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## Paralysis in The Juvenile Justice System: The Effect of Closed System Strategies in an Open System

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PARALYSIS IN THE JUVENILE JUSTICE SYSTEM:  
THE EFFECT OF CLOSED-SYSTEM STRATEGIES  
IN AN OPEN SYSTEM

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TABLE OF CONTENTS

	Page
LIST OF ILLUSTRATIONS . . . . .	ii
ABSTRACT . . . . .	iii
INTRODUCTION . . . . .	1
Chapter	
I. STATEMENT OF THE PROBLEM . . . . .	3
II. METHODOLOGY AND DATA . . . . .	18
III. DATA ANALYSIS . . . . .	37
IV. SUMMARY AND CONCLUSIONS . . . . .	41
APPENDIX . . . . .	45
BIBLIOGRAPHY . . . . .	50

LIST OF ILLUSTRATIONS

Figure	Page
1. General Schematic of the Evolution and Process of the Juvenile Justice System . . . . .	25
2. The Pseudo-Species Mentality (PSM) - Interterritorial Conflict (ITC) Interaction Model . . . . .	27

## ABSTRACT

This paper outlines the effects of using closed system strategies for policy development and implementation in an open system (the juvenile justice system). In Chapter I, the history of juvenile offender treatment policy development and implementation, in the United States, is briefly reviewed. A discussion of the problem, using closed system strategies in policy development and implementation, and dilemmas of non-integrated juvenile offender treatment policies is examined.

In Chapter II, a model is developed and used to illustrate the interaction modes and interrelationships between the components of the juvenile justice system (police, courts, and corrections and its environment (private practitioners and the public). The model highlights the modes of interaction and provides a framework to visualize and analyze the modes. It also provides the foundation for a hypothesis. Data to infer the existence of PSM (Pseudo-species psyche mentality) and ITC (Inter-Organizational Territorial Conflict) and the manifestations of the interaction modes in the "real world" are used to support the hypothesis.

In Chapter III, the results of a survey instrument are analyzed. Due to poor instrument design the data from the survey cannot be used to infer the existence of PSM and ITC or the modes of interaction in the "real world" environment. Chapter IV draws conclusions on available data and research and concludes with several proposals/recommendations designed to insure that juvenile offender treatment policy development and implementation is integrated throughout the juvenile justice system process.

## INTRODUCTION

The Juvenile Justice System in the United States is criticized as inefficient and ineffective. The bottom line of the criticism is that our "system" is breeding criminals. It is charged that the mainstay of our justice system, the institutions (jails, reformatories, etc.) are not the bastions of reform and rehabilitation but are instead cesspools where juvenile offenders are "prepared or programmed" for a life of crime. Charles Manson, convicted killer in the Tate-Bianca murders, and Norman Mailer's star writer, Jack Ford, killer and author of From the Belly of the Beast, are perfect examples of the failures of our juvenile and adult penal institutions. As a result of this criticism of institutional strategies, the concept of "diversion" has become the buzz word of contemporary juvenile offender (JO) treatment policy. The basic premise of "diversion" is to shift the JO from the formal Juvenile Justice System and/or its institutional settings. Here the runaway juvenile is referred to a shelter facility or foster home instead of a jail or reformatory. Another example would be a JO caught vandalizing property would be placed in a community retribution program instead of a juvenile work farm. In theory, this action will prevent the manifestations of Differential Association (Sutherland, 1957) and/or Labeling Theory (or self-fulfilling prophecy) (Duncan, 1967). In essence, the JO will not be able to interface with other JOs or adult offenders and adopt criminal behavior patterns or internalize

the administrative labels of delinquent or criminal, thus preventing the "breeding" of criminals phenomenon.

The proponents of diversion strategies have made significant strides in the past two decades. Their efforts are manifested in the ever burgeoning patchwork of public and private sector agencies, programs, and projects that form the basis of JO treatment alternatives. The tragedy is that this patchwork has become a quagmire for practitioners and JOs alike. Unfortunately, the patchwork has been the culmination of fragmentation in policy initiatives based on three faulty assumptions: (1) the agencies, programs, and projects would not compete for funding, jurisdiction or clientele (JOs); (2) the practitioners, who are schooled in different disciplines, would not compete with each other for the "one best way" to treat JOs; and (3) the JOs would receive the best treatment alternative without regard to the limited availability of resources, jaundiced or predisposed practitioners, or the bureaucratic red tape of public and/or private bureaucracies.

With these assumptions in mind we will examine the evolution of JO treatment policy, develop and test a model to illustrate the interrelationships between the components of the Juvenile Justice System, and make proposals for the implementation of open-system strategies for optimal cooperation between the components and the private sector alternatives.

## CHAPTER I

### STATEMENT OF THE PROBLEM

#### Historical Perspective/Overview of Juvenile Offender Treatment

The policy developments of the institutional and diversion concepts in juvenile offender treatment policy have evolved over four unique historical periods in the United States: the Puritan Period, the Refugee Period, the Juvenile Court Period, and the Era of Juvenile Rights - Runaway Treatment Legislation. A brief review of these periods provides a foundation for understanding the dynamic policy-making process in juvenile offender treatment policy initiatives. It will also provide the reader with appropriate background knowledge and insight into the subject matter of this paper.

#### The Puritan Period (1616-1824)

The role of the child in Puritan Society was linked to the needs of a struggling agricultural economy. The child was considered as property because his labors were essential to economic survival during colonial times.

The Puritan family was responsible for the welfare and socialization of its children. The Puritan religion was the basis for requiring strict obedience to the father. Discipline was the founding virtue of Puritan thought. Delinquency prevention was a family endeavor. If the



family failed to instill discipline the child would be placed into another family under an involuntary apprenticeship. This can be seen as the first step towards institutionalization of the juvenile offender.

The underlying principle of the Puritan Period is that the child was essential to economic survival. As the child began to reach maturity at sixteen years, he was able to threaten the family's economic and social stability by declaring his independence. To insure stability, laws were passed that provided the means to treat the child as property and apply harsh sanctions for disobedience (Massachusetts Stubborn Child Law - the first status offense law in America). (Smith, Berkman, Fraser, Sutton, 1980, p. 6) The status offense law made truancy, runaway, and delinquency crimes based on the status of a person. Adults couldn't be charged with these offenses, only children could.

#### The Immigrant Period (1824-1899)

During this period, the industrial revolution and subsequent urbanization, changed the economy from agricultural to mercantile. The new labor force demands forced the disintegration of the traditional multi-generation extended family and left the nuclear family (father, mother, and children) in the single household. At times the father and mother both worked and the children were left unattended to run the streets. This was predominate in the immigrant poor working class.

Additionally, this was the period of enlightenment. A shift of values occurred in America. This shift was a byproduct of European Enlightenment. In contrast to Puritan thought, the enlightened social agents viewed the child as innocent, not evil. Deviance was viewed as

an evil existing in the child's environment, to include his family. Deviance became a treatable illness instead of a sign of innate evil.

The enlightened society combined its goals of social control and rehabilitation of the juvenile child by creating the institution. The institution was designed to take the child from his evil environment (family and jails) and provide him a wholesome nurturing environment. This could be seen as the first diversion strategy. The institution took on many forms: penitentiaries, reformatories, hospitals, insane asylums and alms or "workhouses." This was the first progressive movement towards collective social responsibility for children, a diversion tenet. The family institution was failing to perform its function of socialization. The social welfare institution began to pick up the function. At the same time, education and legal institutions were supplementing the functions of the child's socialization. Massachusetts passed the first compulsory education law. In 1899, the legal doctrine of parens patriae (parents for the State) was formed by the courts. It embodies the power of the State to act in the place of the parents for protecting the child's welfare. (Smith, Berkman, Fraser, Sutton, 1980, p. 12) These combined efforts established the precedence of social intervention into the family's function of child socialization.

#### The Juvenile Court Period (1899-1960)

The parens patriae doctrine was the basis for the judicial jurisdiction over the juvenile's socialization. The creation of the juvenile court system institutionalized the concept of the legal immaturity of children and the weakness of the family institution.

The first juvenile courts were created to separate the treatment of juveniles and adults. This strengthened the court's role as "super parent." It was the first embodiment of a unique legal institution concerned for the child's welfare. The emphasis was on care and rehabilitation. Adjudication was a legal matter of record and rule of law. This could be seen as a strengthening of diversion philosophy. The problem juvenile was diverted from the family environment to the institutional environment. Then the JO was diverted from the adult courts to juvenile courts. This was the first step towards separating juvenile offenders and adult offenders.

During this period, social values were changing again. The female suffrage movement was in full swing. The economy was beginning to prosper. Child labor laws were being passed in many states. The courts were disenchanted with the institutions' inability to rehabilitate offenders. The institutions lacking resources to rehabilitate opted for the custodial functions of warehousing humans. The juvenile court attempted to abate the evils created by the reformatories by changing the method of treating juveniles. The juveniles' legal proceedings were modified and juveniles were placed in separate institutions from adult offenders. The only real change was not in the ends, but the means, which is the discussion of the next period.

The Era of Juvenile Rights - Runaway  
Treatment Legislation (1960-Present)

In the adult court arena, major progress on the issues of due process and equity were made. The juvenile court was a separate jurisdictional entity whose ideal was to judge what was best for the juvenile so that the new adult provisions were not viewed as applicable

to children. However, social values were again changing. The catalysts for change were grounded in educational and socio-psychological values instead of economic conditions. The judges, probation officers, correctional officers, and police juvenile officers were being upgraded via specialization and a rise in educational levels. This upgrading provided legitimacy to their professions in the form of added power and prestige.

The issue of equity surfaced in the monumental Kent (1966) and In Re Gault (1967) Supreme Court decisions. (Cox & Conrad, 1978, pp. 274-290) In these cases, the court weighed the juvenile justice system's rehabilitative abilities against the child's right to due process. The child was granted status and many of the due process provisions formerly granted to only adults. The status offenders or PINS (Persons in Need of Supervision) are still lacking these due process guarantees because they are considered "children" by the court who feels they don't need these formal benefits of laws. They feel they are doing everything that is best for the child and there is no need to have an adversary system like the adult criminal justice system. They are not afforded the In Re Gault provisions as are juveniles tried for criminal acts. (Smith, Berkman, Fraser & Sutton, 1980)

There have been several major attempts to treat JOs in a more equitable manner. In the 70s, two significant federal mandates in juvenile offender treatment policy have provided the impetus for the proliferation of formalized diversion strategies in the public and private sectors. These mandates are the National Runaway Youth Act of 1974, and the Juvenile Justice and Delinquency Prevention Act of 1974.

The National Runaway Youth Act of 1974 placed the responsibility

for runaways under the authority of the Department of Health, Education and Welfare, now Human and Health Services (HHS). The act "decriminalized" runaway youth as status offenders in federal jurisdictions. (Smith, Berkman, Fraser & Sutton, 1980) The Juvenile Justice and Delinquency Prevention Act of 1974, Public Law 93-415 (JJDP 74) and its 1977 Amendments, Public Law 95-115, provided the major thrust for diversion strategies in juvenile offender treatment policy initiatives. JJDP 74 established the Office of Juvenile Justice and Delinquency Prevention (OJJDP) within the U.S. Department of Justice. OJJDP's mandate is to locate delinquency prevention programs outside of the formal juvenile justice system. JJDP 74, Section 223 (a) (12), mandated the deinstitutionalization of juvenile offenders and directed their diversion to shelter facilities. The 1977 amendments clarified and defined a "shelter facility" to mean ". . . appropriate, non-secure, small, community-based alternatives to juvenile detention or corrections facilities; such as, home detention, group homes and foster homes." (Swartz, 1980, pp. 4-5) These objectives were to be achieved by funding through grants to existing and/or new programs in each state that met the qualifications and complied with the aims delineated in JJDP 74 and 77. (Swartz, 1980)

The statutes, while innovative and sweeping in nature, merely provided a framework for action but failed to provide a mechanism for developing mutual policy formulation or integrated policy implementation. Granted, funding was made available, but it only "created" programs or the motivation for a "government handout" to some existing, fledging programs. The root of the problem is the two faulty assumptions the statutes are based on. First, the lawmakers assumed that community-based

diversion alternatives and resources are, or would be coordinated, available, adequate, and relatively infinite in each community, state or region of the United States. Secondly, they assumed that multi-disciplined practitioners, predisposed to the particular ideologies of their own professions, would develop integrated policy on the treatment of juvenile offenders and utilize the optimal mixture of community-based resources for the benefit of the juvenile offender, maintaining the maximum mutual professionalism disengagement. We will examine both of these faulty assumptions in-depth but a footnote on the societal changes occurring in the 70s and 80s is worth mentioning here.

The home environment is again undergoing a metamorphosis. The nuclear family is disintegrating. The divorce rate in the United States is the highest in the world. Between 1970-1977 it rose 70 percent (U.S. Bureau of the Census, Social Indicators, 1976) In 1977, there were 5.3 million single-parent families with children under eighteen, three million of which had a full-time working mother. In 1978, 38 million adult women in the United States were in the work force or looking for work. (Huttman, 1981)

In addition, there has been a 23 percent increase in juveniles committing violent crimes from 1973-1977. While juveniles only make up 14.6 percent of the total United States population, they are responsible for 24.2 percent of the robberies, 17.8 percent of the aggravated assaults, and 30.4 percent of the personal larcenies, such as purse snatchings and pocket picking. (Lauer, 1981) In 1978, there were 89,984 female juveniles arrested for runaway offenses and 46,812 were arrested for prostitution, an increase of 2.3 percent from

1977-78. There were 66,515 male juveniles arrested for runaway offenses and 21,967 arrested for prostitution, a jump of 13.4 percent from 1977-78. (Sourcebook for Criminal Justice Statistics, 1981, p. 344) These statistics convey the magnitude of the problems in juvenile offender treatment policy development.

### Community-Based Diversion Alternatives

#### The Coordination Dilemma

Recent surveys have uncovered several areas that reflect the fragmentation in policy initiatives throughout the Juvenile Justice System. Adequate guidelines in the form of written policy usually are not available to agency staff at any level of the system. Lack of policy leads to creating "rules of thumb" that may result in goal displacement and/or discriminatory practices. (Smith, Black and Campbell, 1979, pp. 50-51) In addition, there is ill will in the interactions between agencies on their expectations of each other. Several police departments have suggested that they may detain and refer many juvenile cases to keep the pressure on the intake staff. Intake staff suggest that the police misinterpret their function and send many inappropriate cases to them. (Smith, Black, Campbell, 1979, pp. 50-51)

There is a great deal of tension between juvenile justice agencies that results in a lack of unified or guided policy formulation. State correctional agencies, police courts, social welfare departments, and community programs for youth, each have different organizational goals, objectives and roles in their relationships with juvenile offenders. In the case of runaway-status offenders where states have sought to

deinstitutionalize on a large scale, there has been a pattern of reactions by police agencies and juvenile courts that range from skepticism to adamant opposition. Deinstitutionalization is perceived as diluting jurisdictional authority and eliminating staff positions. (Smith, Berkman, Fraser, Sutton, 1980, pp. 168-170) This tension has resulted in goal displacement which fans the criticism of inefficiency in the system. Overt manipulation of bureaucratic procedure has been used to sabotage particular programs. Instances involve holding status offenders in maximum security isolation in order to comply with the separation requirements of legislation. There are also instances where policy intentionally ignored citizen complaints regarding status offenders' behavior in order to induce pressure on the legislators to reinstate their authority to arrest and hold these offenders in secure detention facilities. (Smith, Berkman, Fraser, Sutton, 1980, pp. 168-170)

#### The Availability-Adequacy Dilemma

In 1977, the average daily cost per juvenile offender care alternative was as follows (Schwartz, 1980, p. 27):

<u>Non-Secure Alternatives</u>		<u>Secure Alternatives</u>	
Home Detention	\$ 14.00	Jail	\$ 24.00
Attention Home (Foster Home)	17.00	Secure Detention	61.00
Small Group Home	18.00		
Shelter	34.00		

These figures allow us to infer the most economical approach is to utilize the Non-Secure Alternatives in juvenile offender treatment policy initiatives. However, there are more than economic variables to consider. Community intolerance is one such variable.



Each community and each state is unique to some extent. Each also has commonalities such as juvenile delinquency, tax rates to finance services rural (agricultural economies) or urban (industrial based economies). While an examination of a rural state like North Dakota could not be considered representative of all states it does provide a source for illustrating the "availability-adequacy dilemma" for the discussion of this paper.

North Dakota has a total population of 661,400 people living within 69,273 square miles. (Rand McNally, 1980) That is approximately one person per 9.5 square miles. The economy is agricultural. The state has a small tax base and limited community services in the rural counties which make up the greater part of the State. The State is composed of 53 separate jurisdictional county governments which administer the normal governmental services, i.e., police, fire, welfare agencies, etc. The State is divided into six judicial districts that form the juvenile court supervisory areas. (Bollinger, 1977)

As of July 1981, eight group home-child care facilities ceased operations and four new facilities opened. (Dawes, 1981, p. 1)

The facilities closed for a variety of reasons but the one reason they had in common was economic in nature. Operating a facility depends on occupancy and funding. These are usually entwined when they involve private facilities that are subject to the "profit motive." This would preclude investing in most group or shelter homes unless the profit motive could be addressed so that the JO does not suffer. The only practical solution to comply with JJDP 74/77 would be to extensively utilize in-home detention or foster home placement. In the case of runaway offenders, in-home detention is detrimental to the

runaway and impractical in most circumstances. The reason most runaways leave home is because of the unhappy and dangerous home environment. Home detention requires the daily contact by a social service agent. In North Dakota, as in many rural states the great geographical distances make these visits impractical for the caseworker to travel long distances for daily visitations. Additionally, North Dakota experiences a unique climate (blizzard, snow and ice for approximately five months of the year) which adds to the complication of geographical distances caseworkers would have to content with.

This brings us to consider the use of foster care home placements for runaway offenders. In 1977, only fifteen states had statutory regulations that provided foster care as a diversion alternative for post-adjudicated status offenders. North Dakota was one of the 35 states that did not. (Sourcebook of Criminal Justice Statistics, 1980, 1981, pp. 124-125)

Still, the only seemingly viable alternative for diversion strategies in North Dakota would be foster home placement. Even without the statute for post-adjudicated status offenders, there are still the adjudicated and pre-adjudicated runaway offenders that can use the foster home placement diversion alternative. The runaway offenders who never enter the "formalized" or "official" system but are returned to their parent or return "voluntarily" (for survival reasons), can also utilize the foster home placement diversion alternative.

The foster care system in North Dakota, as in many states, is suffering from availability and adequacy problems. The use of foster care in North Dakota has been declining substantially since 1973, and significantly since 1968. (Dawes, 1981, p. 4) The multi-disciplined

practitioners, in North Dakota, maintain the following views on the state foster care system (Dawes, 1981, p. 16, p. 28, and p. 42):

1. The continuum of foster care is inadequate.
2. The greatest need is foster care facilities for adolescents and preadolescents.
3. The number of foster care facilities is inadequate and the ones that are adequate are not necessarily effective.

There were 56 juveniles that were not placed in foster care facilities because they were not adequate or suitable. Of these 56, 33 (59 percent) were girls and 23 (41 percent) were boys. (Dawes, 1981, p. 42) In North Dakota, the major obstacles to foster care placements, by priority are (Dawes, 1981, p. 45):

1. Facilities or homes are not available.
2. No suitable facility would accept the child.
3. Lack of parental cooperation.
4. Lack of legal custody.
5. Trauma of removing the child.
6. Costs are prohibitive and funds are not available or restrictions and guidelines do not permit placements.

Incidentally, the jail and police-lockup juvenile detention rates nationwide, indicate that there is a lack of 24-hour welfare intake services and placement depositions (the time it takes to negotiate foster care arrangements). (Smith, Black, Campbell, 1979, p. 52)

#### The Relatively Infinite Resources Dilemma

The facilities and services, as briefly discussed before, are not relatively infinite. In North Dakota, there is only one OJJPD funded runaway group home facility for the entire state. In 1978, the Family Therapy Institute, in Rugby, North Dakota, housed 25 runaways

and provided 15 others with services. Unfortunately, the facility has a maximum housing capacity of six runaways at any given time. There is also an eligibility requirement that the runaway must be 17 years of age or older to use the facility. (Runaway Youth Program Directory, 1979) In 1979, North Dakota police officials arrested a total of 566 runaways. Of these arrested, 405 were between the ages of 15-17 years of age and 161 were under 14 years of age. (Facts on Crime in North Dakota, 1980) One can only wonder where they all went for treatment or services based on these facts.

#### Professionalism Disengagement

Lack of Consensus as to Approach. The juvenile justice system is confronted continuously with a contradictory mandate. It must assist the individual juvenile in protecting his or her rights, and at the same time, protect the community from misbehaving youths. These dichotomous roles of socializing agent and coercive control agent, which the juvenile justice system is asked to serve, are not often completely understood or appreciated in terms of their contradictory ramifications in meeting the needs of the system, the juvenile, and the expectations of society. This situation most certainly applies to the status offender area where the policy-maker is continuously barraged with conflicting views.

This factor combined with the geographic and demographic heterogeneity of the country and the diverse social, economic, and political interests which are represented within the various states, creates a major obstacle to progressive status offender legislation. (Smith, Berkman, Fraser, Sutton, 1980, p. 168)

Professionalism Barriers

In a recent survey of practitioners, on the increased diversion alternatives, the response was that regardless of the classification or disposition decision of the case, agency staffs overwhelmingly prefer service agencies within the formal juvenile justice system. Less than 10 percent of the officials said they would use a private or non-profit service organization. When they are utilized, the traditional programs such as Big Brothers or Big Sisters were usually identified. The system agencies therefore, do not seem to rely on the resources and referral sources operated by community volunteers. (Smith, Black, Campbell, 1979, p. 53)

This reluctance towards diversion strategies is manifested in aggregate data. JJDP 74/77 stress the use of non-secure facilities and diversion of status offenders from institutionalization. However, the open facility in the public sector, as of December 31, 1977, is still a misnomer. Of the 966 public juvenile custody facilities in the United States, 596 remained institutional (secure facilities) and 396 were open (non-secure facilities). In contrast, of the 1,600 private juvenile custody facilities, 206 were institutional and 1,394 were open facilities. (Sourcebook of Criminal Justice Statistics, 1980, 1981, p. 128)

The segment that is primarily responsible for insuring diversion to non-secure facilities, the juvenile court, exhibits beliefs contrary to diversion philosophy. In North Dakota, 54 percent of the practitioners who treat juvenile offenders, feel that juveniles should be in non-secure type facilities. However, closer examination reveals that the juvenile court officials favor secure type facilities and the child care

attendants (63 percent) agree with them also. (Dawes, 1981) In short, the programmatic approach to diversion strategies has resulted in a fragmentation of the four dimensions of choice (Gilbert and Specht, 1974):

1. Bases of allocations.
2. Types of allocations.
3. The strategies of delivery.
4. The modes of finance.

The dilemmas illustrated so far can better be explained and analyzed by use of a model in the next chapter. Here we will explore the closed system strategies of the juvenile justice system's individual components and its interrelationships within the public and private sectors.

## CHAPTER II

### METHODOLOGY AND DATA

#### Elaboration of the PSM-ITC Interaction Model

##### Assumptions

This chapter will develop a model which considers inter-organization interactions. The model is based on several assumptions. The first assumption is that every practitioner in the juvenile justice system is significantly motivated by his own self-interest and his organization's orientations (goals and objectives). In other words, the practitioner's ability to make rational decisions is tempered by his own biases and his adherence to the Law of Self-Serving Loyalty. He will exhibit strong loyalty to his respective organization because it controls his job security and promotions. (Downs, 1967, p. 98)

The second assumption is that power is desired by all officials. Power is the ability to influence others and influence is essential to exert control or introduce change in making policy with competing factions. Officials are perceived and treated according to the power they hold. Therefore, each practitioner in the juvenile justice system will actively seek power to control or influence the direction of policy formulation in order to reinforce his position of prestige, status, superiority and social eminence in the continuum of juvenile offender treatment policy. (Tannenbaum, 1978)

The third assumption, the model is based on is the Law of Interorganizational Conflict. Each of the juvenile justice system's components is in partial conflict with every other component with which it deals. (Downs, 1967)

#### Conceptual Framework

My basic argument is that four variables combine together to form a "mindset" or pseudo-species psyche mentality (PSM) among the practitioners in each specialized component of the juvenile justice system. These variables are:

1. Self-interest
2. Desire for power
3. Organizational orientation
4. Interorganizational conflict

The interaction of these variables form a perpetuation of bands of functional specialists held together by their unique identities and philosophies which are reinforced by conflict with other opposing or rival organizations. Each of these bands of functional specialists (components of the juvenile justice system) view the others with suspicion and mistrust which is an outgrowth of the interorganizational conflicts over authority, jurisdiction, funding sources, or clientele. (Bennis, 1978, p. 285) In other words, the human practitioners in the juvenile justice system are "influenced" by these four variables to some extent. The "influence" can be disruptive to any attempts to make integrated juvenile offender treatment policy throughout the components of the juvenile justice system if they are not diluted in some fashion.



The variable of Interorganizational Conflict is a reinforcing agent for the pseudo-species mentality because it binds the functional specialists together in times of stress, e.g., resource allocations at the annual or supplemental budget hearings. At this point integrated policy is subject to modification to a "mutant form" of integrated policy or it may disintegrate entirely. This radical shift in policy by any one component will have a "rippling effect" on the other components. While each component is functionally divided, it still has overlapping and intertwining relations with each of the other components in the juvenile justice system. For example, if the juvenile court initiated and obtained funding for a new youth advocacy program without consulting the police and corrections components, the duplication of an existing juvenile-police liaison program or a corrections counseling program could result. In turn, the police or corrections component of the system may resent this infringement on their bureau territoriality. At this point, conflict between the organizations will occur, because their territorial zones (boundaries are often ambiguous) in the juvenile offender treatment policy space continuum, have been invaded by the juvenile court component. This ensuing ITC or "conflict" between the components will be at the expense of the offender. The conflict will hinder the optimal use of available resources. In addition, it will cause a fragmentation of integrated juvenile offender treatment policy to a point where juvenile offender treatment policy is disjointed and organizational goals become the "objective" or priority, outweighing the overall goals of "what is best for the offender."

The Premises of Component and System Interactions  
in Policy Formulation and Implementation

The premises consist of the pseudo-species mentality (PSM) and interorganizational territorial conflict (ITC). Each is defined as follows:

Pseudo-Species Mentality: is a policy bias that a decision-maker develops as a result of performing a specialized function or task, obtaining specialized training (schooling discipline) and/or indoctrination or orientation of the organization in which he is employed.

Inter-organizational Territorial Conflict: is the competition between organizations for scarce resources or allocations (budget) or conflict between organizations for functions or dominant policy space.

Pseudo-species Mentality (PSM) is an organizational frame of mind and a framework for action that develops and is nurtured in each of the components of the juvenile justice system. Each component maintains its own staff of functional specialists. The police are enforcement specialists, the court is composed of legal process specialists and corrections employs custodial and rehabilitation specialists. In these components, there is a division of labor which creates subspecialists or groups of subspecialists on specialized functions or tasks. An example is the juvenile officer or juvenile bureau in police departments. Their function is still law enforcement but only relative to juvenile offenders. The equivalents in the other components are the juvenile court supervisors and the juvenile probation/corrections officers. Each of these specialists is attached to his own respective "independent" component in the system.

In addition to their specialized functions or tasks, each of the component's staff is from various disciplines: law enforcement, law psychology, social work, etc. They often hold membership in separate

professional organizations or associations: Fraternal Order of Police, American Psychiatric Association, etc. The list is practically endless. The end result is that there is a lack of a common core of training, experience and/or relationships between the component specialists in the juvenile justice system and often within the individual components as well. In a typical police department, the juvenile officer, the detectives, the traffic division, the vice division, etc., are each considered specialists. However, the patrolman is the purest form of a generalist in a typical police department. While juvenile officers receive specialized training (orientation), work strictly with juvenile clientele, and work principally a daytime schedule, the patrolman receives a broad range of training, works with a broad range of clientele and performs duty on a rotating day, afternoon, and midnight duty shift schedule. Neither of these groups, who both deal with juvenile offenders, have a point of interface where ideas are exchanged or policy integrated by negotiation or compromise. At this point, there is a source of intraorganizational conflict on the policy space continuum. More importantly, it is another area where stress is introduced and the specialists are forced to band together to insure that their "one best way" ideologies remain intact which again reinforces their mindset or PSM philosophy of "it's us against them." The end result is a "shrinking violet syndrome" among the specialized subgroups of each component and in each component towards integrated policy development within the individual components and between the individualized components.

(Downs, 1967, p. 216)

When a component or its specialist proposes policy changes which affect its interior territory on the juvenile offender treatment policy

continuum, it can not forecast all possible ramifications. (Downs, 1967, p. 215) This is particularly evident between the individual components. For example, a police department may initiate a crackdown on a certain type of juvenile offender, such as juvenile prostitutes. This may be because of factors within that component's environment, such as a public outcry about the number of juvenile prostitutes operating in their inner city business district. The policy to increase juvenile prostitute arrests leads to an increase in the caseload for the juvenile court. If the juvenile court is already backlogged with cases, they may devise means in which to decrease the burden of their backlog. The prosecutor may determine that an insufficient amount of probable cause exists to prosecute the juvenile prostitutes. A great deal of plea bargaining may occur. Recommendations for probation may be readily accepted and so on. If the juvenile court can handle the increased caseload, the correction department may not be able to handle the case dispositions. If the corrections facilities were filled to capacity already, they may permit overcrowding, recommend mass releases of offenders or early paroles, etc. The residual effects of this "policy ripple effect" is the creation of uncertainty between the components, a breakdown in integrated policy strategies, and a heightened level of PSM among the specialists of each component. In turn this will cause the components, police, courts, and corrections, to engage in Inter-organizational Territorial Conflict (ITC), the second premise of the Interaction Model.

To have a full understanding of ITC and its fracturing effect on integrated policy initiatives, we must briefly examine the creation and evolution of the current Juvenile Justice System, particularly its

structure and interactions as a systematic process. The genesis of the system was the establishment of the juvenile court as a separate entity from the established court system. (See Figure 1) The first juvenile court was established by the Illinois Juvenile Court Act of 1899. The juvenile court's base of power was the parens patriae doctrine (parents for the State). This doctrine empowered the state to act in the place of the parents when protecting the property interests and person of the juvenile. (Smith, Berkman, Fraser, and Sutton, 1980, pp. 11-13) This basic philosophy permeates the juvenile justice system of today. Each component in the system ascribes to, "doing what's best for the juvenile". However, this hallowed ideal is often shattered by the realities of ITC which results in goal displacement for each component, dysfunctional competition, and fragmented or disjointed policy strategies between individual components.

The conception of the juvenile court became the cornerstone for the juvenile justice system. There was an influx of specialization with the inception of the juvenile court. The police component and the corrections component began to develop specialization in the juvenile offender treatment policy space continuum. This specialization was the result of a need for "linking pins" between the components in the processing of juvenile offenders, division of labor within the individual components, and heightened specialization in the practitioners schooling or disciplines. (Likert, 1978, p. 157, and Fayol, 1978, p. 25) The end result of this evolution of specialization is the existing juvenile justice system. The components of the system, police, courts, and corrections, are relatively autonomous in nature. They are loosely connected in a linear, semi-matrix type structure which is organized

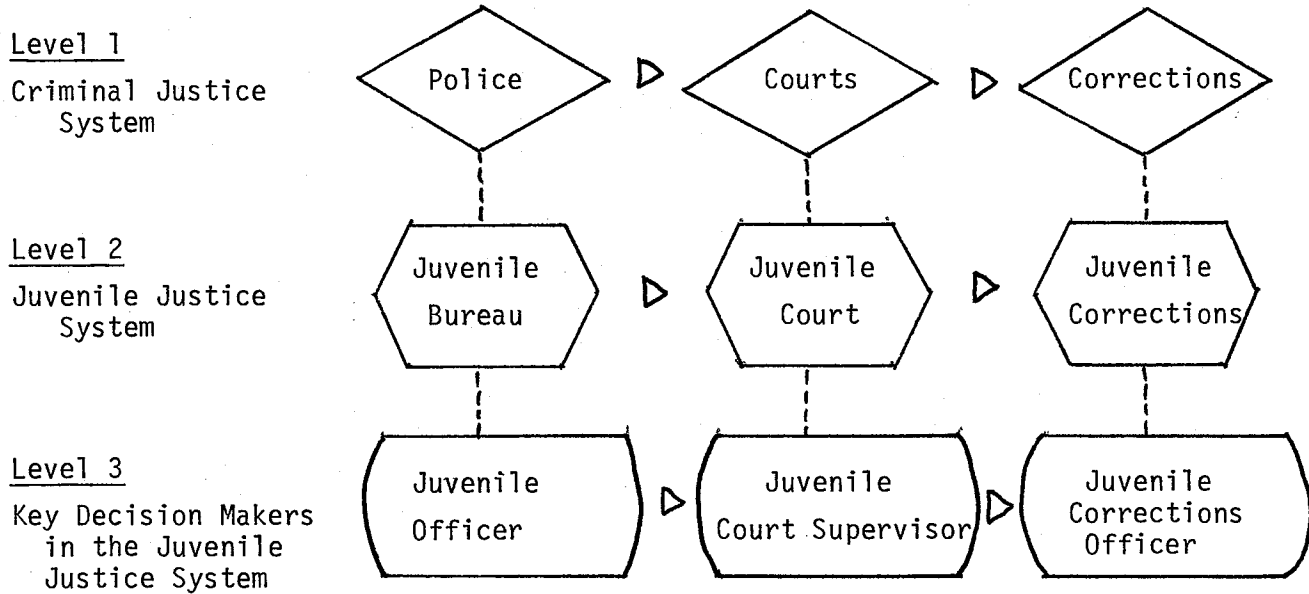


Figure-1. General Schematic of the Evolution and Process of the Juvenile Justice System

around the "process" of juvenile offender treatment. The juvenile offender process causes a certain degree of interdependent activities but not interdependent components. The crux of ITC is here. There is no overlapping group form of organization which offers a structure for developing integrated juvenile offender treatment policies between the components. (Likert, 1978, p. 160) The end result of this lack of a viable policy interface apparatus is that each component will be locked into the ITC byproducts of goal displacement, dysfunctional competition for resources and services, and fragmented or disjointed juvenile offender treatment policy strategies. The bottom line is that

PSM and ITC are inevitable, but the levels of each and the intensity of interaction between each can and must be controlled so that the juvenile offender can receive the "best" treatment strategy available. Such strategies are based on a consensus of approach by all of the practitioners in a progressive juvenile justice system that adapts to changes in its environment by guided, unified, and integrated policy in juvenile offender treatment initiatives. In order to determine if PSM and ITC exist in the "real world", I have developed a hypothesis based on the PSM-ITC Model that I will test by operationalizing PSM and ITC, which have been defined earlier, and surveying practitioners in two randomly selected juvenile justice systems from the population of all United States juvenile justice systems. The results of the survey research tool will be used in conjunction with other sources of data to determine if the effects of PSM-ITC are inherent in the "real world environment".

#### Explanation of the PSM-ITC Model Modes

The first mode least conducive to integrated policy-making is Impasse. (See Figure 2) This mode is characterized by conditions of high PSM and high ITC. The individual components identify with only their organization's goals and the individual practitioners with their own discipline's "one best way" ideology. This identification with organizational goals and discipline philosophy is the result of specialization (education and training), ideals of professionalism, and the Law of Self-Serving Loyalty. (Downs, 1967) In this mode each component will struggle with the others for a dominant or choice location in the juvenile offender treatment policy space continuum. The basic theme

The PSM-ITC or 4 I's Model

Interorganizational Territorial Conflict  
(ITC)

Pseudo-Species Mentality (PSM)	Low	Integration	Imperialism
	High	Isolationism	Impasse
		Low	High

- Impasse Mode - No cooperation in integrated juvenile offender treatment policy initiatives between the components of the juvenile justice system.
- Imperialism Mode - Resistance to integrated juvenile offender treatment policy initiatives due to concerns of conquest/loss of jurisdiction, authority, funding, and/or clientele.
- Isolationism Mode - Resistance to integrated juvenile offender treatment policy initiatives due to concerns of each profession's "one best way" ideologies in conflict with each other.
- Integration Mode - Cooperation in the formulation and implementation of integrated juvenile offender treatment policy initiatives between the components of the juvenile justice system, to the "optimal benefit" of the juvenile offender.

Figure 2. The Pseudo-Species Mentality (PSM) - Interterritorial Conflict Interaction (ITC) Model



throughout the juvenile justice system will be, "our's is the one best way and if you don't play by our rules, no one will play". The end result is that conditions conducive to integrated juvenile offender policy initiatives throughout the components of the juvenile justice system, will be at an impasse or "stalemate". Each component will win and lose skirmishes, none winning the battle or war, to the misfortune of the juvenile offender clientele. The example of the police putting runaways in maximum security detention cells and ignoring citizen complaints on runaway offenders, mentioned in Chapter I, illustrates the mode of impasse between the police and court components of the juvenile justice system. In these instances, losing jurisdictional authority over runaway offenders was the primary motivation for manipulation of bureaucratic procedure.

The second mode, Imperialism, is marked by high ITC and low PSM. This mode is marked by resistance to cooperation between the components toward "forced" integration of juvenile offender treatment policy-making. Integration and cooperation are "forced" by one component conquering the other's policy space. This does not include uninhabited policy spaces. An illustration would be when the juvenile court simultaneously diverts runaway offenders (the police arrested) back to community services and orders the mass deinstitutionalization of runaway offenders that corrections personnel are administering in their institutions. In this instance, "forced" cooperation or integration of the court's policy in juvenile offender treatment has occurred via "conquering" the police and corrections components juvenile offender treatment policy spaces. The court's action may increase the enforcement burden of police (recidivism rates) or may result in a cutback of corrections personnel

at the next budget hearing. Here police and corrections have been "forced" into cooperation or integration of the court's policy initiatives on the surface. However, in this mode, the high ITC will induce the police and corrections personnel to manifest their latent feeling of suspicion, mistrust and animosity towards the court in the implementation stages of the policy mandates. In these stages overt and covert acts of resistance to cooperation will become manifest. The police may develop departmental policies aimed at arresting or detaining in their facilities, as many juvenile offenders as possible under their jurisdiction, for as long as possible. Corrections may stipulate longer than normal paroles for offenders or more strict probation/parole conditions which would insure the probability of recidivism/recommittal to their institutions. Either of these components may simply reclassify the runaway as a vagrant, a delinquent, an unruly child, etc., which would necessitate a totally different disposition of an offender's case.

In the imperialism mode, the conqueror constantly seeks to locate new domains of policy space to inhabit, spurred on by the concept of the Superman Syndrome, proposed by Anthony Downs in Inside Bureaucracy. In other words, the conqueror (component) ascribes to the philosophy of imperialism with a motto of "we will lead the way". While the conquered subscribe to a motto of "wait until next time" or "what goes around comes around". The conqueror is forced to spend time and energy in overcoming resistance to the implementation of its "pet" policy strategies in "selling" or coercing cooperation from the other components in the system. At the same time, the conqueror will be reinforcing his new position as the conquered attempt to recapture their policy

spaces by thwarting the implementation of "decreed" policy. This could take the form of appeals to higher courts, the introduction of new legislation, or the creation of new programs that nearly duplicate existing programs. An example would be the department of corrections implementing a community-based work release program where offenders must return to lock-up after work, thus preventing the courts from decreeing a policy of mass deinstitutionalization.

The third mode, Isolationism, is also a mode of resistance to cooperation between the components, but it is marked by a high level of PSM and low ITC. This mode, in contrast to imperialism, is characterized by a passive resistance with an effort to maintain the status quo. This "shrinking violet syndrome" (Downs, 1967) holds to the "tunnel vision" philosophy that "we can take care of our own problems and you take care of your own" or "leave us alone". Here, integrated policy development primarily comes from within the specialized component without concern for its effects on the other components in the juvenile justice system. Any cooperation between the components is made by crisis management and compromise at the expense of the juvenile offender's welfare. For example, in Chapter I, we discussed the fact that a recent survey indicated that less than ten percent of the practitioners would use private or non-profit service organizations and when they are utilized, they utilize the traditional programs such as the Big Brother/Sister programs. In essence, this mode is based on the premise of political compromise to resolve policy implementation conflict which is the byproduct of components developing integrated policy initiatives in a "component-tailored" but random collision course manner.

The last mode, Integration, is characterized by low PSM and low ITC. Here, the juvenile justice system's components are interacting with one another in the public and private sectors in the spirit of cooperation with an open-system strategy approach to uncertainty in juvenile treatment policy development. (Thompson, 1978, p. 175) Here, there is an integration of policy initiatives based on a unity of direction, consensus of approach, and dedication to the ideal goal of "providing the juvenile offender with the best treatment alternative". This is not to say that this will be an utopian approach to policy formulation and implementation. There will be "functional" conflict and competition in the policy formulation stages. The basic philosophy in this mode is "we are in this thing together". In order to reach the ideal goal of what is "best" for the juvenile, the objectives will include the optimal use of resources and services to treat juvenile offenders through coordination, cooperation and control. Control in the form of contingencies developed to prevent the gestation of the other modes of PSM-ITC interaction will be necessary because conflict and biases are inevitable in the "real world" of supply and demand and human administrators. This "control" element will be considered in the conclusions of Chapter IV. We are now in a position to draw four testable hypotheses.

#### Hypotheses

1. If PSM is high and ITC is high, then the components will be in the Impasse Mode where there will be no cooperation between the components in making integrated policy initiatives.
2. If PSM is high and ITC is low, then the components will be in the Isolation Mode where there will be parochial policy initiative development only, each component making policy without considering the "rippling effect" on the other components.

3. If PSM is low and ITC is high, then the components will be in the Imperialism Mode where policy initiatives are "force fed" to the other components because of expansionism of a dominant component on the juvenile offender treatment policy space continuum.
4. If PSM is low and ITC is low, then the components will be in the Integration Mode where integrated policy strategies are developed as a result of control, assimilation, and unity of approach.

These hypotheses are based on three foundations. The first is my own experiences I have had working in the police component of the juvenile justice system and the greater criminal justice system. The second is based on my observations of the effects and patterns of PSM-ITC interaction in current news articles. The third is the reading and familiarization with the contributors to sociogenic theories and systems theories mentioned earlier in this paper.

#### The Operationalization of PSM and ITC

In order to operationalize PSM, I developed four major categories of indicators, listed as follows:

1. The specialized function or task the policymaker (practitioner) performs in his organization.
2. Any specialized training or schooling the policy-maker needs to be qualified to perform his job.
3. Professional associations or affiliations the policy-maker holds membership in or to.
4. The indoctrination or orientation process the policy-maker goes through initially and/or on a continuing basis.

Each of these major indicators are supplemented by secondary indicators that have been operationalized and are readily evident in the survey instrument attached in Appendix A.

In order to operationalize ITC, I developed two major indicators listed as follows:

1. Organizational competition between the components of the juvenile justice system for scarce resources or allocations.
2. Organizational conflict between the juvenile justice system components for functions or dominant policy space on the juvenile offender treatment policy space continuum.

Again, each of these major indicators are supplemented by more specific indicators that have been operationalized and listed in the survey instrument attached in Appendix A.

Sources of Data Implicating the Existence of PSM-ITC Interactions

OJJDP studies have indicated what could be interpreted to be manifestations of PSM and/or ITC interactions in the "real world" environment. The following examples serve to illustrate my contentions that PSM and ITC exist:

- (PSM manifestation) - "adequate guidelines in the form of written policy are generally not available to staff at any level in the juvenile justice system." (Smith, Black & Campbell, 1979, p. 49)
- (ITC manifestation) - "... the result of lack of adequate guidelines is disagreement among juvenile justice agencies and the possibility of staff members creating rules of thumb which distort or subvert the goals of the components." (Smith, Black & Campbell, 1979, pp. 49-50)
- (PSM manifestation) - "A lack of consensus as to approach among juvenile justice practitioners, particularly in the area of status offenders." (Smith, Berkman, Fraser, & Sutton, 1980, p. 168)
- (ITC manifestation) - "There is conflict between the system components because their roles, goals and objectives in handling juvenile status offenders are different." (Smith, Berkman, Fraser, & Sutton, 1980, pp. 171-172)

- Isolationism to Imperialism Modes of Interaction - "In areas where states have attempted to deinstitutionalize status offenders, law enforcement personnel and juvenile courts reacted in ranges of skepticism to adamant opposition."  
(Smith, Berkman, Fraser, & Sutton, 1980, pp. 168-169)
- Imperialism Mode - "Status offenders were being held in maximum security isolation in order to make compliance with legislative mandates for separation in offender populations."  
(Schwartz, 1980)
- Imperialism Mode - "Police intentionally ignored citizen complaints on status offender behavior problems in order to induce pressure on legislators to reinstitute their authority to arrest and detain the offenders in secure detention facilities."  
(Smith, Berkman, & Sutton, 1980, pp. 168-173)
- Isolationism to Imperialism Modes of Interaction - "A good deal of ill will exists between police and court intake personnel. Some police departments suggested, in informal interviews, that they may detain and refer as many juvenile cases as they can to keep the pressure on court intake staff. The same court intake staff, in the same area during the informal interviews, suggested that the police misinterpret their function and send many inappropriate cases to them."  
(Smith, Black & Campbell, 1979, p. 50)
- Isolationism Mode - "Less than 10 percent of the officials, in the formal juvenile justice system, would use a private or nonprofit service organization."  
(Smith, Black & Campbell, 1979, pp. 50-54)

In addition to these studies, there are several news articles that illustrate the PSM-ITC interaction modes in the greater criminal justice system. An excerpt from a news article titled, "10 Years After Riot, Attica Faces New Crisis" illustrates the "rippling effect" of making policy within one component without concern for or consultation with the other components that may be affected (Isolation Mode). In 1971, Attica State Prison had a bloody riot. Forty-three persons including eight guards, were killed. Since then, the prison population

has doubled. (Claiborne, 1981) The major causes for this volatile increase has been the influences or forces at the organization-environment interface. (Lawrence and Lorsch, 1978)

In 1973, New York Governor Rockefeller persuaded the state legislature to pass a package of strict anti-narcotic laws. Five years later, New York Governor Hugh Carey pushed through several anti-crime measures that struck hard at violent and repeat offenders. Then New York City's Mayor Edward Koch, who campaigned against "lenient" judges, began to crack down. Finally, a federal court judge in New York City ordered the state to accept more than 530 inmates backlogged at the city's Riker's Island detention facility. (Claiborne, 1981)

Each of these separate or independent influences in the criminal justice system's environment had a direct effect on the number of inmates housed at Attica which caused overcrowding and a dangerous situation. Each of the components in the criminal justice system was making tailored policy for adult offenders under the "shrinking violet" syndrome or in the isolationism mode of PSM-ITC Interaction. The result had a rippling effect upon the other components in the criminal justice system. New York had no inputs into integrated policy development.

The article entitled, "352 Alabama Prisoners Ordered Freed", documents a case where a federal court judge ordered the mass release of 352 Alabama state inmates because of overcrowding. The State Attorney General said, "it amounts to playing Santa Claus to a bunch of dangerous, violent people". The law enforcement authorities were angered. The Montgomery, Alabama, Police Chief, claimed that the releasing of the prisoners would violate the rights of law abiding citizens to be safe. The Chief was quoted as saying, ". . . we all know they are in there for



violating some citizen's constitutional rights. It suits me if they stack them up to the ceiling. They're not in there to be in a Holiday Inn". (Grand Forks Herald, December 16, 1981) Here again one component of the criminal justice system has initiated policy (Imperialism Mode) and the other components are feeling the rippling effect of fragmented policy development. In turn, the indication or implication in this case is that the goals of the corrections component will become displaced as programs yield to overcrowding. The police component goal of law enforcement may also be displaced.

In the next chapter, I will introduce my survey research on two independent juvenile justice systems selected at random from the population of all United States juvenile justice systems. The survey results will be used to support the existence of PSM-ITC interactions in the "real world". I will include a discussion of the research design and data analysis of the survey tool in light of how the findings correlate with the anticipated effects and current theory.

## CHAPTER III

### DATA ANALYSIS

#### Research Technique-Survey

The population for this survey was all juvenile justice systems in the United States. Through a simple random sampling of all systems, York County, Pennsylvania and Montgomery County, Alabama, juvenile justice systems were selected to be the units of analysis. (Kweit and Kweit, 1981) One representative from each agency or institution within each of the components (police, courts, and corrections) was surveyed in each of the juvenile justice systems. These representatives or units of analysis were: juvenile police officers, juvenile court officials and juvenile corrections officials. There were a total of twenty-four (24) possible respondents.

To gather the data from the respondents, I used the self-administered mail survey research technique. (Kweit and Kweit, 1981) The sample size of 24 practitioners and the survey research technique were selected based on limited time and financial resources. The survey questionnaire (see Appendix A) was mailed with a letter of transmittal and a self-addressed, postage paid, return envelope, to each of the 24 practitioners in the sample. The return envelope helped to insure anonymity and confidentiality of the completed questionnaires in an effort to obtain unbiased reporting on the questionnaires.

The normal return rate for mailed questionnaires is usually low, frequently less than 50 percent. (Kweit and Kweit, 1981) The response rate for this survey was 62.5 percent. Fifteen out of 24 possible respondents returned their completed questionnaires. The questionnaire was designed with three special features. First, questions one through twenty-one were at the nominal level of measurement. Second, these questions also included "other, specify" categories. This was helpful in gathering more information that might be relevant but beyond the scope of the instrument. This new data was later coded or recoded for analytical purposes. Third, questions twenty-two through twenty-six were at the ordinal level of measurement based on an index. For further clarifications refer to the survey instrument in Appendix A.

#### Data Analysis

The following are indicators of traits of PSM among the practitioners in the juvenile justice system:

- 10 respondents (71 percent) had over four years on-the-job experience.
- 5 respondents (36 percent) had received an on-the-job training period.
- 11 respondents (85 percent) had a Bachelors degree or higher.
- 7 respondents (50 percent) maintained or upgraded job knowledge by attendance at seminars.
- 7 respondents (50 percent) interacted with other professionals in the organization primarily on the job only.
- 8 respondents (57 percent) interacted with other professionals outside their organizations by attendance at multi-disciplined seminars or conventions.
- 8 respondents (57 percent) received information on the organization's goals during their indoctrination or orientation process.

- 10 respondents (71 percent) received recurring or periodic organizational training sessions.
- 11 respondents (86 percent) had organizational staff meetings.
- 7 respondents (50 percent) indicate that they identify with the goals of their individual organization "moderately".

While these facts allow one to infer that PSM is present in the two systems sampled (practitioners), it appears that its level is moderate to low. This indication, however, must be related to the ITC level in the systems to determine which mode the system is in for developing integrated policy. Moderate to low PSM alone is not sufficient to permit integrated policy development. A look at the level of ITC indicated by the respondents to the survey will help in determining what mode of interaction the systems are in. The following indicators of ITC are present in the systems sampled:

- 13 respondents (93 percent) had "written-type" guidelines for doing their jobs. Only one respondent relied on discretion most of the time (police component).
- 7 respondents (50 percent) needed to know what the final disposition of a juvenile offender they processed was because it was required for their jobs.
- 8 respondents (57 percent) indicated that there was no competition for budget allocations.
- 6 respondents (43 percent) did compete for other resources like grants. However, 5 respondents (36 percent) indicated no competition for other resources. A total of 9 respondents (64 percent) indicated some competition for other resources.
- 10 respondents (71 percent) indicated "no problem" in lacking funds for projects or programs as a result of competition with rival organizations.
- 8 respondents (57 percent) indicated no overlapping jurisdictions in treating juvenile offenders.
- 9 respondents (64 percent) indicated they had joint policy agreements with other organizations in the system and three (21 percent) indicated that the agreements were informal in nature.

- 7 respondents (50 percent) indicated that they were in an interagency policy-making structure.
- 9 respondents (64 percent) indicated that other organizations in the systems identify with their particular organization's goals very little.
- 6 respondents (43 percent) indicated that there was no level of competition between the organizations in the systems.
- 6 respondents (43 percent) indicated that the level of interaction between the organizations within the system was moderate.

These facts indicate that though ITC does exist in the real world, it is moderate to low in intensity. Conclusions on the interaction mode can not be made because the instrument has several major weaknesses. First, the sample size (two systems) is too small to generalize to the population of all United States juvenile justice systems. Second, the survey respondents were from two different systems but were lumped together in the analysis and collection stages because of the limited sample size. This will prevent a true picture of the York or Montgomery juvenile justice systems modes of interaction in their respective individual systems. It is fair to say that the survey did not indicate that high levels of PSM and ITC, as operationalized, exist in the "real world" situation. This survey fails to develop adequately the levels of interaction between the components sampled. If one accepts the existence of PSM and ITC and their effects on integrated policy development in the juvenile justice system, proposals and recommendations can be made to mitigate effects of PSM and ITC so the integration mode can be reached or maintained. This is the subject of Chapter IV.

## CHAPTER IV

### SUMMARY AND CONCLUSIONS

#### Summary and Significance of Research

In summary, Chapter I was a generalized familiarization process in which the treatment of juvenile offenders in the United States was examined from a historical perspective. The basis of diversion strategies was explored. The issue of diversion versus institutionalization strategies was analyzed in relation to the issue of fragmented and disjointed policy development based on contemporary theories and political practicality in the juvenile justice systems, of the 80s. These strategies and the dilemmas they cause were examined in depth and supported with "real world" illustrations and examples.

In Chapter II, the illustrations and examples were consolidated and ordered by the use of a model (PSM-ITC Model). The model was developed in order to provide an ordered way to analytically examine the interrelationships between the components of the Juvenile Justice System and the effects of these interrelationships on integrated policy development between the components for the optimal benefit of the juvenile offender. The model was elaborated upon through explanations of their concepts and modes of interaction. In order to determine if the model had relevance or substance in the "real world", examples were introduced to support the premises that the interaction modes were prevalent in the "real world" environment. Survey data from other researchers and

myself were developed for supporting the existence of PSM and ITC and newspaper accounts were used to illustrate the effects of PSM and ITC interactions in the criminal justice system which is the parent of the juvenile justice system.

The mechanics of the survey I conducted were the thrusts of Chapter III. In addition, the findings of the survey are included in order to support the premise that they do exist in the environment. The hypotheses on the interaction modes of the PSM-ITC Model could not be empirically examined effectively with the survey instrument due to the small sample responding, variance levels of PSM and ITC were not determined and there are no indicators of the dependent variable, cooperation. On the premise that PSM and ITC do exist in the environment, and that the implied effects, common in news articles, particularly in the greater criminal (adult) justice system hold in the juvenile system, I will make several proposals. The emphasis in this final chapter will be on recommendations for diluting the effects of PSM and ITC for maintaining equilibrium so that integrated policy development can occur (Integration Mode) through mutual goal consensus and functional competition for resources. The significance of this paper is the knowledge it will add to Systems Theory. The major contribution will be the insight gained from examining structures and techniques that can be harnessed to encourage integrated policy development in systems where there are autonomous units (subsystems) in which they are in dysfunctional conflict over ideologies and finite resources. It will also add to the knowledge of Behavioral Theories particularly Differential Association and Labeling (Self-fulfilling Prophecy) theory. The added knowledge here is the insight gained from the effects of bureaucratic processes

such as political competition for ideologies or resources that have a direct and heavy impact on organizational goals and in turn on the treatment strategies the organization may use or develop to treat the juvenile that may alter his personality or rehabilitation process. In essence, the greatest contribution of this research is the insight it provides to the practitioners' biases and their dysfunctional impact on the overall ideal goal of the "best" juvenile offender treatment policy for the juveniles' "best" interest.

#### Conclusions - Proposals/Recommendations

It should be readily evident that there is no simple or "quick-fix" solution to the complex relationships in any given juvenile justice system. The Integration Mode which is needed and/or must be maintained can be achieved by diluting the PSM and ITC levels through a three-pronged approach. Achieving and maintaining this mode or equilibrium of cooperation in policy development will require the implementation of the following recommendations/proposals simultaneously within and between the components:

1. Develop Synergistic Teams. (Bennis, 1978, p. 290)

Each component will have a representative on the team. Their functions will include planning, policy formulation, and policy implementation. This team must be tied into the power base of their respective components. The concept of sharing power is fundamental. This sharing of power will take the form of group decision-making and group problem solving. (Greiner, 1978, p. 339)

2. Develop Overlapping Group Form of Organization. (Likert, 1978, p. 151)

The objective is to insure the development of practitioners with overlapping group memberships who will serve as an interface agent between the components. This will insure that these linking pins will not act as gatekeepers of ideas or policy initiative. (Downs, 1967)



3. Develop Multi-disciplinary Training/Dissemination Seminars or Programs

The objectives are:

- a. Train for change and cooperation in response to change.
- b. Train for goal consensus by acting as an interface arena for the pseudo-species (specialists) to interact and gain an understanding and appreciation for each component's and organization's goals. (Lawrence and Lorsch, 1978)
- c. Disseminate information that will enable components to practice system counseling and develop supra-organizational goals and consensus of approach and commitment. (Bennis, 1978, pp. 288-292)

The concept of equifinality, in juvenile offender treatment policy development, must be sustained by incorporating resources and services located outside the formal juvenile justice system as well as inside the juvenile justice system. (Katz and Kahn, 1978, p. 170) The consensus, however, must be towards the elimination of criminal mutations that are simply caused by the effects of dysfunctional PSM-ITC interactions which promulgate inefficient and ineffective bureaucratic processes that alter the best treatment for the juvenile, to his detriment, the organization's detriment, the system's detriment and society's detriment.

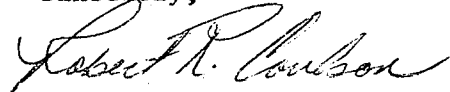
APPENDIX A

March 10, 1982

My name is Robert Coulson and I am a graduate student in Public Administration at the University of North Dakota. To meet a research requirement for my degree, I am compiling and analyzing data that reflect the perceptions of individuals working in the different components of the Juvenile Justice System. I am soliciting your help as a professional and as a participant in the Juvenile Justice System, to make this research possible.

I would greatly appreciate your completing the enclosed questionnaire. A stamped, self-addressed envelope is enclosed for ease of return mailing. No return address is necessary. Thank you for your assistance in this endeavor.

Sincerely,



Robert R. Coulson

Instructions: Please mark only one answer per question.

Column 7 N1. How would you classify the position you hold?  
(POSITION)

- 1. ( ) Police Officer
- 2. ( ) Juvenile Officer
- 3. ( ) Juvenile Court Supervisor
- 4. ( ) Juvenile Probation Officer
- 5. ( ) Juvenile Corrections Officer
- 6. ( ) Juvenile Court Judge
- 7. ( ) Other, specify \_\_\_\_\_.

Column 8 N2. How long have you been employed in your position?  
(TIMEIN)

- 1. ( ) less than one year
- 2. ( ) 1-3 years
- 3. ( ) 4-10 years
- 4. ( ) over 10 years

Column 9 N3. What preparation did you have for the position you hold?  
(PREPATIN)

- 1. ( ) none
- 2. ( ) an on-the-job training period
- 3. ( ) a technical school or academy
- 4. ( ) other, specify \_\_\_\_\_.

Column 10 N4. What is your current level of education?  
(EDUCATN)

- 1. ( ) 0-11 years
- 2. ( ) high school graduate
- 3. ( ) 1-3 years of college
- 4. ( ) associates degree
- 5. ( ) bachelors degree
- 6. ( ) masters degree
- 7. ( ) doctorate degree
- 8. ( ) law degree
- 9. ( ) other, specify \_\_\_\_\_.

Column 11 N5. What is your most common source of job knowledge enrichment?  
(JOBKNOWE)

- 1. ( ) correspondence courses
- 2. ( ) training seminars
- 3. ( ) college courses
- 4. ( ) on-the-job training
- 5. ( ) professional journals, newsletters, etc.
- 6. ( ) other, specify \_\_\_\_\_.

Column 12 N6. How would you describe your means of interacting with others in your organization?  
(INACTORG)

- 1. ( ) job only
  - 2. ( ) formal social functions
  - 3. ( ) informal associations
  - 4. ( ) membership in professional groups
- (Question #6 continued on next page)

- 5. ( ) seminars and/or conventions
- 6. ( ) union activities
- 7. ( ) other, specify \_\_\_\_\_.

Column 13 N7. What is your primary means of interaction with other professionals that are related to your profession but are not in your organization?  
(INACTOPS)

- 1. ( ) none
- 2. ( ) on-the-job contacts only
- 3. ( ) multi-discipline social functions
- 4. ( ) multi-discipline seminars or conventions
- 5. ( ) multi-discipline fraternal organizations
- 6. ( ) informal associations only
- 7. ( ) other, specify \_\_\_\_\_.

Column 14 N8. How long was your initial indoctrination or orientation process in your organization?  
(TIINDORT)

- 1. ( ) I had no indoctrination or orientation
- 2. ( ) one day-one week
- 3. ( ) one week-two weeks
- 4. ( ) two weeks-one month
- 5. ( ) longer than one month
- 6. ( ) no process is required or needed

Column 15 N9. If you had indoctrination or orientation, did you receive information on the goals of your organization?  
(ORGGOALS)

- 1. ( ) yes
- 2. ( ) no

Column 16 N10. Does your organization provide you recurring or periodic training sessions?  
(TRAINING)

- 1. ( ) yes
- 2. ( ) no

Column 17 N11. How often does your organization have staff meetings?  
(TISTFMET)

- 1. ( ) my organization doesn't have them
- 2. ( ) daily
- 3. ( ) bi-weekly
- 4. ( ) weekly
- 5. ( ) bi-monthly
- 6. ( ) monthlt
- 7. ( ) other, specify \_\_\_\_\_.

Column 18 N12. What is the primary goal of your organization?  
(PRIOGOAL)

- 1. ( ) enforcing laws juveniles break
- 2. ( ) legal process of juveniles
- 3. ( ) rehabilitation of juveniles
- 4. ( ) correction and treatment of juveniles
- 5. ( ) other, specify \_\_\_\_\_.

Column 19 N13. Which component of the Juvenile Justice System would you classify yourself?

(JJSCOMPI)

1. ( ) police
2. ( ) courts
3. ( ) corrections
4. ( ) other, specify \_\_\_\_\_.

Column 20 N14. What do you primarily rely on as a guideline for your job?

(JOBGUIDE)

1. ( ) discretion
2. ( ) written policy in some cases
3. ( ) written policy in most cases
4. ( ) written policy in all cases
5. ( ) unwritten policy based on custom, precedent, or informal agreements
6. ( ) other, specify \_\_\_\_\_.

Column 21 N15. If you process a juvenile through the Juvenile Justice System, do you need to know what the juvenile's final disposition is?

(JUVFIDIS)

1. ( ) no, no job requirement
2. ( ) yes, it is required for my job
3. ( ) yes, but only because I want to know
4. ( ) no, because the legalities prevent me from inquiring

Column 22 N16. Does your organization compete for budget allocations with other organizations within the Juvenile Justice System?

(JJSBUDAL)

1. ( ) yes
2. ( ) no
3. ( ) sometimes

Column 23 N17. For what other resources does your organization compete?

(ORGRESO)

1. ( ) grants
2. ( ) facilities
3. ( ) supplies
4. ( ) equipment
5. ( ) manpower
6. ( ) other, specify \_\_\_\_\_.

Column 24 N18. Have any of your organization's programs or projects lacked funding because of its competition with rival organizations?

(PGPRDEFI)

1. ( ) yes
2. ( ) no
3. ( ) don't know

Column 25 N19. Does your organization share overlapping jurisdiction with any other organizations?

(ORGOVLAP)

1. ( ) yes
2. ( ) no
3. ( ) sometimes, specify \_\_\_\_\_.
4. ( ) don't know

Column 26 N20. Does your organization have joint policy agreements with other organizations in the Juvenile Justice System?

(COMPJPA)

- 1. ( ) yes, written agreements
- 2. ( ) yes, oral agreements
- 3. ( ) yes, informal agreements
- 4. ( ) yes, public agencies only
- 5. ( ) yes, private agencies only
- 6. ( ) yes, private and public agencies
- 7. ( ) no
- 8. ( ) don't know

Column 27 N21. Does your organization have an interagency policy-making structure or group?

(INAGPOLS)

- 1. ( ) yes
- 2. ( ) no
- 3. ( ) sometimes, specify \_\_\_\_\_.
- 4. ( ) don't know

Instructions: Circle your response for questions N22-N26.

	Not At all	Very Little	Moderate	A Lot	Extreme
Column 28 N22. How well do you feel the other organizations in the Juvenile Justice System identify with your organization's goal? (OTIDWYGS)	1	2	3	4	5
Column 29 N23. How much do you identify with the goals of your organization? (YOUIDYGS)	1	2	3	4	5
Column 30 N24. How great is the level of competition within your organization? (LEVGYORG)	1	2	3	4	5
Column 31 N25. How great is the level of competition between your organization and other organizations? (LEVGBORG)	1	2	3	4	5
Column 32 N26. What is the level of interaction between your organization and other organizations in the Juvenile Justice System? (LEVINORG)	1	2	3	4	5

NOTE: The variable names listed in parentheses were not on the original questionnaire. They have been listed here for ease of crossreferencing the report material.

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