
**RACIAL DISPARITIES IN
OFFICIAL ASSESSMENTS OF JUVENILE OFFENDERS:
ATTRIBUTIONAL STEREOTYPES AS MEDIATING MECHANISMS***

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Despite extensive sociological research, little evidence exists on how court officials' perceptions of offenders influence their classification, assessment, and final recommendations for punishment. We examine the links among these factors, focusing specifically on the race of the accused. Our analysis combines information from probation officers' written accounts of juvenile offenders and their crimes and court records about the offenders. We find pronounced differences in officers' attributions about the causes of crime by white versus minority youths. Further, these differences contribute significantly to differential assessments of the risk of reoffending and to sentence recommendations, even after adjusting for legally relevant case and offender characteristics. These results suggest that differential attributions about the causes of crime act as a mediating factor between race and sentencing recommendations.

How do professionals within organizations perceive and classify the clients they encounter? Professionals' perceptions help explain organizational outcomes, linking decisions about clients to professionals' diagnoses of their problems and needs (Abbott 1988). Perceptions shape diagnostic and treatment processes by forming the base of information professionals use to classify clients into meaningful categories (Farrell and Swigert 1978; Scull 1975; Sudnow 1965). Because the classification of clients sorts persons perceived as having similar diagnoses and requiring similar outcomes or dispositions, differential perceptions of individuals and groups of clients will yield different diagnoses and treatments (Heimer and Staffen 1995). Further, *inequalities* in professionals' perceptions and diagnoses of clients may produce inequalities in treatment.

Sociological accounts of inequalities in the treatment of persons by organizations are widespread. Studies of racial biases in juvenile courts over the past 30 years have examined whether court officials treat minority

youth more severely than white youth (Aday 1986; Arnold 1971; Bishop and Frazier 1988; Bortner and Reed 1985; Carter and Wilkins 1970; Fagan, Slaughter, and Hartstone 1987; Fagan, Forst, and Vivona 1987; Horowitz and Pottieger 1991; Piliavin and Briar 1964). Although such studies repeatedly raise the specter of racial discrimination in the courts, few identify the mechanisms by which the accused's race influences official assessments of youths and their cases.¹ A critical but overlooked concern is how court officials' perceptions of juvenile offenders contribute to racial differences in legal dispositions. Differential perceptions of youth and their crimes may legitimate racial disparities in official assessments of a youth's dangerousness and risk of future criminal behavior. They also may foster the differential treatment of minority and white offenders in the disposition of criminal cases.

¹ Racial bias is only one possible explanation for racial differences in sentencing. Researchers also have raised the possibility that differential access to resources (e.g., legal aid, psychiatric resources, the ability to arrange and pay for an alternative school) contributes to differential sentencing practices (Emerson 1981; Fagan, Slaughter, and Heartstone 1987; Farrell and Swigert 1978).

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Many scholars have studied the processes by which courts designate individuals as "criminal" or "delinquent." Most argue that court officials subjectively classify offenders, differentiating between offenders according to their backgrounds and the perceived likelihood of future crime. For example, Emerson's (1969) analysis of the juvenile court reasons that:

[T]he court is largely guided by its judgments and inferences regarding the nature of the delinquent actor involved. That is, the solution to the problem—What can and what must we do with this case?—generally depends on the answer to: what kind of youth are we dealing with here? This involves a process of inquiry into the youth's moral character. (Pp. 89–90)

In classifying youth, court officials make judgments about character—a youth's attitudes, motivations, and background—that influence the outcome of legal proceedings. These judgments and the supporting arguments made in court are persuasive organizational claims about the youth, about how he or she should be treated, and about how officials justify their actions.

We study juvenile offenders and their probation officers' written accounts of the decisions made about their cases. The written accounts are organizational documents that the probation officers design using information known to them to persuade judges to follow a certain course of action (Jacobs 1990; McCleary 1978). Using narratives from these reports and other information about the offenders, we examine the links between the offender's race and the probation officer's assessments of the youth, his or her crimes, the perceived likelihood of future criminal behavior, and sentence recommendations. We explore how attributions about the causes of crime, as reflected in the written narratives, explain the race-punishment relationship.

RACE AND ATTRIBUTION IN JUVENILE JUSTICE DECISION-MAKING

Racial and ethnic stereotypes are important to understanding whites' reactions to minorities, particularly in the administration of criminal and juvenile justice. When minority offenders are stereotyped as particularly predatory or disposed to chronic criminal of-

fending, they "are seen as more villainous and therefore as deserving of more severe penalties" (Peterson and Hagan 1984:67). Sociological theories of law and deviance view such stereotypes as essential to explaining racial differences in criminal penalties. Criminals and delinquents are "emergent products" (Albonetti 1991; Cicourel 1968; Foucault 1977)—persons who are transformed by the court process into officially recognized offenders. These theories explain the legal process, particularly the disposition of criminal cases, in terms of the reactions of court officials to the perceived behavioral and status characteristics of the accused. Reasoning that court officials develop and employ mental images of offenders as they interact with them, the theories argue that these images are often based on offenders' similarities to other offenders they have dealt with in the past or to officials' personal conceptions of such offenders (Albonetti 1991; Albonetti and Hepburn 1996; Emerson 1969, 1983, 1991; Sudnow 1965).

Three issues persist about race, definitions of youth, and how criminal cases are handled. First, do court officials perceive and judge minority offenders differently than similarly situated white offenders? In criminal courts, race is a marker of social status that many scholars believe directly influences how officials evaluate the offender's case and his or her character. For example, Cicourel's (1968) analysis of juvenile courts suggests that minorities are more likely than whites to be seen as disrespectful of authority and, in particular, disrespectful of court officials. Recent analyses report similar anecdotal findings—persons of color, despite having similar offense histories, are perceived differently than whites, often as presenting images of threat and danger (Bridges, Crutchfield and Simpson 1987; Bridges and Conley 1995; Farrell and Swigert 1978; Tonry 1995).

Few studies have analyzed officials' perceptions of youths or their accounts of decisions on juvenile offenders (but see Spohn 1994 for research on perceptual processes as they relate to adult offenders). While studies of adult offenders suggest that court officials use the offender's attitude as an aggravating or mitigating factor and adjust their sentencing recommendations accordingly, the research does not identify a relationship be-

tween race and attitudinal typifications (Ulmer and Kramer 1996). Most research offers anecdotes with no extensive comparison of racial differences in officials' perceptions or accounts. Further, none of the studies examines whether racial differences in assessments of youth are mediated by differences in alleged crimes. None of the studies adjusts for differences in either the severity of the presenting offense or in the offenders' prior offense history in examining judgments of the "good" or "bad" character of youth (but see Bortner 1982; Drass and Spencer 1987). Thus, it is impossible to ascertain whether race is related to judgments about youths independent of the characteristics of their criminal cases or criminal histories.

Theories of social cognition provide a conceptual framework for understanding how officials assess and describe youth and their crimes. Attribution theory explores the process through which individuals "arrive at causal explanations for events" (Fiske and Taylor 1991:23). In making attributions, persons typically assess whether factors perceived to be within an individual—*internal characteristics*—or within the environment—*external characteristics*—are responsible for how the individual acts (Heider 1958). Internal factors include aspects of personal disposition and attitudes.² External factors include situational factors, both immediate and distant, surrounding an act (Weiner et al. 1972).³ Individuals whose acts are viewed as stemming from external factors are generally held less responsible than those

whose acts are viewed as stemming from internal factors (Rotter 1966).

Analyses of official decision-making routinely incorporate external factors (e.g., family structure, substance abuse, associations with criminal others), while neglecting internal factors. Nevertheless, internal factors may be crucial in understanding officials' judgments about offenders. For example, probation officers are more likely to perceive offenders who are disrespectful of their victims, the law, or the legal process as more responsible for their offenses. Further, these offenders are then perceived as having the highest risks of reoffending (Albonetti 1991; Drass and Spencer 1987; Emerson 1969; Spencer 1983). *To the extent that court officials perceive minority offenders differently than whites, they may be more likely to perceive minorities' crimes as caused by internal forces and crimes committed by whites as caused by external forces.*

Second, do officials perceive minorities as more likely than white youths to commit future crimes? Marxist theories of law and social control argue that economic and political elites perceive racial and ethnic minorities as problem populations that threaten the social order (Blalock 1967; Bridges and Crutchfield 1988; Bridges and Myers 1994; Garland 1990; Liska 1994; Spitzer 1975). Courts and other legal institutions may punish minority offenders more severely than whites because they perceive minorities as more threatening, and therefore more deserving of punishment and control.

Despite the importance of perceived threat to sociological explanations of legal deci-

² Some youths, particularly middle-class youths, may have their delinquency explained in psychological terms, whereas such explanations are rarely offered to account for the conduct of lower-class children. This suggests that internal attributions locate a youth's problems in his or her "bad character" and are a product of complex psychological dynamics. We found, however, little evidence supporting this line of reasoning. Most of the narratives made little or no reference to complex psychological explanations of behavior. Instead, they typically referred to basic attitudinal problems such as a lack of remorse or being disrespectful to authority. Other references were made to social forces in the environment that were clearly external to the individual. Thus, there is no way to assess this claim with our data.

³ Attribution theory's emphasis on responsibility and the causation of behavior makes it an ap-

propriate theory for examining probation decisions, which combine assessments of prior conduct with predictions of future conduct. These assessments involve diagnostic attributions about the causes of crime and criminal behavior (Carroll and Burke 1990). Many researchers have attempted to identify salient factors in legal decision-making (e.g., the offender's prior criminal record, the characteristics of the presenting offense, the offender's age, race, and sex), but few have examined this process from an attributional perspective, using the concept of locus of control (internal causes versus external causes) as a central concept. Most studies suggest that attributions about control play an important role in predicting the risk of reoffending (Carroll and Payne 1977).

sion-making, few studies have examined how officials' assessments of offenders or their crimes influence their perceptions of threat. Indeed, most studies focus on legal outcomes (e.g., whether accused youths are detained, prosecuted, or sentenced to confinement) without regard to the perceptual processes involved. Although simulations of decision-making have analyzed how characteristics of the accused influence officials' perceptions of threat, no studies have examined actual cases (but see Bortner 1982; Drass and Spencer 1987). *To the extent that officials are more likely to attribute minority crimes to internal causes and white crimes to external causes, they may be more likely to view minorities as culpable and prone to committing future crimes. Thus, differential attributions about the causes of crime by minorities and whites may contribute directly to differential assessments of offender dangerousness and risk.*

Third, although anecdotal evidence suggests that officials view minority offenders differently than white offenders and that such attributions play a pivotal role in case dispositions, scholars disagree about the causal links between race, officials' assessments of youth, and recommended punishments. Racial differences in officials' recommendations may occur in part because minorities are more frequently involved in serious crimes and have more extensive criminal histories (Blumstein 1982; Carter and Wilkins 1970; Horwitz and Wasserman 1980; Langan 1985; Tonry 1995). Differences in perceived threat presented by white and minority offenders and differences in recommended sentences may occur because officials' perceptions are based primarily on the differences between minority and white youths in behaviors believed to predict future criminal acts (e.g., prior offenses). While attributions about youth and their crimes may contribute to perceived differences in threat and in recommended punishments, many researchers assume (often implicitly) that these attributions will be much less influential than factors such as the severity of the crime or the accused's prior criminal history.

In contrast, other scholars reason that differential punishments are closely linked to officials' perceptions and diagnoses of the offender and his or her crime. Officials who

judge minority offenders as having higher-than-average risks of reoffending do so in large part because they view minorities as more prone to criminal behavior, regardless of the severity of their offenses or backgrounds in crime (Bridges, Crutchfield, and Simpson 1987). According to this reasoning, attributions may be as influential or even more influential than case-related characteristics (Albonetti 1991). Thus, officials' judgments about the causes of crime along with relevant characteristics of a youth's case and criminal history will influence assessments of risk and recommended punishments. *If perceptions and attributions play a critical role in legal classification and decision-making, then differential attributions should contribute directly to racial differences in perceived risk and recommended punishments, above and beyond the influence of legally relevant case characteristics.*

THE STUDY

The primary sources of information used in this study are 233 narrative reports written by probation officers in three counties in a western state. These reports represent a subsample of reports drawn from a sample of juvenile court cases processed through the courts between 1990 and 1991 (Bridges et al. 1993).⁴ Probation officers write these narra-

⁴ The original study sample for the three counties included 1,300 cases. The subsample used in the present study was drawn as an interval sample—every fourth case was drawn from the larger sample for two counties, and every fifth case from the third county. The final subsample included 277 cases (23 cases were not available because they were in use by probation staff at the time of the sampling). The present study compares African American and white juveniles only, and therefore it is limited to 233 cases—170 whites and 63 blacks. The subsample overrepresents defendants with case files that included written documentation about the youths and their families. These cases tend to have higher proportions of minorities and juveniles with extensive criminal histories than occur in the population of all youths processed through the courts. To adjust for the possible effects of sampling biases associated with these differences, the data were reanalyzed using sampling weights. The weighted analyses yielded findings similar to those reported here.

tives for the court at disposition (typically following conviction). The reports offer summary information about a youth's social history and typically conclude with the probation officer's assessment of the likelihood of criminal recidivism and recommendations for sentencing. In each case, the reports are based on the probation officer's interviews with the youth, with his or her family, and on written reports such as school records. The narratives range in length from 2 to 12 single-spaced typed pages of descriptive and evaluative text.

The current study draws from the narratives to explore the relationship between race; officials' characterizations of youths, their crimes, and the causes of their crimes; officials' assessments of the threat of future crime by youths; and officials' sentence recommendations. The narratives play a pivotal role in juvenile justice decision-making, and are therefore prepared according to specific procedures taught in a training curriculum that probation officers are required to attend. The training manual used by officers in preparing narrative assessments specifies that evaluations of youths and the management of their cases should focus on youths' risk of reoffending and on factors in the offender's background influencing his or her criminal behavior:

The juvenile justice worker is . . . responsible for providing the community with protection from the offender . . . this requires an effort to determine the RISK potential presented by the offender. . . .

It is the goal [of the assessment] to identify the offender's strengths and weaknesses . . . to identify patterns of offense behavior and their early warning signals, and to . . . accurately identify the areas that need adjustment if the offender is to change his or her behavior. (Criminal Justice Training Commission 1995:28, 39, emphasis in original)

One senior probation officer, whose reports were included in the study, described how the court evaluates the narratives: "Typically, judges look for 'red flags' . . . things that say a kid is going to reoffend . . . or whether things are okay for the child, like whether they are not doing well at home."

We drew demographic information and legal histories from case files on all juvenile offenders. Demographic variables included

are the juvenile's sex, age, and race. We compare the cases involving black youths with those involving white youths—youths of other races were excluded from the analyses due to small numbers.⁵ Legal information collected from case files included the severity of the presenting offense in terms of interpersonal violence, whether the youth was detained prior to adjudication, and the youth's number of prior criminal convictions. These factors influence the outcomes of juvenile justice processing decisions (Bishop and Frazier 1988; Drass and Spencer 1987).

Equally important are aspects of social context. The typification of deviants may vary by context, with professionals more likely to label clients as deviant and sanction them severely in those courts and communities where the emphasis is on punishment and disintegration (Braithwaite 1989; Heimer and Staffen 1995). In contrast, professionals may be less likely to recommend severe sanctions in those contexts that emphasize rehabilitation or reintegration. Because the counties from which the cases were sampled varied in terms of the professional ideology of the court—one of the counties emphasized a rehabilitative model more than the others—we also collected information on contextual factors, including the identity of the court, the identity of the probation officer who prepared the report, and the probation officer's race. County and the name of the probation officer were drawn directly from the reports themselves; probation officer's race was determined by contacting each probation department.

Attributions about Youths and Their Crimes

We relied heavily on previous ethnographic research to identify attributions about the causes of youths' crime that juvenile court officials use in decision-making (Cicourel 1968; Emerson 1969). Categories of attributions made about youths' crimes were adopted from Emerson's (1969) analysis of the juvenile court. For each major type of attribution, we developed multiple indicators

⁵ Of the 277 cases sampled, 8 were Hispanics, 12 Native Americans, 18 Asian Americans, and 6 were other races or "race unknown."

for coding from the court narratives. In analyzing the content of the narratives, each indicator was coded +1 if the probation officer made explicit reference to it (e.g., "Joey's friends are delinquent"), -1 if the probation officer made explicit reference to its absence (e.g., "Joey's friends are not delinquent"), or 0 if the indicator was not referenced in the report. Discussions with probation officers support this general coding scheme. Because report narratives varied in the number and types of factors identified as causes, probation officers were asked about how reports with little or no information on factors causing delinquency should be interpreted. One officer referred to the absence of "descriptors or characterizations of youth" stating:

In these cases there will be no red flags [negative characteristics] and no real positive characteristics either. If there are no positive descriptors or characterizations either then it means that there is little about the child that's outstanding . . . that gives cause for alarm, . . . or few good things to believe that he or she will be successful with continued supervision. . . . Sometimes I get the sense [in these cases] that the child just truly went braindead for a day, did something stupid, and has done nothing prior to this offense and will not commit future crimes. Sometimes kids will be kids. . . .

Thus, the absence of information about a particular indicator was coded as 0, indicating that the attribution was neutral (i.e., that it was not considered an important factor in the youth's current or future offending).

Previous analyses of the juvenile court distinguish between attributions about the youth's immediate social environment and those about the youth's personality (Cicourel 1968; Emerson 1969). The first type of attributions entails *environmental influences* that officials believe cause delinquency and crime, which, if not addressed through interventions or treatment, are expected to contribute to subsequent criminal behavior. The second type of attributions points toward a delinquent or criminal *personality*. To distinguish between these two types of attributions, two summed scores were employed in the analysis. An eight-item summed score of *negative external attributions* was derived from indicators of factors in the youth's immediate social environment ("peers are de-

linquent," "peers are a negative influence," "dysfunctional family," "lots of family conflict," "poor grades," "poor attendance at school," "uses drugs and/or alcohol," and "has drug/alcohol problems"). A five-item *negative internal attributions* summed score was derived from those indicators referring to the youth's personality as reflected in his or her attitudes and cooperativeness with court officials ("does not admit guilt," "feels no remorse," "does not take offense seriously," "uncooperative with current probation officer," and "uncooperative in past encounters"). The scores capture the number and direction (positive or negative) of attributions made about the youths by the probation officers. The reliabilities of both scores were high ($\alpha = .72$ for the negative external attributions and $.74$ for negative internal attributions).

Threat of Future Crime

We also examined whether attributions about youths and their crimes are related to official assessments that youths will reoffend. Such assessments are the culmination of the probation officers' experiences with the youths, and along with the probation officers' sentencing recommendations these assessments constitute the central element of the summary section of the narrative reports. Assessments of the risk of reoffending—the perceived threat of future crime—act as a bridge between a probation officer's personal interaction with the youth and his or her sentencing recommendation. By translating the social and personal information about a youth into a judgment about her or his likelihood of reoffending, probation officers frame recommendations in probabilistic terms. Typically, probation officers in the final sections of each report assess youths in terms of their risk of reoffending. In effect, the probation officer evaluates the youth's dangerousness or threat of future crime. We coded this information on a three-point scale: 1 = "low risk," 2 = "moderate risk," and 3 = "high risk."

Sentence Recommendations

The final set of variables measured probation officers' sentencing recommendations. At the end of each report, the probation officer

made a recommendation to the court regarding the type and length of sentence the youth should receive. Typically, the recommendations were recorded in terms of the number of weeks and/or days the youth should receive under correctional supervision or confinement. The laws of the state require the presumptive sentencing of juvenile offenders—that is, types and terms of correctional supervision (i.e., sentencing guidelines) are specified by statute for each major class of offense and offender. Probation officers' sentencing recommendations typically take the form of a range of weeks and/or days corresponding to the statutory standard range or to periods and types of supervision greater than or less than the standard range.

We sought measures that would accurately reflect sentence variation across offenders and that captured important departures from the legally mandated standard ranges. Three measures of recommended sentences were constructed. First, we constructed an ordinal scale measuring the degree and direction of departure from the standard range specified by statute. If the recommended sentence was less than the mandated standard range, the variable was coded as 1. The variable was coded 2 if the recommended sentence was within the standard range but at its low end, 3 if the sentence was in the middle of the standard range, 4 if the sentence was at the high end of the standard range, and 5 if the sentence exceeded the standard range.⁶

Second, we constructed a measure of the length of sentence corresponding to the number of weeks of supervision in some form of confinement. If the probation officer recommended a range of weeks (e.g., 8 to 12 weeks) we took the mid-point of the range as the recommended sentence.

Third, we developed an "in/out" measure of confinement to a correctional institution, coding sentences of confinement to a correctional facility as +1 and any other sentence as 0. Although all the analyses were conducted using each of these measures, the analyses yielded no substantial differences in findings. Therefore, we report only results of

the analyses using the first measure.⁷ This measure is the most valid indicator of the discretion exercised by probation officers in sentencing recommendations, particularly insofar as they departed from the statutorily prescribed sentences.

Probation officers' written descriptions of youths are, in part, explanations of their recommendations and decisions about youths and their cases (Scott and Lyman 1968). As such, they are organizational claims intended to persuade judges and that reflect accepted explanations for case handling within the court. Do attributions about offenders reflect the perceptions and "diagnoses" of offenders by probation officers, or are they established legal rationales routinely offered by probation officers and accepted by juvenile court judges for justifying classification decisions? If the former, then the attributions are a critical link in the causal sequence of factors influencing sentencing outcomes. If the latter, then the attributions may play a less important role in treatment decisions. This latter possibility raises the additional question of whether the organizational norms of courts or the expectations of individual judges prescribe different explanations or rationales for different types of offenders. Some court professionals may tailor their arguments and claims to the expectations and perceived needs of individual judges, delivering rationales that produce the most desired outcomes.

Two aspects of our study suggest that the probation officers' attributions typically preceded rather than followed classification and treatment decisions. First, the state laws require presumptive sentencing of juveniles and thereby focus the attention of court officials on characteristics of the offense and offender in formulating sentencing recommendations. These laws establish a formal logic and order to the assessment process that limit the extent to which classification or sentencing may precede assessment. Second, observations and interviews of probation officers who completed the narrative reports also

⁶ Of the 233 cases, probation officers recommended higher than the standard range in 15 cases and lower than the standard range in 21 cases.

⁷ The other two measures showed significant mean differences between blacks and whites in sentences imposed, with blacks receiving more serious sentences on average than whites. Results of the additional analyses are available from the authors on request.

suggest that attribution precedes classification and treatment. Typically, classification decisions were made following careful consideration of the youth, his or her crimes, and the youth's risk of future criminal activity.⁸ None of the interviews or observations gave us reason to believe that rationales were developed following decisions about offenders or that probation officers considered individual judges' expectations or desires about case outcomes when formulating their descriptions of offenders and their crimes.

Nevertheless, dispositional decisions may precede assessment. In some instances typifications of offenders may reflect a gestalt of defendant characteristics that is used to justify a particular dispositional outcome (Maynard 1982). Although court officials clearly look to the characteristics of the offender and his or her crime as they contemplate the sentence and disposition, they may organize these characteristics according to different principles. Some may tailor their written assessment of the defendant's overall character and circumstances to the desired sentence outcome. Others may weigh each characteristic and circumstance of the defendant while making their sentence recommendation. We argue that the legal context of the state and the formal rationality associated with presumptive sentencing encourage the latter approach because of its established guidelines for determining sentence length.

ANALYSIS AND RESULTS

We examine the empirical relationships between race, attributions about minority and white offenders, probation officers' assessments of youths' risk of future crime, and final sentence recommendations. We examine three issues: Whether a youth's race is re-

lated to officials' attributions about youths (independent of other factors), whether attributions influence assessments of the risk of future crime and recommended sentences, and whether attributions mediate the relationship between an offender's race and officials' assessments of risk and recommended sentences, adjusting for the seriousness of the alleged offense and the offender's criminal history.

The analysis of probation officers' narratives reveal important differences in their attributions about white and black youths. Table 1 exhibits means by race for all variables included in the analysis. Two findings are noteworthy. First, reports on black youths were more likely to include negative *internal* attributions than reports on white youths (mean for blacks = .56 versus -.07 for whites). In contrast, reports on white youths were more likely to include negative *external* attributions than were those for black youths (mean for whites = 1.13 versus .75 for blacks). Thus, probation officers describe black and white youths differently, referring to negative personality traits for black youths and more to negative environmental influences for whites. Second, officers' assessments of the risk of reoffending differed significantly by race; black youths were judged to have a higher risk of reoffending than were white youths (mean for whites = 2.16 versus 2.42 for blacks). There was no significant difference by race in sentence recommendations, and the majority of sentences recommended by probation officers for both groups were within the standard ranges.⁹

The observed differences in attributions and risk assessments may be the result of factors other than the youth's race, as other characteristics of youths may shape or influence probation officers' perceptions or assessments. For example, the severity of a presenting offense or a youth's prior criminal record may affect how officers perceive and classify an offender (Farrell and Holmes 1991; Farrell and Swigert 1978; Sudnow 1965). Further, if these factors are also re-

⁸ For example, one probation officer, who completed many of the narratives in our study, was interviewed on at least three occasions and was observed and audiotaped as she prepared and completed a narrative report on a "typical" youth. The analysis of the offender and his case file proceeded logically, considering the offense, the prior history, and the "red flags" in the youth's file that suggested the type of sentence the probation officer should recommend to the court. Further, the probation officer repeatedly referred to the recommendations of the training manual.

⁹ Previous studies of juvenile dispositions from this state reveal no significant racial differences in juvenile sentencing after adjusting for statutorily mandated standard ranges (Bridges and Conley 1995; Bridges et al. 1993, 1997).

Table 1. Descriptive Statistics for Variables Used in the Study: Juvenile Offenders in Three Counties

Variable	White			Black			F-Difference
	Mean	S.D.	N	Mean	S.D.	N	
Age	15.84	1.33	170	15.57	1.29	63	1.79*
Sex (male = 1)	.88	.32	170	.81	.40	63	7.68+
Prior convictions	3.12	3.35	170	4.90	4.50	62	10.63+
Detained prior to adjudication	.48	.50	147	.84	.37	56	23.28+
Violent offense	.33	.47	170	.48	.50	63	4.30+
Negative internal attributions ^a	-.07	1.33	145	.56	1.33	59	9.35+
Negative external attributions ^b	1.13	2.00	167	.75	1.86	61	1.65+
Risk of reoffending ^c	2.16	.79	155	2.42	.78	62	4.73+
Sentencing recommendation ^d	2.92	.71	165	3.00	.89	62	.57

^a Scores range from -2 to +2. Negative scores indicate positive internal characteristics; positive scores indicate negative internal characteristics.

^b Scores range from -3 to +3. Negative scores indicate positive external characteristics; positive scores indicate negative external characteristics.

^c Scores range from 1 (indicating a low risk of reoffending) to 3 (indicating a high risk of reoffending).

^d Scores range from 1 (indicating a recommendation below the standard range) to 5 (indicating a recommendation above the standard range).

**p* < .05 (one-tailed tests) **p* < .05 (two-tailed test)

lated to race, they help explain the racial differences in internal and external attributions. Youths with prior criminal records may be perceived as more seriously entrenched in a lifestyle of delinquency and therefore more likely to have personality traits of chronic delinquents.

Internal and External Attributions

To identify the role of race in generating probation officers' attributions about youths and their crimes, we initially conducted two sets of regression analyses. Each set included the internal and external attribution scores as dependent variables. The first set of analyses adjusted for the influence of factors such as age, sex, nature of the presenting offense, and prior offense record. The second set of analyses added contextual variables, including county identity, identity of the probation officer, and probation officer's race.¹⁰ This

¹⁰ Many factors may contribute to differences in these reports, apart from differences among the cases' and offenders' characteristics. Different probation officers may use different criteria in assessing youths and their cases. Further, counties may differ in the criteria used for judging the moral character of youths; probation staff in each

second set of regressions was conducted with this part of the analysis because the policies and practices of court officials may vary significantly across jurisdictions and in relation to important social structural differences in the surrounding communities (Levin 1976; Eisenstein and Jacob 1977; Myers and Talarico 1987). Further, we expected that the structure and dominant ideology of the court would influence the extent to which officials recommend particularly harsh punishments.

Table 2 reports results from only the first of the regression analyses. The second set of analyses demonstrated that contextual factors had only limited influence on attributions about crime and on racial differences in attributions.¹¹ Further, no significant differences

of the counties may have its own policies and culture with respect to handling youths. To assess whether differences among probation officers and county courts contributed to the findings exhibited in Table 1, the analyses were performed twice, once with dummy variables indicating probation officers with a disproportionately large caseload (1 = those with 15 or more cases in our sample; 0 = other), and once with dummy variables indicating the county from which cases were drawn.

¹¹ Only race of the probation officer was a significant predictor of attributions, and then only of

Table 2. OLS Coefficients from the Regression of Probation Officers' Negative Internal and External Attributions on Selected Independent Variables: Juvenile Offenders in Three Counties

Independent Variables	Negative Internal Attributions		Negative External Attributions	
	Unstandardized Coefficient (b)	Standardized Coefficient (β)	Unstandardized Coefficient (b)	Standardized Coefficient (β)
Age	.003 (.082)	.003	.009 (.094)	.006
Race (black = 1)	.419 ^a (.228)	.139	-1.189** (.286)	-.269
Sex (male = 1)	.286 (.291)	.071	-.494 (.358)	-.085
Prior convictions	.409** (.151)	.210	.762** (.190)	.271
Detained prior to adjudication	.551* (.223)	.193	1.672** (.275)	.418
Violent offense	-.123 (.205)	-.043	-.032 (.257)	-.008
Intercept	-.433 (1.371)	—	-1.105 (1.541)	—
R ²	.129	—	.287	—

Note: Numbers in parentheses are standard errors.
^a Marginally significant at $p = .10$ (one-tailed test).
* $p < .05$ ** $p < .01$ (one-tailed tests)

were observed across courts in the characterization of delinquents or in attributions about the causes of their delinquent behavior.

Attributions about the causes of youth crime are heavily influenced by the severity of the youth's current criminal behavior and

internal attributions ($\beta = -.206$). However, the variation in the race of probation officers was limited (black probation officers handled only 23 of the total cases in our study). With this caution in mind, this finding suggests that black probation officers are less likely to make negative internal attributions than are white probation officers. In predicting internal attributions, youth's race remains marginally significant ($p < .10$; $\beta = .131$). These results led us to include an interaction term between youth's race and race of probation officer. An idea that has evolved from attribution theory is that of the "ultimate attribution error" whereby individuals attribute the causes of behavior differentially depending on whether the individual is in the "in-group" (same race) or "out-group" (different race). This predicts that the white probation officers will attribute the behavior of white youths to external characteristics, while attributing the behavior of black youths to internal characteristics. Similarly, black probation officers should attribute the behavior of black youths to external characteristics

the extensiveness of his or her prior criminal record.¹² Race also is important, exhibiting significant but different effects on external and internal attributions ($\beta = -.269$ for external attributions, .139 for internal attributions). Being black significantly reduces the likelihood of negative *external* attributions by probation officers and significantly increases the likelihood of negative *internal* at-

and the behavior of white youths to internal characteristics. Thus, the finding that race influences internal and external attributions differently, could be the result of the larger number of white probation officers. We tested this hypothesis by including an interaction term in the regression; the term was not significant, however, and is omitted from the analysis.

¹² Given the significance of prior record, the sample was divided into two groups—those youths with 0 to 2 prior offenses and those with 3 or more prior offenses—to determine whether social, legal, and contextual factors affect character judgments differently for youths viewed as new offenders versus those viewed as habitual offenders. While the difference in mean scores between the two groups was statistically significant for both internal and external attributions, the same variables were significant in the regressions run for each group.

tributions, even after adjusting for severity of the presenting offense and the youth's prior involvement in criminal behavior.¹³

These differential attributions are illustrated in the following excerpts drawn from the narratives of similar cases, both 17-year-old boys with no prior criminal history who were charged with first-degree robbery. Both crimes involved firearms. In the first case, the offender (Ed) held up a gas station with two friends. In the second case, the offender (Lou) robbed two motels with two friends. No injuries were sustained in either case. Ed is black, and Lou is white.

The probation officer attributed Ed's criminal behavior to unremorseful attitudes and an amoral character:

This robbery was very dangerous as Ed confronted the victim with a loaded shotgun. He pointed it at the victim and demanded that he place the money in a paper bag. This appears to be a premeditated and willful act by Ed. . . . There is an adult quality to this referral. In talking with Ed, what was evident was the relaxed and open way he discussed his life style. There didn't seem to be any desire to change. There was no expression of remorse from the young man. There was no moral content to his comment.

In contrast, Lou is portrayed as a victim of external circumstances (Sykes and Matza 1957):

Lou is the victim of a broken home. He is trying to be his own man, but . . . is seemingly easily misled and follows other delinquents against his better judgment. Lou is a tall emaciated little boy who is terrified by his present predicament. It appears that he is in need of drug/alcohol evaluation and treatment.

¹³ These effects may reflect a differential impact of race on the individual components of each scale. For example, regarding external attributions, race may strongly affect attributions about family but may have no effect on attributions about school, peer relations, or drug/alcohol use. To explore this possibility, separate regressions were run with each component acting as a dependent variable. Results showed that race has a significant effect on each component, except drug and alcohol use and youth's attitude. The effect of race on these two components, while not significant, was in the predicted direction (positive for external attributions and negative for internal attributions).

The Risk of Reoffending and Sentencing Recommendations

We also examined the relationship between race, attributions, and probation officers' assessments of the risk of reoffending and their sentence recommendations. Table 3 displays the results of regression analyses in which risk assessments and sentence recommendations were regressed on case characteristics, youths' social and demographic backgrounds, and internal and external attributions about youths and their crimes.

Not surprisingly, Model 1 indicates that youths with prior histories of delinquent offending ($\beta = .312$), those judged by the court as dangerous enough to be detained prior to adjudication ($\beta = .399$), and those who committed more serious (violent) offenses ($\beta = .140$) were described as having a high risk of future offending. In contrast, none of the youths' demographic characteristics (including race) significantly influenced risk assessments after adjusting for these factors.¹⁴ In effect, case characteristics mediated the relationship between race and perceived risk.

Model 2 adds attributions about youths and their crimes to the analysis. Negative attributions have strong and significant effects on assessments of risk, independent of demographic and legal variables. The explanatory power of Model 2 is substantially higher than that for Model 1 ($R^2 = .540$ as contrasted to $.340$). Negative *internal* attributions are more influential on assessments of risk than are negative *external* attributions ($\beta = .442$ versus $.143$). This suggests that youths whose crimes are attributed to internal causes are more likely to be viewed as "responsible" for their crimes, engulfed in a delinquent personality and lifestyle, and prone to committing crimes in the future.

Excerpts from the narratives illustrate these processes. Typically, probation officers

¹⁴ Given previous research (Daly 1994; Steffensmeier, Kramer, and Streifel 1993), we expected gender to have a significant effect on the dependent variables. Our lack of significant effects for gender is likely due to the small number of females in the sample (32 of the 233 cases). Although not statistically significant, females received lower risk assessments and shorter recommended sentences than did males.

Table 3. OLS Coefficients from the Regression of the Risk of Reoffending and Sentencing Recommendations on Selected Independent Variables: Juvenile Offenders in Three Counties

Independent Variables	Model 1		Model 2		Model 3		Model 4	
	Unstandardized Coefficient (b)	Standardized Coefficient (β)	Unstandardized Coefficient (b)	Standardized Coefficient (β)	Unstandardized Coefficient (b)	Standardized Coefficient (β)	Unstandardized Coefficient (b)	Standardized Coefficient (β)
Age	-.003 (-.038)	-.005	-.001 (.035)	.001	.012 (.035)	.021	-.020 (.053)	-.028
Race (black = 1)	-.059 (.112)	-.034	-.134 (.102)	-.079	.041 (.111)	.023	-.001 (.154)	.003
Sex (male = 1)	.132 (.145)	.056	.045 (.129)	.019	.082 (.124)	.040	-.074 (.193)	-.029
Prior convictions	.349** (.075)	.312	.198** (.067)	.181	.171** (.065)	.171	.111 (.102)	.092
Detained prior to adjudication	.651** (.110)	.399	.439** (.105)	.268	.103 (.101)	.066	-.145 (.167)	-.080
Violent offense	.227* (.102)	.140	.225** (.087)	.143	-.139 (.091)	-.094	-.123 (.132)	-.070
Negative internal attributions	—	—	.248** (.035)	.442	—	—	.134* (.060)	.215
Negative external attributions	—	—	.054* (.026)	.143	—	—	-.011 (.040)	-.025
Risk of reoffending	—	—	—	—	—	—	.331** (.120)	.299
Intercept	1.572 (.620)	—	1.670 (.576)	—	1.572 (.620)	—	2.510** (.861)	—
R ²	.340	—	.540	—	.037	—	.217	—

Note: Numbers in parentheses are standard errors.
*p < .05 **p < .01 (one-tailed tests)

take the youth's attitudes toward the current offense and toward court officials as a critical indicator of whether the youth has a "proper" attitude toward crime. Youths who acknowledge personal responsibility and who express remorse may be portrayed as knowing right from wrong and as more likely to avoid further criminal behavior:

Chris seems to be fully aware of the mistakes he has made in the past and he has been making deliberate efforts to do better. He seems sincere in his desire to stay out of further trouble with the law. He seems to have gained some insight and maturity in his outlook and appears willing to be more responsible in his behavior. He is making plans for the future and is attempting to put his criminal past behind him. He is not likely to reoffend at this time. (Low assessed risk of reoffending)

A disrespectful attitude, on the other hand, may indicate a lack of understanding of or agreement with the legal order. Youths displaying a disrespectful attitude are seen as lacking the internal restraints against committing future crimes:

Jason takes little responsibility for his actions and seems to be unaffected by consequences to date. This officer would not be surprised to see Jason reoffend in the future based on his lack of respect for the property of others, his disregard for the law, and his desire to experience the thrill of the moment. Jason demonstrates little, if any, remorse for his actions and seems to only be sorry that he got caught. (High assessed risk of reoffending)

Court officials view the family as having the same control functions as the justice system. If a probation officer views a youth's family as capable of controlling the youth's behavior, the youth is likely to be assessed as a lower risk to reoffend:

Sean is a likable and typical 16-year-old. The theft was out of character for him. He comes from a stable family which supplies a lot of love and support. They also provide discipline and guidance. The relationships within the family appear positive and constructive. Sean is sure he will never be back before the court. (Low assessed risk of reoffending)

Drug and alcohol use also are seen as serious inhibitors to internal controls. Youths with serious addictions are often deemed unable to control their criminal behavior be-

cause of the physical effects of alcohol and/or drugs:

Margaret is definitely unmanageable in the community. It is clear that until Margaret's addiction is adequately addressed, her behavior patterns will not change and are, in fact, likely to only escalate. It is clear that Margaret is not able to function in a responsible manner without a great deal of enforced structure. It is felt that such structure can best be provided for her within the juvenile justice system. (High assessed risk of reoffending)

Similarly, youths who have family members or friends who are engaged in criminal behavior, who use drugs or alcohol, or who lack motivation for employment and other conventional activities, may be seen as having a high risk of reoffending.

It appears that Joseph's family has been very dysfunctional for some time. Joseph did not have a positive role model. His family members had some serious problems with drugs and alcohol, which led to problems with the law. The family has enabled Joseph to continue in the pattern he is in now. If Joseph doesn't get help now, he will be a very high risk to reoffend. (High assessed risk of reoffending)

The environment may be a positive influence on the youth's behavior:

Reggie has made a positive attempt to change his behavior. He no longer associates with his old friends, has made new friends through his church, and attends group counseling on Sundays. . . . Reggie seemed very adamant that he was not going to reoffend because his work and family mean too much to him. (Low assessed risk of reoffending)

Finally, probation officers interpret lack of engagement in school as a sign of selfishness and a lack of maturity, both of which are viewed as risk factors, making a youth more likely to engage in criminal behavior:

It appears to me that Allen has no strong aspirations academically or vocationally and no desire to please anyone other than himself. His egocentric attitude and apparent indifference to others often throw him into conflict with authority figures at school and in the community. (High assessed risk of reoffending)

Model 2 also indicates that race has no significant direct effect on assessments of risk after adjusting for case characteristics, the accused's prior criminal record, and attribu-

tions made about offenders by probation officers. The single most influential factor on risk assessments is negative internal attributions. Negative internal attributions about the causes of crime, such as "feeling no remorse" or being "uncooperative," have greater influence on officers' assessments of risk than do attributions about a youth's social environment, the characteristics of their cases, or their criminal histories. In other words, youth whose crimes are attributed to negative personal traits are much more likely to be perceived as having a high risk of reoffending, above and beyond any risks associated with their presenting offense or criminal history.

Finally, Models 3 and 4 in Table 3 present the results of the regressions of probation officers' recommended sentences on the independent variables. Model 3, which includes only the legal and demographic variables explains little variance, with prior convictions being the only factor contributing significantly to recommended sentences ($\beta = .171$). In contrast, Model 4, which also includes attributions and the risk of reoffending, explains more variance ($R^2 = .217$) and reveals the importance of negative internal attributions and the perceived risk of future crime in sentence recommendations. Probation officers were much more likely to recommend sentences that exceeded the standard range specified under the state's sentencing guidelines for youths whose crimes they attributed to negative personality traits ($\beta = .215$) and for youths perceived as having a high risk of future crime ($\beta = .299$). Race has no substantial direct effect on recommended sentences in either model.

SUMMARY

Three findings are noteworthy. First, probation officers consistently portray black youths differently than white youths in their written court reports, more frequently attributing blacks' delinquency to negative attitudinal and personality traits. Their depictions of white youths more frequently stress the influence of the individual's social environment. Second, these attributions about youth shape assessments of the threat of future crime and sentence recommendations. Court officials rely more heavily on negative internal attributions than on the severity of the

youth's crime or his or her prior criminal history in determining the likelihood of recidivism. Finally, attributions about youths and their crimes are a mechanism by which race influences judgments of dangerousness and sentencing recommendations. Insofar as officials judge black youths to be more dangerous than white youths, they do so because they attribute crime by blacks to negative personalities or their attitudinal traits and because black offenders are more likely than white offenders to have committed serious offenses and have histories of prior involvement in crime. Insofar as officials recommend more severe sentences for black youths than whites, they do so because they recommend severe sentences for youths whose crimes they attribute to negative personality traits and who they perceive as more dangerous than others.

DISCUSSION

A critical issue in the sociology of law and social control is the role of institutions like the courts in reflecting and reproducing the patterns of inequality present in the larger society. Previous studies have explored how a person's social standing in the community influences the severity of punishments courts impose. However, most of these studies have ignored the mechanisms by which court officials' perceptions of offenders influence legal decision-making. Our research shows that officials' perceptions and decisions are critical to this relationship and may emanate in part from officials' ideas about the causes of criminal behavior. Some offenders are perceived as threatening and at risk of reoffending because their personal characteristics and their behaviors are salient in officials' working explanations of criminal behavior. Officials may perceive blacks as more culpable and dangerous than whites in part because they believe the etiology of their crimes is linked to personal traits. Further, officials may perceive these traits as not amenable to the correctional treatments the courts typically administer. That they recommend more severe penalties for these types of offenders, including commitments to confinement, is understandable given their perceptions and the limited alternatives for treatment available through the legal process.

A related concern in research on law is the question of "human agency"—how the values and beliefs of individuals and groups are transformed into the policies and practices of controlling organizations. Our findings identify important attributional processes in legal decision-making. These attributional processes transform the accused into an officially recognized offender, explaining his or her personal attributes in a manner that influences subsequent legal disposition. Further, officials' beliefs are linked to the organizational practice of courts in a causal sequence of perceptions, assessments, and decisions. Most sociological theories of law portray legal decisions as assembly-line products of offense and offender characteristics, and they portray legal decision-makers as unperceptive and unthinking actors (see Maynard 1982). These theories must now integrate the social psychology of decision-making into the interpretation of legal processes (Albonetti and Hepburn 1996).

The sociology of organizations and professions may prove useful in this integration. By incorporating knowledge about how professionals within organizations perceive and respond to the clients they treat, theories of law and control may more effectively specify how courts and other institutions respond to individuals and groups who commit crimes and other deviant acts.

Equally important is the role of organizational context on perceptions and responses to clients. In some organizations, the process of classifying and labeling clients as deviant may yield efforts to reintegrate rather than reject or punish deviants. For example, when the organization must expend substantial resources to correct deviant behavior and when professionals and their clients are extremely interdependent, organizations often react in an integrative rather than punitive manner (Heimer and Staffen 1995). Our analyses, however, found no differences across courts in attributions about juvenile offenders or in the recommended punishments, despite significant differences among the courts in structure and ideology. Clearly, additional research is needed on the role of organizational context on attributions and on how variation in the structure and ideology of courts may influence individual attributions.

Our research also suggests that analyses of organizations, regardless of type, must consider the issue of agency. Unless theory and research identify the mechanisms by which perceptions of individuals within organizations influence decision-making, they will misspecify causal relationships that explain organizational outcomes. To the extent that these mechanisms are common to professional decision-making across different types of organizations (Abbott 1988), research that explores the role of professionals' beliefs about their clients and their clients' problems is critical. At a minimum, this research must specify how professionals' diagnoses, judgments, and treatments of their clients are causally related. Further, research must specify how aspects of organizational structure (e.g., organizational norms, size, bureaucratization) limit the influence of perceptions and beliefs on the decision-making process.

In this direction, future research on law and social control must accord priority to subjective qualities of legal decision-making, including how court officials define and treat criminal offenders. Analyses restricted to the objective properties of offenders and their crimes offer little promise of extending knowledge about legal decision-making. That officials may have different theories about the causes of crimes for blacks and whites and perceive minority youths as more threatening than white youths indicates that a perceptual logic of explanation and assessment directs the disposition of offenders. Research must identify the important elements of this logic and how these elements relate to disposition decisions. Equally important is the professional doctrine of probation officers and court officials and aspects of the organization of courts that sustain perceptions of crime and criminal offenders. Studies must examine how philosophies of treatment give rise to systems of classification that categorize youth and the causes of their crimes as "treatable" or "untreatable." Research that explains the development of these systems will yield new and important conceptions of law and the legal process.

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