in becoming delinquent. If TCs are able to alter these definitions through the use of peers as the main characters of the court, future delinquency should decrease. Acker's theory is an extension of Sutherland's and further expresses the importance of reinforcement through the observation of others in generating delinquent behaviors. It is clear that TCs are developed to negatively reinforce delinquency and theoretically will be more effective coming from peers than from adults.



One concern is that teen peers may be more lenient in sentencing offenders, giving the impression that the delinquent behavior is not serious. In fact, offenders who were sent to TC often received harsher sentences than those who were sent to the juvenile justice system (Rasmussen & Diener, 2005; Williamson & Chalk, 1993), indicating that teens are not afraid to send the message that crime and delinquency are wrong and are associated with consequences. Since TC juries involve other recent offenders, the message that delinquent activities are not condoned is further reinforced (Harrison et al., 2001).

A variable such as the susceptibility to negative peer influence could be used to see if it mediates the relationship between TC and delinquency. Perhaps involvement in the jury as a sanction with other delinquents leads to a greater susceptibility to negative peer influence than if the individual would be exposed to DJS or another comparable control situation.

#### Procedural Justice Theory and Law Related Education

Another mechanism by which TCs intend to reduce delinquency is through the use of Law Related Education (LRE), which aims to educate offenders on the criminal justice system. Presumably, if offenders understand criminal justice processes and the law, they will respect the criminal justice system and be less likely to break the law (Forgays et al., 2005; Harrison et al., 2001; Minor et al., 1999; Williamson & Chalk, 1993). LRE relates to the theory of procedural justice because the amount of information one has on a procedure can influence perceptions of the procedure and its outcomes (LoGalbo & Callahan, 2001). The imposition of judgments by teens on teen offenders may be important when offenders are

evaluating procedural fairness (Rasmussen & Diener, 2005). Furthermore all teens are allowed to share their side of the story during the hearing process, which may also be an important factor in determining procedural fairness.

Law related education also has important benefits for volunteers. Although limited information is available on whether or not jurors actually acquire more information from TCs, a recent study by Forgays et al. (2004) found that jurors claimed more understanding of court processes and respect for formal court procedures after participating in TC. This may lower the chance of future delinquent behavior committed by volunteers in addition to offenders.

On the other hand, TC may cause negative feelings towards authority and a resistance to learning more about criminal justice processes. Particularly if the participant feels as though the process is juvenile, he or she may feel more negatively about the criminal justice system than if DJS was used as the avenue for punishment. In addition as mentioned in the previous section, TC often results in more sanctions than DJS. If a participant realizes DJS sanctions less for similar offenses, he or she may become bitter and lose respect for the criminal justice process.

### Restorative Justice

Restorative justice is a theory that views crime as a violation of people and relationships rather than an act against the state (Forgays et al., 2004; Godwin, 2001). As opposed to a focus on sanctioning and just deserts, restorative justice focuses on repairing the harm done by the offender and rebuilding relationships with a large emphasis on community involvement (Braithwaite, 1989). There are three actors involved in this approach; the offender, the victim, and the community. Restorative

justice attempts to hold the offender accountable but also assist with reengagement into the community. The victim is also given the opportunity to resolve any issues with the situation. The community becomes a central focus with the ultimate goal being a more cohesive community.

Recently, researchers have begun to equate restorative justice practices with TC. Although TC can not fully be described as a restorative justice program it includes many of the components, most notably promoting community cohesion (Butts & Buck, 2000). For example, TC ensures accountability of the offender while providing sanctions that both assist the community (i.e. community service) and require the offender to reflect on his or her actions in efforts of becoming a better citizen (i.e. essay). Some TCs also allow victim involvement, although this component should be encouraged more. If a victim is involved, an offender may be assigned an apology letter. This sanction assists the offender in seeing the impact of his or her actions, as well as facilitates rebuilding of relationships (Acker et al., 2001; Goodwin, 2001). A review of the restorative justice research implies that a definitive answer as to whether restorative justice programs are effective is mixed. Changes required of TCs would be minimal in order to focus the program on more restorative justice practices, but the individual components of restorative justice specifically related to TCs should be researched further.

The theories presented here are only a sample of how research can expand our understanding of TCs beyond whether they are effective. Using theory will help to explain what about TCs is effective, what components work the best and for whom. If this becomes the focus, negative results such as the ones found in this and other

studies will be less discouraging to the individuals who have put time and effort into a potentially positive program.

# Appendices

## Appendix A

**Goal:** Delinquency Self-Report

#	Items	Response Format (e.g., Likert, True/False, Yes/No)
<b>Variety of drug use since TC</b>		
	Since Teen Court, how many times have you:	Never
1	...smoked cigarettes?	Once  Twice or more
2	...used smokeless tobacco (snuff, chewing tobacco, dip, Skoal)?	
3	...drunk beer, wine, or "hard" liquor?	
4	...smoked marijuana (weed, grass, pot, ganja)?	
5	...taken hallucinogens (LSD, Ecstasy, mescaline, PCP, peyote, acid)?	
<b>Delinquent behavior since TC</b>		
6	...purposely damaged or destroyed property belonging to a school?	
7	...purposefully damaged or destroyed <u>other property</u> that did not belong to you, not counting family or school property?	
8	...stolen or tried to steal something worth <u>more</u> than \$50?	
9	...carried a hidden weapon other than a pocket knife?	
10	...been involved in gang fights?	
11	...belonged to a gang that has a name or engages in fighting, stealing, or selling drugs?	
12	...hit or threatened to hit a <u>teacher</u> or other adult at school?	
13	...hit or threatened to hit other <u>students</u> ?	
14	...taken a car for a ride (or a drive) without the owner's permission?	
15	...used force or strong arm methods to get money or things from a person?	
16	...stolen or tried to steal things worth <u>less</u> than \$50?	
17	...stolen or tired to steal something at school, such as someone's coat from a classroom, locker, or cafeteria, or a book from the library?	

18	...broken into or tried to break into a building or car to steal something or just to look around?	
<b>Last month frequency of drug use</b>		
	In the last <u>month</u> how often have you... (fill in one answer for each line.)	
19	Smoked cigarettes?	Not at all
20	Drunk beer, wine or hard liquor?	
21	Smoked marijuana (weed, grass, pot, hash, ganja)?	Once or twice
22	Taken hallucinogens (LSD, Ecstasy, Mescaline, PCP, peyote, acid)?	A few times a week
23	Used any other illegal drug?	Every day

**Objective:** Positive Self-Concept

#	Items	Response Format (e.g., Likert, True/False, Yes/No)
1	How satisfied are you with the way you are doing in school?	Very satisfied, Somewhat satisfied, Somewhat dissatisfied, Very dissatisfied
	How do other students in your school see you?	Very
2	A good student?	
3	A trouble maker?	Somewhat
4	Successful?	
5	A loser?	Not at all
6	I am the kind of person who will always be able to make it if I try.	True  False
7	My teachers think I am a slow learner.	
8	I do not mind stealing from someone—that is just the kind of person I am.	
9	I am not the kind of person you would expect to get in trouble with the law.	
10	Sometimes I think I am no good at all.	
11	I feel I do not have much to be proud of.	
12	I like myself.	

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