IS PROCEDURAL JUSTICE RELEVANT FOR JUVENILE OFFENDERS?

A Closer Look at the Experience of Justice in the Courtroom and Its Impact on Attitudes about the Law

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INTRODUCTION

The juvenile offender is uniquely situated in the American legal system. No longer a child, but not yet a legal adult, the adolescent is caught in a limbo of sorts that has stumped policy-makers for decades. At the turn of the twentieth century, a separate juvenile justice system was established to tend to the needs of these youth, and its identity has been in a state of flux ever since.

From an initial model of paternal rehabilitation to the current more punitive approach, the juvenile justice system has struggled to establish and maintain a clear identity. At the heart of all this change lies a series of questions about what the role of the court can and should be in promoting positive development in the lives of juvenile offenders, and in protecting society from criminal activity. In order to move forward in addressing both of these goals, it becomes necessary to understand the evolution that has brought the juvenile justice system to its current state, and to pursue a greater understanding of the ways in which the system itself influences the youth who interact with it.

The juvenile justice system began at the turn of the twentieth century with a belief in the unique qualities of the adolescent offender, and a close eye to his or her rehabilitation. In 1838, the Pennsylvania Supreme Court built upon the role of the state as the guardian of its citizens, and expanded the concept of *parens patriae* to include not only orphans, but children whose parents had been deemed incapable of providing proper care as well. The responsibilities taken on by the state on behalf of these youth included “the training of its inmates to industry; imbuing their minds with principles of morality and religion; . . . furnishing them with means to earn a living; and, above all, . . . separating them from the corrupting influence of improper associates” (Ex parte Crouse, 1838, italics added). In response to this new mission, a series of reform schools
sprang up around the nation, and their spirit was continued in the first juvenile courts that appeared more than six decades later (Steinberg & Schwartz, 2000).

From the beginning, this new system focused on serving the troubled youth it encountered by removing negative influences and enabling the youth to grow into the responsible citizens that the system assumed would emerge with proper guidance. Early practitioners in this new juvenile court system, such as Denver Judge Ben Lindsey, strove to identify and address the roots of problem behavior in delinquent youth. Judge Lindsey in particular attended to the roles of a mischievous spirit, strong temptation, troubled home life, and even “the moving about fever” in the lives of his youth (Lindsey, 1905, p. 352). The ideal judge in this context was one who followed up with the youth, his family, his school and his employers to ensure that the path to better conduct and excellent citizenship was going well. In this way, ideal judges in the early incarnations of the juvenile justice system were not only legal figures, but therapeutic agents as well (Steinberg & Schwartz, 2000).

However, as the years passed and the juvenile court system grew, it became clear that it was not living up to its ideals universally. The system allowed for so much flexibility and “paternal” discretion on behalf of the judge that youth from district to district found themselves experiencing wildly different treatment. Where a lack of rigid standards dictating appropriate punishments for given offenses was a necessary omission in a system that valued individual consideration and flexibility, it meant that youth were offered few legal protections and were subject to a great deal of inconsistency. In the 1960s, an extremely harsh ruling in the case of a 15 year old defendant prompted the Supreme Court to establish the rights of the juvenile offender in their memorable ruling In re Gault (1967). With this ruling, the previous highly personalized and inconsistent model of rehabilitative justice began to give way to a different
approach. The right to due process was affirmed for all citizens, regardless of age, and the juvenile justice system began to experience a greater degree of standardization and regulation.

The following decades saw a shift in the orientation of the juvenile justice system, and eventually there arose an increased focus on punishing youth whose crimes were considered severe enough to outweigh concerns for their development or the influence of outside factors. In the 1980s and 1990s, an “adult crime, adult time” mentality began to take root, and courts began to focus more on their role of protecting society from juvenile offenders than on the rehabilitation of these youth. Consequently, the juvenile justice system began to parallel the adult criminal courts much more closely than it had at its inception, and youth were transferred to adult court in increasing numbers and at steadily lower ages. With this transformation from a rehabilitative model to a more punitive one came a parallel shift in beliefs and assumptions about the adolescent offender, and about the impact of juvenile justice interactions on his or her personal development and future trajectory (Steinberg & Schwartz, 2000).

In the context of these changing beliefs and assumptions, the critical question of how court interactions influence youth remains unanswered. Policies of rehabilitation and deterrence make assumptions about those dynamics, but often fail to consider the larger picture of how those interactions play out in larger patterns and beliefs about the law’s legitimacy and its credibility in demanding compliance. The formation of these attitudes is a key part of this picture, and is a process known by researchers as legal socialization.

Research suggests that the socialization of legal attitudes is a complex process that begins in childhood and continues into adulthood. From an early age, children internalize dynamics of authority as they interact with parents. This process continues as a child begins to
interact with peers and teachers, and becomes particularly relevant in adolescence, when a youth begins to assert his or her own independence and personal authority (Steinberg & Schwartz, 2000). This process of learning, internalizing and challenging systems of authority is very relevant to a youth’s experience and perception of the legal system as well. Throughout life, a youth hears about and assimilates the attitudes and experiences of family members, neighbors and peers, together with his or her personal interaction experiences, to establish a general set of attitudes about the legal system. These constructs of the legal system and its relation to the individual shape a sense of obligation (or lack thereof) to obey the law (Fagan & Tyler, 2005). For example, a person whose personal and collective experiences of the law have been laden with prejudice and maltreatment is much less likely to report respect for the law than an individual whose experiences have been predominantly perceived as fair and just. Without a sense of respect for the law, or a belief in its legitimacy, a citizen is much less likely to feel an obligation to that law (which is perceived as unjust in essence or application), and thus less likely to comply with it (Tyler, 1990).

While legitimacy is clearly impacted by direct and indirect experiences of the legal system itself, research suggests it may also be affected by an individual’s cynicism. In the context of attitudes about the legal system, cynicism combines beliefs about the law and larger societal norms to draw conclusions about the applicability of the law to the individual’s personal life. As a result, individuals high on legal cynicism feel that acting in ways that contradict the law is just and reasonable. In youth samples, legal cynicism has been found to increase with age (Fagan & Tyler, 2005) and to be negatively correlated with legitimacy beliefs (Fagan & Tyler, 2005; Piquero et al., 2005).
With this larger context in mind, it becomes clear that the way the justice system treats involved citizens is important. In a direct way, citizen interactions with the court system contribute to the development of the legal attitudes held by those individuals. Furthermore, those experiences and attitudes contribute to the attitudes of others by serving as vicarious experiences through which other citizens evaluate the law. From the court’s perspective then, it becomes vitally important to understand how citizen experience is translated into these powerful attitudes and beliefs about the law and its legitimacy.

Tyler (1990) has suggested two models for considering the direct interactions between the citizen and the court. The first, an instrumental approach, suggests that personal satisfaction with police, courts, and public figures is directly related to the outcome of experiences within those domains. Tyler (1984) has observed that judges adhering to this perspective choose to lessen sentences or obscure guilty verdicts in an effort to promote positive citizen evaluations of the court experience. In contrast, Tyler’s normative approach suggests that citizens evaluate the law not in terms of outcome, but in terms of the fairness and ethicality of the procedures that yielded those results. From this perspective, a judge might focus on demonstrating neutrality in decision-making and promoting respectful conduct. It is important to note that although Tyler considers the impact of fairness and process explicitly within the normative approach, they are factors that can be considered from an instrumental perspective as well.

Thibaut and Walker (1978) were the first to describe the impact of fairness and procedural considerations in decision-making, and did so in their foundational paper on the procedures underlying conflict resolution. From a perspective that Tyler has described as instrumental, they focused on the role of the control each party member has in various aspects of the resolution process, with the end goal of reaching a satisfactory outcome. In this early
framework, procedural control was broken down into two components – process control and decisional control. Process control was described as the ability of the conflicting party members to develop the communication of their own perspectives, and includes the inclusion or exclusion of evidence. Decision control, in contrast, referred to the amount of sway each party holds in determining the outcome of the conflict.

Although Thibaut and Walker developed these distinctions in the context of research and commentary on methods of conflict resolution, the terms were quickly adopted by others to develop a discourse on citizen experiences of justice in a courtroom setting. Tyler (1984) was one of the first to focus on citizen experiences from within the Thibaut and Walker framework, and conducted over 100 interviews with citizens of Evanston, Illinois to examine the relationship between outcome, fairness evaluations, and overall satisfaction. As a result, the study found that while favorable case outcomes were correlated with more positive evaluations of the courts, the effect seemed to be moderated by beliefs in the fairness of the processes that rendered those positive outcomes. Interestingly, those who received negative outcomes did not evaluate their experiences negatively if they felt that the judgment had been made fairly. Overall, the study showed the strength of fairness judgments, beyond the impact of outcome, in shaping the attitudes of citizens involved in the court system. In short, Tyler’s normative model was confirmed.

With this confirmation of the idea that the perception of fair process matters, Tyler (1988) expanded his study to explore what aspects of these fairness judgments were most relevant. To do so, he identified six crucial factors for consideration: consistency (with personal expectations and the experiences of others), ethical conduct (respect, politeness, concern for rights), opportunity for representation, decision quality, opportunity to correct errors, and
impartiality (bias, honesty, effort to be fair). Of these six, representation, impartiality and ethicity emerged as most influential, though all except for correctability proved to be significant predictors of fairness judgments in the courtroom. Tyler’s results also affirmed that these fairness judgments, now more clearly defined, influenced outcome satisfaction and citizen evaluation of legal authority even beyond the influence of the outcome itself.

Where Tyler and his colleagues have done a great deal to explore the relevance of procedural justice in the legal experiences of adults, very little research exists to relate these conclusions to juvenile populations. In one study of legal socialization and adolescence, Fagan and Tyler (2005) found that procedural justice judgments were significant predictors of attitudes about the legitimacy of the law and legal cynicism. However, the inclusion of school security guards and retail security personnel as authority figures akin to police in the procedural justice variables of this study makes it difficult to draw conclusions about the influence of procedural justice in a legal setting.

In a developmental study of legal socialization with a sample of serious adolescent offenders, Piquero et al. (2005) found that higher perceptions of procedural justice were reported by those groups of youth that reported the least cynicism and the greatest belief in the legitimacy of the law. However, procedural justice was considered as one variable among many in the development of legal cynicism and legitimacy beliefs, and was not explored in any further depth.

Although the work of these recent studies suggests that procedural justice is relevant for adolescents, researchers have not yet begun to define the ways in which the youth experience is distinct from that of adults. The field of adolescent development has established a series of relevant factors that change and develop over the course of the teenage years, and these
dynamics may have important implications for the ways in which a youth’s experience of procedural justice and the courtroom is unique to his or her developmental status.

Adolescence has a distinct importance, both in a general sense and in the ways in which it relates to interactions with the legal system. Individuals in their pre-teen and teenage years experience changes in physical, emotional, social and intellectual maturity at rates that are unmatched in any developmental period after infancy (Steinberg & Schwartz, 2000). Although all healthy persons experience these transitions, the timing varies by individual, and is not consistent across domains, nor does it progress in a strictly linear fashion. Consequently, a mentally healthy individual between the ages of 12 and 17 interacting with the juvenile justice system could be functioning virtually anywhere along the spectrum of childlike and adult maturity in terms of social, emotional, and intellectual capacities. This poses unique challenges to authority figures in these settings, who are forced to make difficult and complex decisions about the culpability of juvenile offenders.

Despite the established variability in the timing and pace of adolescent development, there are clear trends that emerge as relevant for this population. Of considerable interest to juvenile justice researchers is the development of intellectual and reasoning capacities. Studies of decision-making in adolescent populations show that teenagers, and particularly those under the age of 15, are less averse to risk than adults, more likely to value short term over long term consequences (both positive and negative), and more vulnerable to the influence of peers in risk assessment and decisions about behavior (Scott, 2000; Scott, Reppucci, & Woolard, 1995). The influence of peers seems to permeate the adolescent experience, providing youth with a point for comparison as well as a prompt for conformity (Scott, Reppucci, & Woolard, 1995).
It follows, then, that juvenile offenders experience the justice system very differently than their adult counterparts. They are particularly sensitive to authority interactions and the influence of their peers, and may utilize very different decision-making strategies and capacities than adults in similar circumstances. To compound this already complicated dynamic, research suggests that these youth are simultaneously engaged in the process of informing and establishing their attitudes about the legal system itself and their relationship to it. With all of this concurrent activity, it is important to consider the ways in which the courtroom experience itself contributes to developing attitudes and beliefs.

In work with adults, Tyler (1990) has demonstrated that procedural justice is a significant predictor of legal attitudes. Fagan and Tyler’s work (2005) suggests that the same may be true for youth, but their inclusion of school and retail authority figures limits its application to the legal context. Piquero et al. have worked specifically with adolescent offenders, but their exploration of legal cynicism and legitimacy beliefs did not explicitly focus on the role of the court experience in forming these attitudes. This study aims to bring this body of work together by examining the impact of court-based procedural justice judgments on attitudes about the law, including obligation to obey, beliefs about its legitimacy, and the expression of legal cynicism. It is expected that procedural justice will influence all three types of legal attitudes, and that the subcategories of impartiality, ethicality and representation will show particular predictive strength, in keeping with the adult trends. Variables that reference the peer group are also expected to carry particular strength with the adolescent detainee sample.
METHOD

Participants

The study was based on interviews with 46 juvenile detainees in the Prince William County Juvenile Detention Home. Participants were recruited, along with their guardians, at parent visitation nights, where a member of the research team would approach a family, describe the study, and seek active permission from the guardian to interview the detained youth. Upon receipt of consent from the guardian, the youth would be approached later that week and given the opportunity to participate. This recruitment process resulted in 62 instances of parental consent, from which 50 interviews were conducted. In a select few cases (n=7), the youth’s attention span, level of engagement, or unwillingness to focus on the task at hand resulted in an incomplete or invalid interview. As a result, the pool of usable data was a total of 46 sufficiently completed interviews1 (see Table 1).

Participating youth in the study ranged from 12 to 17 years of age. The sample reflected the demographics of the center in being predominantly male (41 males, 5 female), and of mixed racial and ethnic background (see demographic statistics from fiscal year 2007 in VDJJ, 2007, p. 40). The majority of the participants were African American (37%, n=17) or White (33%, n=15), with 17% of the sample identifying as Hispanic (n=8). All participants in the study spoke English, as individuals who spoke only another language (or whose visiting guardian was a non-English speaker) were regrettably excluded based on the linguistic limitations of the research team.

1 Interviews were judged to be of a sufficient level of completion when the participant had responded to all measures relating to procedural justice, attitudes about the law, legal cynicism and obligation to obey the law. In a few instances (n=3), participants chose to end the interview before all of the control measures had been finished. However, because performance on these control variables was for descriptive purposes only, the researchers made the decision to include these partially completed cases.
For descriptive purposes, current charges and adjudication status were recorded at the
time of the interview, and were confirmed by the records available at the detention center. Level
of previous experience was likewise reported, but because the study focuses on the influence of
legal interactions as opposed to the quantity of such interactions, it was not considered as a
variable in final analysis. All participants were considered eligible by virtue of having
experienced arrest, detention, and arraignment proceedings.

Materials

The interview itself was a structured protocol that was based on several previously
established measures of procedural justice, attitudes about the legitimacy of the law, legal
cynicism, and obligation to obey the law. It was supplemented by demographic information
provided by the youth, as well as by information maintained by the detention center itself. These
official files included information about the full duration of the stay, pending charges, number of
previous offenses, and behavioral infractions incurred during the youth’s stay. Each of these
variables was reported by the youth as well, though the center’s files were relied upon for
variables that extended beyond the time of the interview. Each session lasted approximately 75
minutes, and participant youth were given compensation for their time in the form of a snack and
beverage that could be consumed during the interview, per the guidelines of the detention center.

Procedural Justice Measures

The procedural justice inventory used consists of 19 questions that focus on various
aspects of procedural fairness in the courtroom and in police interactions (Piquero et al., 2005).
For the purposes of this study, only the questions relating to the court experience were used ($\alpha = .82$, see Appendix). Fifteen of the questions asked the youth to express how much they agreed or
disagreed with the given statement, using a five-point Likert scale wherein higher scores indicated stronger agreement. Other questions had more specific responses that were likewise scored on a five-point scale to promote consistency. Individual questions were reverse coded as needed to the result that higher scores universally indicated more positive evaluations of procedural justice. The scores from each question were then averaged together to yield a composite general procedural justice score. For greater specificity, the questions were further divided into Tyler’s (1988) six subcategories: representation (single prompt), consistency ($\alpha = .24$), impartiality ($\alpha = .70$), quality of decision-making ($\alpha = .15$), correctability ($\alpha = .66$), and ethicality ($\alpha = .74$). Average scores were then calculated for each of these subcategories as well, and were considered independently in the final analysis.

Legitimacy of the Law Measures

The measure used to establish attitudes about the legitimacy of the law included eleven statements related to police and courts (Piquero et al., 2005): (a) I have a great deal of respect for the police, (b) Overall, the police are honest, (c) I feel proud of the police, (d) I feel people should support the police, (e) The police should be allowed to hold a person suspected of a serious crime until they get enough evidence to charge them, (f) The police should be allowed to stop people on the street and require them to identify themselves, (g) The courts generally guarantee everyone a fair hearing (trial), (h) The basic rights of citizens are protected in the courts, (i) Many people convicted of crimes in the courts are actually innocent [reverse coded], (j) Overall, judges in the courts here are honest, and (k) Court decisions here are almost always fair. In a slight adaptation from the original Piquero et al. measure, responses were again recorded in terms of a five-point Likert scale wherein participants reported how strongly they agreed (5) or disagreed (1) with the given prompts. Final scores of legal legitimacy were
calculated by totalling the responses to each individual question, and dividing by the number of questions answered. Higher scores on this measure indicated greater perceptions of legitimacy of the law. Analysis revealed that the measure was only slightly less reliable with this sample ($\alpha = .73$) than with the original sample ($\alpha = .80$) (Piquero et al., 2005).

Obligation to Obey the Law Measures

Obligation to obey the law was assessed using an adaptation of the measure established by Tyler (1990). Subjects were asked to rate on a five-point scale how strongly they agreed (5) or disagreed (1) with the following six statements: (a) People should obey the law even if it goes against what they think is right, (b) I always try to follow the law even if I think that it is wrong, (c) Disobeying the law is seldom justified, (d) It is difficult to break the law and keep one’s self respect, (e) If a person goes to court because of a dispute with another person, and the judge orders them to pay that person money, they should pay that person money, even if they think the judge is wrong, (f) If a person is doing something and a police officer tells them to stop, they should stop even if they feel that what they are doing is legal. Scores for each question were averaged together to yield a composite score in which higher values indicated a greater sense of obligation to obey the law ($\alpha = .61$).

Legal Cynicism Measures

The legal cynicism measure consisted of five prompt statements: (a) Laws are meant to be broken, (b) It is okay to do anything you want, (c) There are no right or wrong ways to make money, (d) If you have a fight with someone, it is no one else’s business, and (e) A person has to live for today (Piquero et al., 2005). In adaptations consistent with those made to previous measures, a five-point Likert scale was used to indicate agreement (5) or disagreement (1) with
the statements. Legal cynicism scores were calculated by totalling the responses from each question, and dividing by the number of questions answered, for a final value in which a higher score indicated a higher degree of legal cynicism. Analysis with this sample showed stronger reliability ($\alpha = .69$) than was found in the original sample ($\alpha = .60$ in Piquero et al., 2005).

**RESULTS**

Overall, youth were somewhat negative in their assessments of the legitimacy of the law ($M = 2.9, SD = .5$), but demonstrated a slightly stronger sense of obligation to obey it ($M = 3.1, SD = .7$). The greatest variability in attitude was found in obligation to obey the law and in the measure of legal cynicism, ($M = 2.6, SD = .9$) (see Table 2).

Although responses to individual procedural justice questions varied, the composite scores of individual judgments about the court system as a whole were largely neutral ($M = 3.0$ on a 5 point scale, $SD = .5$). Subcategories within these judgments showed increased variability, with consistency being the most positively judged characteristic of the court on average ($M = 3.5, SD = .7$) and correctability emerging as the least favorably considered ($M = 2.6, SD = 1.4$). Judgments of correctability and representation ($M = 3.0, SD = 1.8$) showed the greatest degree of variability in youth responses.

Based on previous research with adolescents (Fagan & Tyler, 2005; Piquero et al., 2005), procedural justice judgments were expected to predict both legitimacy and legal cynicism. Likewise, these judgments were expected to follow the adult trend as predictors of obligation to obey the law (Tyler, 1990). To address these relationships, the researcher first examined the degree to which overall procedural justice judgments were correlated with attitudes about the legitimacy of the law, legal cynicism, and obligation to obey the law (see Figure 1). Although
procedural justice judgments showed the expected significant correlation with beliefs about legal legitimacy ($r = .441, p < .01$), they were only weakly correlated with obligation to obey the law ($r = .207$) and legal cynicism ($r = -.056$). Because obligation to obey the law and legal cynicism showed such weak relationship to procedural justice judgments, they were not included in further analysis.

In order to continue to examine the dynamics of the relationship between procedural justice and legal legitimacy, the general procedural justice judgments were broken down into their six subcategories and assessed for individual correlations with the broader judgments of legitimacy of the law (see Figure 2). Based on the original exploration of these subcategories with an adult population, it was expected that impartiality, ethicality and representation would emerge as relevant factors (Tyler, 1988). Furthermore, the established strength of the peer group in adolescent decision-making suggested that peer comparisons would be especially important for the adolescent sample.

After the correlational analysis, only impartiality, consistency, and representation emerged as significant correlates with legal legitimacy. Judgments of the impartiality displayed by the court were particularly strong ($r = .418, p < .01$), with consistency ($r = .335, p < .05$) and representation ($r = .316, p < .05$) reaching significance as well. Quality of decision-making showed a slight and nonsignificant positive correlation with legitimacy ($r = .136$), while ethicality showed a slight negative correlation ($r = -.145$) and correctability showed no relationship to reported legitimacy ($r = .043$).
A bivariate regression was conducted to examine whether the procedural justice variables predicted attitudes about legitimacy. Although the correlational relationships did follow the indicated trends, the regression analysis was not significant.

**DISCUSSION**

Overall, procedural justice judgments did not show the overarching strength expected in predicting the various dimensions of legal attitudes. Although correlations did follow the expected relationship patterns, they did so only modestly, and the relationships were not strong enough to reach predictive significance in a regression analysis. In fact, only legitimacy of the law and procedural justice were correlated strongly enough to reach significance. However, it is quite possible that with a larger sample size the trends modestly displayed in this sample may prove strong enough to reach significance.

Where legitimacy of the law and procedural justice were significantly correlated, the relationship between obligation to obey the law and judgments of procedural justice was much more tenuous. This weak correlation suggests that these attitudes may be more strongly influenced than legitimacy by factors that lie outside of the courtroom setting. In this case, a larger sample size could help define more precisely the correlation between these attitudes and experiences, but it seems unlikely that a causal relationship would emerge.

In contrast to the findings of Piquero et al. (2005), legal cynicism in this sample appeared to be completely unrelated to procedural justice in the courts. Although further study of these attitudes and the sources behind them would undoubtedly prove relevant to the adjudicatory experiences of youth, it would necessitate a broader exploration of relevant factors, and perhaps a measure of cynicism that is more explicitly linked to the legal context.
The analysis of the subcategories of procedural fairness partially confirmed the expectations of the researcher. As noted previously, these specific categories were based on a previous study by Tyler (1988) that examined correlations between each of these and broader judgments of “fair procedure” made by citizens involved with the police and courts. Although the dependent variable in the two studies is different, the emerging strength of some of the subcategories shows similar patterns. Where the researcher expected that the youth sample would follow the adult trend of valuing impartiality, representation, and ethicality, youth in the sample instead emphasized impartiality, representation and consistency.

The emergence of these three strong subcategories has interesting implications for the juvenile adjudication process. Impartiality, the strongest of the legitimacy correlates, includes measures of honesty, bias, and effort to be fair. It seems that each of these factors could have important repercussions in a youth’s experience of the court, and it would be interesting to study each in further detail. It is the suspicion of the researcher that experiences of perceived bias could prove particularly salient in an adolescent sample, as the teenage years are a particularly important time for the development of racial and gender identity.

The relevance of representation also provides unique challenges in working with a youth sample in the legal setting. Researchers over the past several decades have questioned the competence of youth to stand trial, and their concerns include the capacity of young offenders to adequately and appropriately utilize legal counsel provided (Grisso, 2000). The problem of advisors potentially being perceived as authority figures by virtue of their adulthood is uniquely relevant for juvenile populations, and consequently it is possible that youth feel unable to represent themselves in the context of counsel, much less in the courtroom itself. One youth, when interviewed, expressed his anger and surprise when he was not able to tell his side of the
story to the judge before accepting a plea bargain. From the likely perspective of the court and the youth’s legal counsel, such a testimony would have been irrelevant at best, and potentially damaging to his case at worst. Yet the youth remained frustrated, feeling that decisions had been made above his head and outside the realm of his control. Although this youth’s experience is a single anecdote from a much larger population of juvenile offenders, it illustrates the ways in which representation is uniquely and powerfully relevant to youth involved in the juvenile justice system.

The uniqueness of the juvenile experience is also revealed in the strength of the correlation between consistency and legitimacy for this younger population of detainees. The importance of consistency is notable, as it was the weakest of the seven significant correlates in Tyler’s analysis and the third strongest of the correlates for youth. In addition to asking the individual to compare his or her experience to previous expectations and experience, the consistency measures also asked the individual to compare his or her own experience to that of the peer group (defined as both “the people you know” and “other people your age”). This reference to the peer group may be particularly relevant for youth samples, as adolescent development has traditionally been understood as a time when peer influence carries the most weight (Scott, 1990).

Although interesting trends and correlations did emerge within the given sample, they were limited in their significance by the size of the sample itself. It is the expectation of the researcher that continued data collection would strengthen the significance of relationships that have begun to appear in the smaller sample, and allow for more complex forms of analysis to further define the strength and direction of these relationships. A larger sample would also allow
the researcher to examine the impact of race and age on the relevance of specific procedural justice criteria.

Recruitment for the current study was limited in several ways that should be considered by future researchers interested in working with juvenile detention samples. Because of ethical concerns regarding the obtained consent of minors, the researcher restricted the sample to instances of active consent from both the youth and his or her parent or guardian. This choice meant that all detained youth who did not have visiting guardians were excluded from participation. It also meant that some youth were lost between time of parental consent and time of the interview, usually later that same week. Non-English speakers (or youth whose guardians did not speak English) were also unable to participate. In the future, researchers may avoid these problems by choosing to rely on passive consent from guardians and including research protocol that reflect the languages represented by detained youth.

In sum, this study reveals interesting trends in the relationship between judgments of procedural justice in the courts and broader ideas about the legitimacy of the law. Further study is needed to develop these relationships more clearly, but it is evident that procedural justice variables are relevant to young offenders, just as they have proven to be in adult populations. What’s more, these factors seem to be uniquely experienced by this younger population, and are differentially valued as part of the greater picture of experience and socialization. From a policy perspective, this study suggests that the juvenile justice system could be enhanced by acknowledging the ways in which youth translate their adjudication experiences into larger legal attitudes. By tapping into these experiences and values, the juvenile justice system could conceivably use the adjudication process as a tool not only for resolving the charges brought against the youth, but also for promoting a positive relationship between these youth and the
legal system as a whole. In this way, the system would be able to enhance part of its rehabilitative function while still maintaining the balance of responsibility to both the youth and the greater society. It is the hope of the researcher that further study will only continue to enhance our understanding of youth interactions with the court, and that this understanding will be translated into progressively more effective and appropriate juvenile justice policies.
REFERENCES

Ex parte Crouse, 4 Wharton Pa 9 (Pennsylvania Supreme Court 1838).


In re Gault, 387 US 1 (US Supreme Court 1967).


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APPENDIX

Procedural Justice Inventory with subcategory headings.

REPRESENTATION
During your last contact with the court system when you were accused of a crime, how much did the judge let you tell your side of the story?
(1) All of it (2) Most of it (4) Some of it (5) None of it

CONSISTENCY
Of the people you know who have been in trouble with the courts, how much did the judge let them tell their side of the story?
(1) All of it (2) Most of it (4) Some of it (5) None of it

During my last encounter with the court, the judge treated me the same way s/he treated most people my age.
Strongly Disagree Somewhat Disagree Neutral Somewhat Agree Strongly Agree

Over the last couple of years, judges have been treating me the same way they have always treated me in the past.
Strongly Disagree Somewhat Disagree Neutral Somewhat Agree Strongly Agree

During my last encounter with the judge, s/he treated me the way that I expected s/he would treat me.
Strongly Disagree Somewhat Disagree Neutral Somewhat Agree Strongly Agree

IMPARTIALITY
During my last encounter with the court, the court considered the evidence/viewpoints in this incident fairly.
Strongly Disagree Somewhat Disagree Neutral Somewhat Agree Strongly Agree

During my last encounter with the court, the court was honest in the way they handled their case.
Strongly Disagree Somewhat Disagree Neutral Somewhat Agree Strongly Agree
The court used evidence that was fair and neutral.
  Strongly Disagree Somewhat Disagree Neutral Somewhat Agree Strongly Agree

Judges treat males and females differently.
  Strongly Disagree Somewhat Disagree Neutral Somewhat Agree Strongly Agree

Judges treat people differently depending on how old they are.
  Strongly Disagree Somewhat Disagree Neutral Somewhat Agree Strongly Agree

Judges treat people differently depending on their race/ethnic group.
  Strongly Disagree Somewhat Disagree Neutral Somewhat Agree Strongly Agree

Judges treat people differently depending on the neighborhoods they are from.
  Strongly Disagree Somewhat Disagree Neutral Somewhat Agree Strongly Agree

QUALITY OF DECISION-MAKING
The court overlooked important evidence/viewpoints in this incident.
  Strongly Disagree Somewhat Disagree Neutral Somewhat Agree Strongly Agree

During my last encounter with the court, the judge made up his/her mind before receiving any information about the case.
  Strongly Disagree Somewhat Disagree Neutral Somewhat Agree Strongly Agree

CORRECTABILITY
After the judge makes a decision about sentencing me, there is nothing I can do to appeal it.
  Strongly Disagree Somewhat Disagree Neutral Somewhat Agree Strongly Agree

After the judge makes a decision about sentencing me, someone in higher authority can listen to my case, and even in some cases, change the decision.
  Strongly Disagree Somewhat Disagree Neutral Somewhat Agree Strongly Agree

ETHICALITY
The judge treated me the way that I thought I should be treated.

Strongly Disagree Somewhat Disagree Neutral Somewhat Agree Strongly Agree

Think back to the last time you were before a judge because of something you were accused of doing. Did the judge treat you with respect and dignity or did he/she disrespect you?

(1) Respect/Dignity (3) Neutral Treatment (5) Disrespect

Did the judge show concern for your rights?

(1) Showed a lot of concern (2) Some concern (4) Little concern (5) No concern
Table 1. Demographic Information

<table>
<thead>
<tr>
<th></th>
<th>No. of Subjects</th>
<th>Percentage of Sample</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Gender</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Male</td>
<td>41</td>
<td>89.1%</td>
</tr>
<tr>
<td>Female</td>
<td>5</td>
<td>10.9%</td>
</tr>
<tr>
<td><strong>Age, in years</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>[M = 15.8, SD = 1.1]</td>
<td></td>
<td></td>
</tr>
<tr>
<td>12 – 15</td>
<td>19</td>
<td>41.3%</td>
</tr>
<tr>
<td>16 - 17</td>
<td>27</td>
<td>58.7%</td>
</tr>
<tr>
<td><strong>Race / Ethnicity</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>African American</td>
<td>17</td>
<td>37.0%</td>
</tr>
<tr>
<td>Hispanic</td>
<td>8</td>
<td>17.4%</td>
</tr>
<tr>
<td>White</td>
<td>15</td>
<td>32.6%</td>
</tr>
<tr>
<td>Other</td>
<td>6</td>
<td>13.1%</td>
</tr>
<tr>
<td><strong>Highest Parental Education</strong></td>
<td>(n = 40)a</td>
<td></td>
</tr>
<tr>
<td>&lt; 6th Grade</td>
<td>1</td>
<td>2.4%</td>
</tr>
<tr>
<td>Some HS</td>
<td>4</td>
<td>9.5%</td>
</tr>
<tr>
<td>HS Grad / GED</td>
<td>19</td>
<td>44.2%</td>
</tr>
<tr>
<td>Some College</td>
<td>6</td>
<td>14.0%</td>
</tr>
<tr>
<td>College Grad</td>
<td>7</td>
<td>16.3%</td>
</tr>
<tr>
<td>Post-College Education</td>
<td>3</td>
<td>7.0%</td>
</tr>
<tr>
<td><strong>Days Spent in Detention</strong></td>
<td>(n = 43)b</td>
<td></td>
</tr>
<tr>
<td>[M = 22, SD = 25]</td>
<td>5</td>
<td>10.9%</td>
</tr>
<tr>
<td>&lt; 7 Days</td>
<td>14</td>
<td>30.4%</td>
</tr>
<tr>
<td>7 – 14 Days</td>
<td>18</td>
<td>39.1%</td>
</tr>
<tr>
<td>15 – 30 Days</td>
<td>4</td>
<td>8.7%</td>
</tr>
<tr>
<td>31 – 60 Days</td>
<td>2</td>
<td>4.3%</td>
</tr>
<tr>
<td>2 Months +</td>
<td>3</td>
<td>6.5%</td>
</tr>
<tr>
<td><strong>Legal Representation</strong></td>
<td>(n = 27)c</td>
<td></td>
</tr>
<tr>
<td>Yes</td>
<td>23</td>
<td>85.2%</td>
</tr>
<tr>
<td>Court-Appointed</td>
<td>18</td>
<td>(78.2%) d</td>
</tr>
<tr>
<td>Privately Retained</td>
<td>4</td>
<td>(17.4%)</td>
</tr>
</tbody>
</table>
Unsure 1 (4.3%)
No 4 14.8%

IQ (n = 45) e

\[M = 89.0, SD = 10.6]\]

- < 70 2 4.4%
- 71 – 80 5 11.1%
- 81 – 90 17 37.8%
- 91 – 100 18 40.0%
- 101 + 3 6.7%

Previous Involvement

- First Arrest 7 15.2%
- 1+ Prior Arrests 39 84.8%
- First Detention 15 32.6%
- 1+ Previous Detentions 31 67.4%

Type of Offense (n = 45) f

- Person 22 48.9%
- Property 12 26.7%
- Drug 1 2.2%
- Violation of Court Order 8 17.8%
- Other 2 4.4%

Status at Time of Interview (n = 37) g

- Pre-Adjudication 17 45.9%
- Post-Adjudication 20 54.1%

Note: Unless otherwise noted, sample size is 46 youth

a Six participants were unsure about the educational status of their parents, and thus were excluded from this measure.
b At the time of the study's completion, three youth had yet to be released from detention.
c Study protocol regarding legal representation was changed mid-study, and thus only those in the latter half of data collection were asked to report on their status.
d Percentages are based on those participants who reported legal representation.
e Intelligence was assessed according to the Kaufman Brief Intelligence Test (K-BIT). One youth chose to end the interview prior the completion of the test, and thus was not included in the sample.
f One individual was unclear about the charges that brought him to detention, and thus could not be classified by offense type. All other youth were classified by most serious pending charge.
g Youth who were unsure of their adjudication status were not included in this measure.
### Table 2. Assessments of Procedural Justice and Attitudes about the Law

<table>
<thead>
<tr>
<th>Attitudes About the Law</th>
<th>N</th>
<th>Mean Score</th>
<th>Standard Deviation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Legitimacy of the Law</td>
<td>46</td>
<td>2.9</td>
<td>.5</td>
</tr>
<tr>
<td>Legal Cynicism</td>
<td>46</td>
<td>2.6</td>
<td>.9</td>
</tr>
<tr>
<td>Obligation to Obey the Law</td>
<td>46</td>
<td>3.1</td>
<td>.7</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Procedural Justice: Courts (Gen.)</th>
<th>N</th>
<th>Mean Score</th>
<th>Standard Deviation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Representation</td>
<td>44</td>
<td>3.0</td>
<td>1.8</td>
</tr>
<tr>
<td>Consistency</td>
<td>46</td>
<td>3.5</td>
<td>.7</td>
</tr>
<tr>
<td>Impartiality</td>
<td>46</td>
<td>3.0</td>
<td>.8</td>
</tr>
<tr>
<td>Quality of Decision-Making</td>
<td>46</td>
<td>3.1</td>
<td>1.0</td>
</tr>
<tr>
<td>Correctability</td>
<td>45</td>
<td>2.6</td>
<td>1.4</td>
</tr>
<tr>
<td>Ethicality</td>
<td>46</td>
<td>2.8</td>
<td>.7</td>
</tr>
</tbody>
</table>

*Note:* Higher ratings should be interpreted as more positive evaluations of the variable being considered.
Figure 1. Correlations between composite scores of procedural justice in juvenile court experience and measures of legitimacy of the law, legal cynicism, and obligation to obey the law.

- Legitimacy of the Law: $r = 0.441$
- Procedural Justice: $r = 0.056$
- Legal Cynicism: $r = 0.207$
- Obligation to Obey the Law

- Significant, $p < .01$
- Nonsignificant
Figure 2. A closer examination of the relationship between procedural justice judgments and legal legitimacy: Correlations between procedural justice subcategories and legitimacy of the law.