

Sample Chapter

Prior research in race, crime, and inequality has mostly focused on quantitative analyses of adults' perceptions of injustice and their variation by race and/or class (Hagan and Albonetti 1982; Brooks and Jeon-Slaughter 2001). Hagan, Shedd, and Payne (2005) examine these same issues of race, class, and perceptions of injustice with a sample of Chicago Public School youth. However, the findings from these works also reveal that further exploration must be done to both understand the processes that shape individual's perceptions of injustice; and explore the reciprocal relationship between perceptions of social and criminal injustice, behavior/delinquency, and police contact/trouble in school. This work is my attempt to "map the terrain" of perceived injustice across school and residential contexts as informed by one's race, gender, and class.

The purpose of this chapter is to further explore the concepts of procedural justice, the legitimacy of the law, and compliance with the law through the eyes of the students participating in this study. The impact of spatial context on perceptions of criminal injustice will also be discussed since students diverged in their perspectives dependent on where they lived and if their school environment was dissimilar to their home neighborhood. These "contextual effects" that impact perceptions of police fairness are increasingly being examined (Leiber et al. 1998; Sampson and Bartusch 1998; Taylor et al. 2001). Adolescents are not often the focus of previous studies of police perceptions, even though they comprise a "significant portion of victims, offenders, and witnesses with whom police come into contact" (Taylor et al. 2001:303). In order to anchor the later exploration of legitimacy, compliance, and context-dependant

perceptions of my sample of Chicago adolescents, I first consider the reciprocal relationship between youthful demeanor, appearance, and criminal justice outcomes.

Demeanor as a Social and Legal Concept

Several influential sociological/criminological studies coincide in their determination that demeanor plays an important role shaping police encounters with marginalized groups, especially young African American males (Piliavin & Briar 1964; Black and Reiss 1970; Black 1971). Yet, the codification of the concept of demeanor and its transformation into a legally actionable entity is problematic. I argue the assessment of demeanor varies widely by one's social markings (race, apparent class, gender) and his or her location (urban), apart from actual criminal behavior.

Black and Reiss' (1970) analysis of detection and sanctioning differentials in the policing of juveniles concludes that most police-juvenile contacts are initiated by citizens over minor legal matters and have a low probability of arrest unless the offense is quite serious. In addition, they report that African American juveniles have a comparatively high overall arrest rate, but they believe evidence is lacking to show these disproportionate arrest rates are racially oriented. Black and Reiss acknowledge the arrest rate for African Americans is also higher within specific incident categories where direct offense comparisons between African American and white youth are possible; and they thereby conclude "the race difference...is not merely a consequence of the larger number of legally serious incidents that occasion police-[African American] contacts" (Black and Reiss 1970:68). This conclusion seemingly contradicts their prior statement

that the disproportionality in arrest rates is not racially oriented; so what is assumed to be driving these differential outcomes within incident categories?

Black's (1971) subsequent work insists that more data would be needed to adequately assess the issue of police selectivity by race, and he further explores the impact of situational evidence (e.g., suspect's demeanor) on police sanctioning practices. This follow-up study also reveals that African Americans are arrested at a higher rate than whites. In an attempt to provide an explanation, Black posits the racial differential is a function of the relatively higher rate at which African American suspects display disrespect toward the police. Once "respectfulness" is controlled for, he argues, there is no apparent racial difference (Black 1971:1097). Yet, this should lead researchers to further question if the racial differential can be attributed to *true differences* in the suspects' behavior, or to put the matter differently, whether this *attitudinal* behavior is legally actionable. To begin, I argue there should be more critical examination of officers' differential perceptions of behavior by race. Researchers should further consider whether African Americans are held to a differential standard for disrespectful demeanor, which in itself is not a crime. It should be further noted that heightened perceptions of injustice may influence the deferential or disrespectful demeanors African Americans are reported to exhibit in their interaction with police (Black and Reiss 1970; Black 1971). This analysis addresses these concerns. It is important to outline the slippery slope that emerges when subjective behaviors and interactive dynamics are subjected to official dispositions, especially when these dispositions are more severely imposed on people of color.

Piliavin and Briar's (1964) examination of police encounters with juveniles makes a novel contribution to the literature on police decision-making. They illustrate that police officers make legal decisions (detainment, arrest, etc.) based on extra-legal (or social) factors rather than the strictly legal evidence that a juvenile has committed a wrongful act. Their findings are strongest for low-level acts of delinquency versus serious acts. Piliavin and Briar are quite critical of the fact that (based on their research) the juvenile justice system is based on 'informal evaluations of a youth's 'life situation.' In essence, a youth's demeanor, style of dress, and race are used as indicators of his *possible future* criminality or probity, and may result in discriminatory arrests (Piliavin and Briar 1964). These authors' critical stance toward the wide realm of freedom employed by police to make legal determinations of youth by informal standards is clear. Quite simply, the codification of an informal assessment of demeanor should not be an endpoint of research on the topic of race and criminal punishment, but rather should lead us to a more rigorous and critical examination of racial differentials in punishment that are not directly correlated with offending behavior.

This critical discussion of how law and law enforcement functions in an unequal society can benefit from a paradigm articulated in Bourdieu's (1987) work on the juridical field and the force of law. Bourdieu emphasizes the reciprocity between law and the social world by questioning the general dichotomous notion (formalist vs. instrumentalist) of the law and its application. Formalist ideology assumes independence of the law and of legal professionals from social relations, while instrumentalism sees the force of law as a direct reflection of existing and often unequal power relations and as a tool of domination (Bourdieu 1987:814). Bourdieu conceives of the law as closely tied to

other social realms and practices, even though the structure and characteristics of the legal world are presumably independently defined. However, the learned, yet deep structures and behavior—what Bourdieu terms as *habitus*—may reflect the intricate and problematical forms of relation between the juridical field and other loci of social power [e.g. race, status, class, etc] and thereby become a central focus of the ‘force of law.’ He writes that,

While the existence of written rules doubtless tends to diminish the variability of behaviors, and while the conduct of juridical actors can be referred and submitted more or less strictly to the requirements of the law, while at the same time *a proportion of arbitrariness remains in legal decisions and in the totality of the acts which precede and predetermine them, such as the decisions of the police concerning an arrest.* This arbitrariness can be imputed to organizational variables such as the composition of the deciding body or the identities of the parties [emphasis added] (826).

Bourdieu (1987) calls for an understanding of the law’s elasticity.

Under the guidance of a conflict theory approach, the narrowing or broadening applications of law are also understood as serving the interests of the dominant group. Structuring discretion into law enforcement decisions increases the chances of it interacting with preconceived social notions of suspects’ suspiciousness, or criminal propensity, particularly by race (Kennedy 1997; Tatum 2001). Tatum (2001) warns, “The association of dark skin with negative attributes such as dangerousness, criminality, and untrustworthiness (among other traits) may result in dark-skinned African-Americans, especially dark-skinned African-American males being perceived to be more

criminally dangerous. This, in turn, may lead to more adverse reactions by criminal justice officials and a greater likelihood of discriminatory decision making at points of arrest, sentencing, and other stages of the criminal justice process” (40).

Thus, the classification of defiance or deference is not free from bias. Black (1971) outlines a method of how his field observers classified deference, which is mostly based on how police related to suspects’ outward behavior (Black 1971, *Footnote 18:1099*). However, as mentioned above, we must consider the possible impact of physical characteristics (e.g. race, style of dress, etc.) on both initial police detection and how that may interact with officials’ assessment of the suspects’ behavior. Black (1971) emphasizes the importance of demeanor and how it can rank *above* that of criminal behavior. For example, in his aggregate of cases, the police “were more likely to arrest a misdemeanor suspect who is disrespectful toward them than a felony suspect who is civil. In this sense, the police *enforce their authority more severely than they enforce the law*” [emphasis added] (Black 1971:1099).

But just as the possibility that police officers may have racially different perceptions of demeanor and criminality must be considered, the possible interaction effect of African Americans suspects’ perceptions of the police and their perceptions of criminal injustice is a further necessary consideration. *The major point is that one’s beliefs about the police being unfair to members of one’s race, gender, or class, can influence the propensity to exhibit disrespectful demeanor or in other words, commit the crime of ‘contempt of police’—which Black (1971) states is acted upon without being formalized in written law* (1108). Black (1971) does not consider observational data on why African Americans disproportionately show (or are perceived as showing) greater

disrespect toward the police. However, his explanation for the higher rate of occurrence is akin to a self-fulfilling prophecy—that is, “in anticipation of harsh treatment [African Americans] often behave disrespectfully toward the police, thereby setting in motion a pattern that confirms their expectations” (Black 1971, *Footnote 40*:1109). The literature on sanction effects and procedural justice further illuminates this theoretical and practical quandary.

The “Choice” Between Defiance and Compliance: Sanction Effects and Perceptions of Injustice

The transition from a social control perspective to a conflict perspective also pushes us to consider the question put forth by Sherman (1993): “Under what conditions does each type of criminal sanction reduce, increase, or have no effect on future crimes?” (445). Sherman believes that sanction effects are not well established from repeated studies, especially since the causal linkage between sanctions and future crime is much more difficult to establish methodologically. He prefers to treat the diversity of sanction effects as a substantive result to be explained, rather than as a mere artifact. Sherman highlights the fact that similar sanctions have opposite or different effects in different social settings, on different kinds of offenders and offenses, and at different levels of analysis.

Sherman (1993) develops a ‘defiance theory’ that integrates the theories of reintegrative shaming (Braithwaite 1989), procedural justice (Tyler 1990), and the sociology of ‘master emotions’ (Scheff and Retzinger 1991) and seeks more explanatory power in understanding diverse sanction outcome effects. Braithwaite’s (1989) theory of

reintegrative shaming argues that crime control may be better accomplished through shaming that draws social disapproval on the 'act' (is reintegrative) than shaming that stigmatizes the 'actor' (is stigmatizing). In fact, Braithwaite believes stigmatic shaming may even increase crime. Tyler's (1990) study of compliance with the law reports that when individuals perceive that sanctions are meted out fairly, it affirms the legitimacy of the law and has a positive impact on compliance. However, when the legitimacy of the law is questioned as a result of one's perception that he or she is the recipient of unfair sanctions, crime may increase. Finally, Scheff and Retzinger (1991) argue that emotional responses to experienced and vicarious sanctions may vary depending on the individuals' social bonding to the sanctioning agent and society in general.

Sherman (1993) draws upon these three theories to propose a multi-level defiance theory of the diversity of sanction effects. Through a suggested variety of research designs, he advocates using this theory to test whether sanctions:

- 1) Provoke future *defiance* of the law as a result of offenders viewing sanctions as illegitimate, having weak bonds to the sanctioning agent and the community, and denying shame and taking pride in isolation from the sanctioning community;
- 2) produce future deterrence of criminality depending on the perceived legitimacy of sanctions, strong bonds to the sanctioning agent and community, and taking pride in their community solidarity;
- and 3) become irrelevant to criminality to the extent that the factors 'encouraging defiance and deterrence are fairly even counterbalanced' (448-449).

Both 'specific' defiance by individuals and 'general' defiance by collectivities results from punishment perceived as unfair or excessive, unless deterrent effects counterbalance defiance and render the net effect of sanctions irrelevant.

The feeling of injustice that may spawn "defiance" or the ability to perceive an experience as unjust is not universally nor uniformly distributed. Bourdieu (1987) argues it depends closely on the position one occupies in the social space. Thus, the manifest differences in reactions to interactions with criminal justice officials are also socially stratified. Sherman (1993) posits that sanctions are more likely to succeed in deterring crime among social in-groups, but fail in deterring crime among weakly bonded offenders who are most at risk for refusing to acknowledge shame and who may exhibit bold disrespect toward the sanctioning agent (459). This effect occurs at the micro- and macro-level. In-group members are better bonded to the society the law represents, less likely to view law enforcement as unfair, and less likely to do so as a result of personal contact with police (Sherman 1993:467). In contrast, the weaker bonds of out-groups make them more susceptible to denial of shame that leads to angry retaliation. In addition, social out-groups are more likely to have more total contacts with the police and the police are more likely to show disrespect to social out-group members. Sherman (1993) deduces that defiance is the best term for the proud and angry emotional response that sanctions can provoke. The result is police and poor young men, in particular, are caught in a "shame-disrespect-anger" spiral (464).

Several sociologists and criminologists have attempted to follow-up on the works that comprise the theoretical foundation for defiance theory provided by Sherman (1993) and produce more sophisticated empirical analyses of modeling and testing sanction

sequences. Their findings reveal the influence of sanctions in making some offending behavior more common (Sampson & Laub 1993; Hagan & Palloni 1988; Arnold & Hagan 1992); thereby increasing defiance instead of deterrence (Hagan and McCarthy 1998:197).

The next section highlights the racial and spatial stratification that exists amongst Chicago Public School students' reactions to and interactions with authority figures within and without school walls. The distinct social context of each student's school and neighborhood environment impacts his or her ability to perceive an interaction with security guards and/or police as just or unjust, exemplifying Sherman's (1993) assertion that these feelings are not "universally nor uniformly distributed" across students by race, gender, class, neighborhood or school environment. Once their divergent perceptions of injustice are considered, the potentially opposite or differential sanction effects can be better measured and understood.

Data and Method

In the fall of 2001, the Consortium on Chicago School Research (CCSR) surveyed approximately 28,000 ninth and tenth grade students enrolled in public schools in the city of Chicago. The sample is representative of the population of Chicago public high schools. The current study refines the sample and uses quantitative and qualitative methods to address the aforementioned theoretical perspectives. Four Chicago public schools have been chosen by their neighborhood location and student racial composition to further explore with supplementary quantitative and qualitative data the major questions in this work.

Sampling Considerations

The race and class distribution of the Chicago Public School system assures variability in variables of interest for this study. With the majority of the public schools comprised of members of minority groups, there is extensive access to students who have high perceptions of injustice and a substantial amount of contact with school disciplinarians and police. Although many of the schools are homogenous, those that have a more diverse population should reveal especially interesting findings. For example, Hagan, Shedd, and Payne (2005) report that as the percentage of white students increased in students' respective schools, Black and Latino students' perceptions of injustice increased and ultimately abated. Further research is necessary to explore mediating links in school and community connected experiences and cognitive processes that accompany changing perceptions of criminal injustice.

For this study, data was collected using a two-stage approach involving quantitative and qualitative methods. Quantitative measures alone are unable to reveal the processes that shape the perceptions of students or illustrate the relevance of particular experiences in shaping these orientations. Nor can quantitative measures fully reveal how past behavior and the respondents' perceptions of how their future behavior will be impacted by contacts with police. The combined quantitative-qualitative approach allows for each method "to correct to some extent the errors of each [other]" (DuBois [1899] 1996: 3). The challenging task of integrating "numbers and narratives" is the subject of increasing discussion (Laub and Sampson 2004; Becker 1996; Sullivan

1998). I believe the mixed method approach is essential to the analytical questions I explore.

After the Northwestern University Institutional Research Board, the Chicago Public Schools Law Department, and principals from each of the four schools granted permission and access for this study, the qualitative data collection began in February 2005. First, students who were members of the ninth and tenth grade homerooms of the four schools were given a consent form to take home to their parent/guardians. The students who returned the consent forms with signatures were then given questionnaires that surveyed their: perceptions of social and criminal injustice, frequency and level of contact with police, frequency and level of trouble in school, plans for the future, school attachment, teacher attachment, peer interactions, and much more. Students completed the questionnaires either in advance or just before interviews were conducted. The surveys were used as tools during the interview allowing me to probe further and to explore any discrepancies that emerged between their written answers and verbal narratives on the topics of interest. Interviews were completed on a "rolling schedule" and conducted during students' free time, which usually was during their lunch period or after school. Thus, I would often spend several mornings recruiting students for the study at one school and then conduct interviews at another school during the afternoon. As time progressed, I was able to conduct multiple interviews on some days either within or between schools. I spent two to three days per week in at least one of the schools (excluding school holidays) and data collection concluded in June 2005. After students completed the survey and interview, they were placed into different categories on the basis of their reported levels of perceived social and criminal injustice and their actual

contact with the police. This "person-oriented strategy," similar to one employed by Laub and Sampson (2004:85), allows me to explore the students' overall perceptions of injustice from their particular racial, spatial, and experiential perspectives.

Forty students (ten from each school) were chosen to participate in an open-ended interview, which on average lasted forty-five minutes, about their perceptions of social and criminal injustice and interactions with/opinions about authorities in different social contexts (home, school, neighborhood). The final analysis includes thirty-six youth because one student asked to terminate the interview and three interviews were not recorded due to technical difficulties¹. The interviews provide a thick descriptive narrative of the student's experiences with discrimination, perceptions of injustice, feelings about legitimacy of the law, and feelings about delinquent behavior. Students also share insights about family, school, and neighborhood contextual factors that impact their experiences and/or perceptions. Further factors include family disruption/household structure, parental employment, residential mobility, and family/social control mechanisms (e.g., parental supervision). The interviews also reveal information about attachment to parents or teachers and students' anticipated life trajectories (e.g., graduation from high school, future enrollment in college). Students are cross-classified by their schools, perceptions of criminal injustice, and contact with police in the following table.

¹ All but three interviews were digitally recorded and downloaded into my computer for transcription. Coding and analysis was done using Atlas Ti qualitative analysis software.

Table 1. Matrix of Students using Racialized Perceptions of Criminal Injustice and Police Contact

Label guide: N=North High, NN=Near North High, NS=Near South, and S=South High

	No Police Contact	Told to Move On by the Police	Stopped/Asked Questions by Police	Searched by Police	Arrested by Police
HIGH Perception of Criminal Injustice	<i>Andre-N</i> <i>Boomer-N</i> <i>Brianna-NN</i> <i>Freddy-NN</i> <i>Pink-S</i> <i>Rina-S</i>	<i>Alex-NN</i> <i>Angela-NN</i> <i>Shay-NS</i>	<i>Amber-NN</i> <i>Carmen-NN</i>	<i>Darrell-NN</i> <i>Vanessa-NN</i> <i>Andrea-NS</i> <i>Jasmine-NS</i> <i>Mike-NS</i> <i>Dwayne-S</i> <i>Hunter-S</i>	<i>Max-NS</i> <i>Keisha-S</i> <i>Michael-S</i>
LOW Perception of Criminal Injustice	<i>Angelic-N</i> Gabrielle-N Jane-N Janet-N Michelle-N	<i>Louie-N</i> <i>Billy P-N</i>	Joaquin-N <i>Terry-NS</i>	John-NN <i>Dre-NS</i> <i>Jackson-NS</i> <i>TB-S</i> <i>Chris-S</i> <i>David-S</i>	

The bold-faced and italicized names² in each cell are of students who are Black or Latino. This is their classification using only the race variables in the measurement for perceived injustice: “people from my racial group are more likely to be unfairly stopped and questioned by the police” and “police treat people from my racial group worse than people from other racial groups.” The pattern of students of color having high perceptions of criminal injustice is quite apparent. The students of color who have a high level of police contact (searched), but an unexpected *low perception of criminal injustice* are “off-diagonal” cases that are worthy of special investigation.

² Students were asked to choose their own pseudonyms to conceal their identities.

School neighborhood observations were also conducted to better understand how contextual factors that might impact students' experiences. Key questions included: Is the school located in a "safe" area? Are gangs a problem in the area? Do graffiti and gang insignia mar the school? How delicate is the racial/class dynamic in the school and/or surrounding neighborhood? The following section outlines the descriptive characteristics of the four schools in the study and the neighborhoods where they are located.

The Schools

The four schools in the qualitative portion of this study were selected primarily on the basis of their racial composition and surrounding neighborhood contexts. Pseudonyms have been used to conceal the identities of the schools and the students. Descriptive characteristics of the four schools are presented in Table 1.1 below. There is persuasive evidence that "race matters" for both personal perceptions of injustice and one's sensitization to injustice stemming from the social environment (see Hagan, Shedd, Payne 2005). The percentage of white students in the school environment impacts African American and Latino students' perceptions of criminal injustice. That is the major reason for ensuring that half the schools in the small sample had a significant number of white students. The interview data I will present confirms that their presence (along with that of Asian students) impacts the perceived injustice of Black and Latino students. Both North High and Near North High have a substantial population of white students (more than 25 percent), and this is only true for about five or six public schools in Chicago. The gaps that exist between these geographical groupings of schools are

reflected in national testing scores (Near South and South High have ACT scores at least ten points lower than Near North High); percentages of the students who qualify for free or reduced lunch (the overwhelming majority of students in the Southside schools are low income); and graduation rates (greater numbers of students drop out of the two Southside schools).

Table 1.2 School Sample Information

	North High	Near North High	Near South High	South High
Official School Classification³	Mixed Race	Integrated	Predominately Minority	Predominately Black
White	29.4%	40.4%	5.1%	0.1%
Black	35.1%	27.5%	60.0%	99.3%
Latino	19.9%	22.8%	32.3%	0.6%
Asian	15.3%	8.8%	1.6%	---
Native American	0.3%	0.6%	0.1%	---
ACT Composite	21	26	15	14
Percentage Low-Income	51%	34%	95%	84%
Graduation Rate	81%	89%	56%	66%

The information given above presents the strong possibility that youth who come from each of these distinct environments will also have experiences that are divergent by race, neighborhood, and school context, which may influence their perceptions of both social and criminal injustice.

³ Chicago Public Schools racial composition classifications are: Integrated: more than 30 percent white; Mixed Race: between 15 and 30 percent white; Predominately Minority: more than 85 percent Black and Latino; Predominately Black: more than 85 percent Black; Predominately Latino: more than 85 percent Latino (CCSR 2002).

Adolescents Address “Rules of Law”⁴

Each of the four schools in this study is a unique environment and illustrates specific problems with regard to rules that are enforced in the spaces. Students’ responses about the general climate of their schools differed greatly⁵; however, there was a general sense of authoritarian structures that sometimes did not fit well with the school culture. One important goal of this research was to determine the baseline legitimacy students attributed to the law—ranging from their ideas about the rules they encounter in their schools, in their homes, and in the public sphere from school administrators, teachers, parents, and police officers.

For instance, students from North High were very vocal in their complaints about the overzealousness of rule enforcement with regards to wearing student identification badges, limitations on going to the restroom during class, strict penalties for being tardy, and freshmen not being able to leave campus for “open lunch.” Some resented the intensification in enforcement that occurred subsequent to the arrival of a newly installed permanent principal, especially since many of the rule changes occurred in the middle of the school year. Joaquin, a ninth grader from North High, observes: “I just think that the lack of consistency is where the annoyance is. People wouldn’t have been so annoyed if it had been going on since the beginning of the year.”

There is growing concern that the imposition of too many rules, which may be enforced as laws, that are inconsistently enforced, can increase teens’ rebellion or

⁴ Many of the quotes are derived from the following qualitative codes: Law/Legal Processes, Legitimacy of Law, & Rules. Another chapter solely concentrates on students’ interactions with police, not just their perceptions/attitudes about police.

⁵ A subsequent chapter gives ethnographic accounts concerning students’ notions about their safety and security by school.

"expressed alienation." Louie, from North High, believes there are too many laws in general and that they are sometimes inefficient mechanisms for controlling people's action.

I: What do you think about the law in general? Is the law what we call legitimate?

LOUIE,N: Well, it's like walking a straight line. Not really everybody can walk a straight line. There are laws against everything. Like, 'Oh you can't drop your gum there, it's littering.' It's gum; it's biodegradable, get off of it. But if there's laws against everything not everyone's gonna sit there and be perfect all the time. So, I think the laws are just there to try to censor people on what they do, control their actions.

Louie also states that teens will be rebellious if too many rules are erected—eventually, breaking rules they did not even think of disobeying before the rule was imposed. He recounts the penalties for not displaying school identification (or temporary identification purchased for one dollar) while in school.

I: What about the penalties once you get into school if you don't have it? What are your thoughts about that?

LOUIE,N: If they see you without ID, it's an automatic detention whether you have your temp in your pocket or not. That's retarded when there [are] people out getting beat up, getting jumped, getting stuff stolen, getting books stolen, failing classes because their books are gone and they're tryna get you for not having your ID on. So pointless.

Louie believes that administrators should expend their power to police and punish the individuals who are truly doing wrong, instead of wasting it on those who do not put their school identification badges around their necks. Janet, another student at North High,

admits that some kids do not like the strict enforcement of "code and laws" at the school, but she "think[s] it's for our own good and stuff." However, she thinks students will have to get used to the new rules.

JANET,N: They'll adjust. I mean last year we did have a lot of freedom, like complete freedom like no one cared. The security guards were just sitting there and we'd walk by and they wouldn't say anything and even if we were late, they wouldn't say anything. But now, they're like 'Tardy!' one second after the bell rings, 'Tardy.'

I: So, you think in the long run it might be a...

JANET,N: It might be a good thing. Just recently, we're just not adjusted to it yet, I guess.

At North High, students have been forced to acclimate themselves to following rules that seek to control non-violent and violent behavior. The heavy emphasis on policing small things, like getting to class on time or wearing one's identification card properly, is part and parcel of the efforts of school authoritarians to rid the school of the fights and thefts. While some students believe the efforts are extreme, others are in favor of strict rules but only wish that they are enforced consistently and universally.

In contrast to North High, there were no reports from students at Near North High that non-normative behavior is an issue. This school retains its "good reputation" inside and outside its confines. However, there are still many rules present in the space and several students resent the enforcement of rules that they deem nonsensical and collectively affect them all. For instance, four students at Near North High lament the ban on students bringing water bottles to school. Brianna explains that the rule was instituted because some students were caught with water bottles that were filled with

clear liquor instead of water. She states, "I can understand why they have [the rule], but I just don't agree with it." Angela was also upset about the water bottle ban, but mostly because she thought the teachers in the school should be subject to the same rules.⁶ She explains:

ANGELA,NN: We can't have water bottles no more in school because one of the kids would bring clear vodka or whatever, like water. So, we can't bring water bottles anymore. But the teachers can bring water bottles; they can get drunk, but you know, be fair. Common sense! Common sense! Some teachers, with all the stress, might wanna pour a little sumthin' in the bottle, you know, take a sip. Well, okay, so what if we brought weed and put it in our pockets, what they gon' do, ban pockets (laughs)? I mean, come on!

Angela was most upset about the inconsistency in rule enforcement and wonders how far a potential ban can go if it is based on the logic that receptacles that contain illegal substances will be banned. Hence, she makes the joke about a potential ban on pockets if students use them to bring marijuana to school to illustrate the slippery slope that exists when rules are illogically constructed. Angela also wants to see consistency in rule enforcement in her relations with other authority figures—most notably, her mother, which confirms Stinchcombe's (1964) hypothesis of adolescent identification with adult status indicators. She told her mother that they should have the same rules, except that Angela "just can't smoke, can't drink...can't cuss." Angela's goal was to stop her

⁶ David, from South High, gave the following statement about the different rules students and teachers have to follow, which he states impacts his sense of general injustice:

DAVID,S: Well, I think it's unfair when the teachers come in late, they don't do nothing to them, but we gotta wait in the hallway. But if we come in late, we gotta go to in-school [suspension] or wait outside in the cold until they open the door. But when the teachers come in late, I don't see no punishments come to the teacher, they go free. It seems like they ain't setting a good example towards us when they come in late. And when we come in late, we gotta go through all that.

mother from "hollering at her for no reason," which she interpreted as her mother taking advantage of her position of power simply because she is an adult and Angela's parent. Angela knows that she will get in trouble if she hollers at her mom, but they are "both humans...both living, breathing mankind" and they should "have the same rules." Angela's request did not go unheeded and she notes that her mother "kinda understood because I haven't been getting hollered at the past couple of months." She then laughs at her triumph in getting some parity in status and norms with her mother.

There are also many rules enforced on youth outside of their homes and schools. Chicago Police Superintendent, Philip J. Kline, sent out a press release in January 2006 reminding parents and teens that his department is strictly enforcing curfew laws. According to the law, "youths under the age of 17 must be off the street and at home by 10:30 p.m. on week nights and by 11:30 p.m. on weekends. Officers remind citizens they will strictly enforce the laws because they believe youth out after curfew are more vulnerable to either becoming victims of crime or criminal offenders. Similar to the *City of Chicago v. Morales*⁷ case discussed in the previous chapter, the city's curfew ordinance was subjected to federal scrutiny and was changed in 2004 to achieve compliance with federal guidelines. Under the new ordinance, "youths may be out past

⁷ I have several illuminating quotes on the Morales case that expand on the book chapter's discussion of "police-directed code-switching."

[Police-Directed Code Switching](#)

■ I: In the future, if you were to be stopped by the police, how will you act when it happens?
HUNTER,S: Oh, I try to act Mr. White! Yes sir! 'Have you ever been arrested?' Yes sir. I try to sound like them. 'Son where you going at this time of the night?' I'm going to my auntie's house, sir. 'What's over there?' A barbeque. 'Oh, if you see my house on 63rd, bring me some.' Yes sir, you got it. As soon as they get out, okay motherfucker. You ain't got shit...You feel like you gotta act a certain way just to get through some situations. In other situations, when you act a fool you only compounding it, so they gon' end up saying, 'Oh, stand back. Put your hands on top [of your head]. I told you don't move!'

curfew without an adult if they are engaging in a *legitimate expression* of free speech, such as returning home from a school or church function [emphasis added]." Officers are expected to use their common sense in determining whether youth are out legitimately, after interviewing them about their purposes for being outside the home after the noted hours. However, the earlier discussion of prejudicial notions impacting officers' disposition of the law gives one pause in considering the wide range of discretion this grants police officers. Although officers are expected to be able to "determine" the legitimacy of youth's after-hours activities, there are some youth who attach illegitimacy to the curfew laws and their enforcement actions.

For instance, John believes that youth curfew laws are illegitimate because of their inconsistent application and low deterrent impact. John states that the laws have no effect on his mobility because the curfew does not keep him from going out. He explains:

JOHN,NN: Curfew...No one's gonna...you either have to go all the way in enforcing it or not enforce it at all...Most people that are caught after curfew are not gonna get arrested unless they're making trouble, which if they were making trouble in the day, they'd get arrested. And anyone that would be causing trouble during curfew wouldn't say, 'Oh it's past curfew, I shouldn't be going out.' So, yeah it's dumb.

I: So, you think it's a dumb rule that can't really be enforced among the people that it might really count for? Is that what it is?

JOHN,NN: Yeah.

I: And because you don't think it's the smartest rule is that why you might disregard it?

JOHN,NN: I mean, I would definitely wouldn't go out more if there was no curfew. I just would totally disregard it. It doesn't affect me at all.

Like if there was no curfew, I'd still go out in the same situations that I do.

However, John recognizes that the rules about youth curfew are recognized as law and that even if he disagrees with the logic, he still must comply with an officer's request for him to "move on" or answer any inquiries about his purpose for being on the street after hours. Mike, from Near South, also grants police their authority to question him, but he does not think officers should be able to physically search him if they confuse him "with one of those boys that be outside" and "thought [he] was a drug dealer or something."⁸ Mike answers that he sees these searches happen to a number of males his age in his neighborhood, but his experiences of being searched do not negatively or positive influence his feelings about police. He states, "I don't feel any impact off of it."

There were several youth who agree with the survey statement "that laws are made to be broken" and each person has broken a rule at some point in his or her life. Max from Near South High believes that "it doesn't have to be big, it can be the smallest rule, but they still have broken the rule." He also does not feel bad about breaking a rule that he deems stupid. South High ninth grader, Hunter, also agrees with the survey statement and says, "that's my philosophy...that all laws are made to be broken." He explains further below:

HUNTER,S: 'Cuz everybody's always breaking the law in some way, but

⁸ I also have quotes about "teacher-directed" code-switching. Below a student criticizes teachers for confusing one's *outside* behavior with his *in-school* behavior.

[Teacher-Directed Code Switching](#)

- **SHAY,NS:** I ain't really had this experience, but I really need to talk for the boys because they been through so much. They look at they past, how they act, how they talk, how they walk, how they dress, how they present theyself to you. And they say salt to you (talk bad about you) depending on how you present yourself to them. You can still present yourself to them and still act how you wanna. Some people here got two attitudes. What they do outside, stay outside. What they do in here, stay in here. And the teachers look to what you do outside...Why [are] you comparing two things? What they do out there, you should let it stay out there.

not exactly in the way you think, you know. 'Cuz you got everybody who makes money by selling drugs or something like this. Now you say selling drugs is wrong, but you always got [policymakers] talking bout now we gon' legalize this or legalize that. The only reason they thinking about it because they know the commerce in it, the quantity and the quality of it, they gon' make a lot more dough off of it. 'Cuz when it's legal, everybody [will] want it. The thing is, the drug people, they go out of business, but every time they come back with something even worse that's gon' destroy even more. So [it's] 'bout time people in the White House get all they money for cocaine and weed. They already got some weed that's legal. Now, if you got that much weed in pounds, and pairs, and cuts, and you distributing it for certain type of pains, pretty soon you gon' say, 'Weed ain't no bad drug.' Then you gon' have somebody on the commercial, 'Smoke weed, it's alright.' And everybody gon' be smoking it then.

Hunter's idea that marijuana is gradually being legalized in the United States reveals the ways in which crime and legality is socially constructed. He views the law as illegitimate because it is constantly changing and differentially enforced. His example about marijuana reinforces his opinion that all laws will be broken and when I brought up the former prohibition of alcohol in the United States, he saw that as further proof of his point.

In each of the above examples, the students criticize a figure of authority and the rules he or she enforces. These examples have the potential to shape their overall perspectives concerning the legitimacy of the law. If students see their parents, teachers, police, and even policymakers as following bifurcated notions of right and wrong or legality and illegality, their notions of what is lawful and unlawful becomes much less

transparent and more open to interpretation. Students do not see these individuals as objective enforcers of law and in many ways their consideration of their subordinate status by race, gender, and/or age becomes more pronounced in their observed application of the law. The next section explores what happens to the legitimacy youth accord to the law when they feel procedural justice is absent from their interactions with enforcers of the law.

Procedural Justice and Compliance with the Law⁹

The normative approach to procedural injustice posits that compliance with the law occurs when people believe it is proper to comply, people actively evaluate the justice or injustice of their interaction with the law, and people assess the process of how legal directives are given independently of the outcome. The previous section highlights the extensive nature of adolescent reactions to the subjectivity of rules and regulations in an array of contexts. However, youth particularly pay attention to the manner in which directives are given and rules are enforced; thus, shaping the legitimacy they attribute to the rules and their determinations of justice in the outcomes. The following narratives from different youth explore Tyler's (1990) concept of procedural justice in both the school and neighborhood settings.

Youth are sensitive to the limitation of their rights because they are underage and subject to extensive restrictions from parents, teachers, and police. For example, Keisha

⁹Similar to Tyler (1990), my assessment of students' non-compliance with the law ranges from minor to major infractions (e.g., insubordination, curfew violations, fighting, selling drugs, etc.). Although much of this chapter focuses on general perceptions and students' interactions with teachers and parents, a subsequent chapter examines the causes and consequences of warranted and unwarranted student contact with police.

knows that her subordinate position as a student to her art teacher means that she is subject to his instruction. She once was put on in-school suspension for as Keisha says, "getting into it with my art teacher because he was constantly telling me to shut up and I didn't like it. He was supposed to tell me to be quiet and I always have the last word." Keisha's mother was called to the school and she explained to her mom, "it wasn't the point of me being quiet, it was the point of him telling me to shut up...it's how he did it and I didn't approve of that." Keisha shares that her mother chastised her insisting that she has no other choice but to follow the teacher's directive and that she should not "get smart" with him. The implications of procedural justice are central to this scenario because since Keisha was unhappy with the way the directive was delivered; she felt justified in not complying with her teacher's order. Keisha further explains, "If a person asks me to do something in a nice way, I'll do it. But don't sit here and argue me up and down and expect me to do it because I'm not gonna do it." The direct connection between procedural justice and compliance is acute in this instance.

For some students, race is a major factor in their evaluation of the disciplinary process and its impact on their perceptions of fairness. Angela from Near North High and Boomer from North High give examples of how their white teachers addressed them in a disrespectful manner, but still expected obedience to their commands. As in Keisha's narrative above, neither was compliant. Angela's context conditions her perception of injustice because she is easily able to compare her treatment with the treatment of the "white kids" in her very diverse school. Angela describes this particular teacher as "get[ting] out of place sometimes, and the interaction followed her getting up without permission to retrieve her pencil that fell on the floor during math class. This is

how Angela describes her teacher's response:

ANGELA,NN: I was getting up because my pencil was on the floor and she was like 'Angela, sit! Or Sit!' It wasn't even like 'Could you sit down or what are you doing?' It was like 'Sit!' And when the white kids get up, then it'll be like, 'Uh 'Wyatt' could you please sit down (in a soft voice)?' And I'm like, come on, do I look like a dog or something? I mean, can I get a please or anything? Sit! Naw, it's not happening. So, I didn't sit down until she said, 'Could you please sit down?' She was getting a little irritated, but so was I.

I: Do you think some teachers treat students differently by race?

ANGELA,NN: Yeah, like especially her. She's cool sometimes, but sometimes she does get a lil' ignorant.

She had the feeling of being treated less respectfully in the way the direction was given. Angela felt that she at least deserved to be asked to comply in the respectful manner she observed this teacher request behavior from her white classmates.

Boomer encountered a similar situation when he felt his teacher treated him disrespectfully, and her race was central to his negative response. Boomer recounts:

BOOMER,N: Well, one day me and my best friend were in the class and everybody was laughing and joking and the class had got quiet. And then, my friend said something and I laughed. And [the teacher] yelled out, 'You're nothing...you know what, you're nothing but a monkey.' And I said excuse me? And she said, 'You heard me. You're nothing but a monkey. Only monkeys do ignorant and dumb stuff.' I'm tryin' to hold

my tongue the best I can because for one, I'm a human being, that's first. And you should acknowledge me as a human being and nothing less. Second, you're white and I'm Black and my mama done told me stories where whites have done nothing but disrespected them, 'You're a monkey, you're an ape.' And then for me to stand up and hear an older white woman say that...it played back in my mind that I could just see her saying that to my mom. And then, it's like, for you to do it in front of the class, you publicly embarrassed me. So, I tried to hold my tongue, but it didn't work, so me and her had a very heated argument, very heated. And it's like for a long time I wouldn't come to her class. Like every time I came, when I got to her door, I just like wanted to punch her.

Boomer was most incensed by the racial element in the situation and he attached historical import to his current indignity. Not only was his humanity diminished, Boomer also felt publicly humiliated, and in his mind, his teacher's white racial background compounded the injustice of the interaction. As for his resolution of the matter, not only was Boomer non-compliant in that he got into an argument, he felt the urge to punch the teacher upon sight whenever he saw her in the future. After this incident Boomer's mother came to the school for a conference and he noted her stating the teacher was wrong in calling a child an animal, "even if she would have said it to a white child, you still don't say it." Boomer is disappointed that the teacher was not sanctioned and he feels that he received the brunt of the punishment because even more pressure was on him to "act right" in her class. He now makes sure he is on-time to class everyday, does

his work, and puts his head down on his desk and goes to sleep if he gets bored—coping mechanisms for staying out of trouble in her class.

As for the resolution of these negative interactions, students may feel that they are further marginalized because of their subordinate position to the adult, even if the adult is wrong. Just as Boomer is still disappointed that his teacher was not sanctioned for her blame in the matter, David from South High is upset that he was deemed unworthy of an apology because of his youthful status when his teacher was unequivocally "disrespecting him." He explains:

DAVID,S: I don't show respect unless I get respect. That's how I do it. So, this teacher was hollering at me, and I wasn't even talking. And the girl [who was talking] said, 'Excuse me, that was me talking.' And [the teacher] was like, 'Oh.' And I was like, are you gonna apologize to me? And she was like, 'Why would I apologize to you? I'm a grown lady.' And I'm like, 'cuz you hollered at me for no apparent reason. She was like, 'You's only a little kid.' And I'm like, but you disrespected me though. And she kicked me out of the class and I was about to call the office to call my parents and they said I couldn't do it. So, I was just sitting in detention, for no apparent reason.

In contrast to the previous examples, there was no way to find blame with David's actions. He did not precipitate this negative teacher/student encounter since he was not talking. However, asking the teacher for an apology and insisting that the teacher disrespected him led to his removal from class and subsequent punishment. So, David shares Boomer's feeling of being punished while the teacher that he deems to be "in the

wrong” does not suffer any repercussions. In the preceding cases, youth’s high perceptions of injustice with regard to the treatment by their teachers greatly influenced their decision to disregard the directives or rules of the classroom. The following section highlights the impact of context, moving outside of the classroom environment, to examining students’ perceptions of criminal injustice about the behaviors of police inside the school hallways, outside the school, and in their respective neighborhoods.

School and Neighborhood Influenced Perceptions of Criminal Injustice

A previous chapter discussed the development of the students’ perceptions of social and criminal injustice dependent on their race, age, and school/neighborhood context. This section focuses on the direct influence one’s school or neighborhood environment has on the perspectives he or she may hold about the legitimacy of the law and the actions of its enforcers. As argued before, youth who have “expanded contexts” are much more sensitized to injustice, particularly if their school and neighborhood contexts are dissimilar on several measures of significance—racial composition, quality of resources, policing tactics, etc. The perspectives of African American and Latino students from North and Near North High are contrasted with the perceptions of criminal injustice of youth from the South Side schools. The former students have a much greater chance of witnessing and/or experiencing differential treatment by police because of their simultaneous insider (enrolled student) and outsider (racial minority) status in these spaces, while students in the more segregated schools are more “insulated” from observing racially disparate treatment by police.

Boomer notes observing police treat Black youth differently from white youth around the school, especially if the African American adolescents were dressed in "baggy jeans and jerseys" directly influenced his perceptions of criminal injustice. He explains:

BOOMER,N: Like, if we standing outside after school and we do have police officers that sit outside and make sure don't nothin' jump off, especially if it's a group of boys standing across the street and they have on like some baggy jeans and like jerseys and stuff like that, [the police] will be like 'you need to clear the corner.' Well, on this side of the street, you have the white people standing there and they're talking and communicating, so my thing is why do they [Blacks] have to move and they [whites] don't have to move? So, I've seen it before, I just seen it yesterday. They did it and told us that we have to clear off the corner and we weren't doing anything but talking.

I: Which corner was that?

BOOMER,N: Umm, our school's on this side. Across the street, it's the bus stop, and that's where we were standing. And on this side it's a cleaners and then it's [fast food restaurant], and that's where the white people were standing. And we coulda been standing there waiting on the bus, but yet and still, you sit and tell us to clear that side. That's not right. What about them? They actually on someone's property talking and you tell them to do nothing. You know, you just let them sit there. So, I don't feel that's right, but that's the way they go about doing stuff.

While completing the survey, Boomer did *not* indicate he had been told to "clear the corner" or move on by the police in the past year. However, in explaining why he thought police were unfair to members of his race he mentions this recent interaction. Boomer believes that "the way they go about doing stuff" is quite commonplace around North High, and it is plausible that the normalcy of this incident may have contributed to

his omission of this interaction on the survey. The two other African American male students at North High also recount issues they have had with police telling them to remove their belongings from the bus stop shelter (Andre) and to leave with other youth from the park by the school while "old ladies" were able to stay in the park (Louie). Amber, an African American female, also discusses the difference in police interaction with businesses in her school's neighborhood. She believes "there's a friendship bond between the [school] neighborhood and the neighborhood police...You see police at the shops down the street, but in my neighborhood you don't see them at our shops." Like her classmate profiled in the previous chapter, Angela, Amber believes the police are friendlier to residents of the Near North School community in contrast to their treatment of and interactions with residents in her racially segregated Westside neighborhood.

The neighborhood context must be highlighted because several of these same students mention the differences they see in the presence of police in their segregated residential communities. Amber's perceptions of injustice stem from seeing an extensive police presence in her neighborhood, but she observes few police patrols when visiting one of her friends at school in the Western suburb of Oak Park. She talks about police riding through her neighborhood five times per hour and stopping people, particularly black males, if they ride through speeding. Amber revealed, "My brother got stopped before [driving fast down the street], but like the next minute later a white man drove down our block and they didn't even stop to go get him. They just kept looking after my brother and that was kinda bogus." She found it "bogus" or "messed up" that a white man could speed through her neighborhood while her brother was retained by police

officers for the same offense. She also believes there is too much of a presence of police around her home neighborhood.

Another African American female student, Angela, indicated that her perceived criminal injustice stems from her observation of police and their ubiquity in her South Side residential neighborhood. She speaks of seeing people get "pulled over" by the police for walking down the street. David, a South High student, who previously stated that he believed Blacks encountered racial discrimination in hiring because he could not leave his home without being "checked" by police, also expresses that this is a common occurrence for many African Americans in his neighborhood. He confirms, "Every time I walk, I see people getting checked. Black people going to jail everyday." Dre and Terry, African American male students from Near South High, are unable to make the same comparisons as the students from the Northside schools, which may explain why their perceptions of criminal injustice are much lower on the scale. Terry explains why he thinks the police treat everyone fairly with regard to race below:

TERRY,NS: It's a lot of Black gang bangers. I don't see no white gang bangers, it's a lot of Black gang bangers. So, when I look out my window and stuff, police be out there, see drugs on 'em or something, and they get stopped...It's fair 'cuz they shouldn't be out there selling it anyway. So, they know the police gon' come up on 'em to see what's going on if they see a crowd of people or someone going to a car, hand 'em something. They know something going on, that police gon' try to stop em, so they shouldn't do it.

I: Do you think if people weren't doing anything wrong, like if they didn't have drugs...If it was just a group of Black people standing on the corner and a group of white people standing on the corner, but neither of them

had drugs or anything. Do you think the police would treat one group differently?

TERRY,NS: As long as they ain't got nothing, no.

Terry lacks information about the ways police operate in more diverse or advantaged neighborhoods. His schoolmate, Jasmine, also lacked a frame of reference for determining whether class matters in dealings with the police. Her high perception of injustice stems from her instinct that rich people are treated better by police, but she has never seen it happens and just believes "they probably do" treat the rich better. Similarly, Dre and Jackson from Near South High and David from South High do not make predictions on that which they cannot confirm and simply stick to their belief that everyone is treated the same. They are all ninth graders and there is a possibility that their perceptions of injustice may increase if as they age they witness racial injustice or experience it personally.

Keisha, a student at South High who has both a high perception of injustice combined with high level of police contact (an arrest in the past year), recognizes the limited frame she has for assessing the fairness of police practices by race. In contrast to Jasmine, Keisha wants to go beyond her instinct and actually confirm the hypothesized differential treatment. She explains:

KEISHA,S: [Police officers] are racist 'cuz like a white officer'll come around on the block or whatever and they'll get to talking trash. But I'll be saying to myself, I wonder if they go over to a white neighborhood, to the suburbs, do they treat those people the way they treat the people out here? I don't know. I think it's best for me to see, than to just say. I need

to go check out the suburbs and see how they treat them out there and then maybe I can put two and two together to see what's going on.

Keisha may be a budding sociologist, as judged by her wish to assess the situation by checking out the suburbs to see if white police officers act the same way in those neighborhoods. She simply is unable to confirm that her race is treated unfairly because she lacks the evidence. In contrast, TB is confronted with evidence that any other person might see as racially discriminatory, but he believes that the police are still fair. A ninth grader at South High, TB recounts when he and his Black male cousin were asked to leave Naperville, a white suburban neighborhood, while a group of white youth were allowed to hang out on the same street.

TB,S: Like we was in the suburbs one time and it was me and my cousin. We used to hang by the pool, and they called the police on us. But when the white kids came, they had they skateboards and stuff talking. They didn't call the police on them.

I: So, why do you think they treated you differently from the white kids if it wasn't about race?

TB,S: They probably thought we was gang-related or something like that.

I: So, do you think if you were out there with skateboards that it would have been different?

TB,S: Yeah.

I: That they would have been okay with you being out there?

TB,S: Yeah.

TB believes that having a skateboard would have diminished any negative racial stigma and lessened his being marked as being "gang-related." He saw the skateboard as an objective indicator of innocence, or perhaps even legitimacy, which would have allowed

him to remain in that space and not be negatively marked by his race, gender, or youthfulness.

Just as TB was told to leave the neighborhood by the police officers, there are several indicators that African Americans experience harsher penalties beyond the lower levels of police contact. Traditional and contemporary interpretations of conflict theory have generally argued that people of color are more susceptible to severe outcomes in the administration of criminal justice than their white counterparts (e.g. Chambliss 1995; Hawkins 1987; Quinney 1970). There is also a substantial amount of quantitative research indicating significant racial or ethnic differences in processing, with juvenile courts treating youths of color more severely than whites accused of similar types of crimes (Bishop and Frazier 1988, 1996; McCarthy and Smith 1986; Thornberry 1973, 1979).¹⁰ Sellin's (1928; 1935) landmark examinations of race and the administration of criminal justice sparked numerous follow-up studies to determine whether racial prejudice played a significant role in sentencing decisions and whether the magnitude and consistency of racial disparities could be explained away by legal factors. Research on the juvenile justice process has sometimes produced inconsistent findings as to whether race has an effect on single- and multi-stage decisions in juvenile justice. Some researchers have found little or no evidence of racial discrimination in juvenile justice proceedings (e.g. Cohen and Kluegel 1978, 1979; Pope et al. 1996), while others report contradictory findings involving both harshness and leniency for Blacks compared to

¹⁰ The literature is not consistent because some reviews of the literature on race and juvenile justice processing report inconsistent findings. Some focus primarily on the numerous methodological flaws that may be the blame for such anomalous findings, while others suggest inconsistencies may stem from problems of conceptualization and theory (Hawkins 1987; Georges-Abeyie 1989).

their white counterparts (Leiber and Stairs 1999). However, more recent reviews of studies concerning race and juvenile justice yield more consistent evidence of race effects. Leiber and Mack (2003) cite the work of Pope and Feyerherm (1990) that reports roughly two-thirds of the research conducted from 1970 through 1988 shows minority youth, particularly African Americans, receive more severe outcomes than white youth. Subsequent analysis of the research literature from 1989 through 1999 reveals similar racial disproportionality (Leiber 2002).

In light of these facts, Andrea is probably not too far from the truth in her opinion that African Americans are more likely to have their criminal cases processed more quickly than Caucasians or Mexicans. She believes, "If we (Blacks) do something bad, they quick to throw us in jail. But if it was somebody else, like a Caucasian or a Mexican or somebody, they'll slowly process their cases. But by us being Black, they['re] quick to throw us in jail." Andrea attributes this differential treatment to the fact that "the people that are judges are mainly Caucasian." Dewayne from South High would agree because he thinks if a white person goes up to face a judge for a drug crime that "he's (the judge) gon' let them off with probably probation, 18 months or community service" while an African American person would get locked up because "all the judge gotta do is look at ya and you're guilty." Below, Dewayne continues in his assessment of just how unfair the criminal justice system and the media treat the drug crimes of whites while punishing Blacks.

I: So, you think they treat whites, and Latinos, and Asians...?

DEWAYNE,S: Better. Look on the news, I bet you see all the white people get off they drug case, especially the celebrity white people. You

look on A&E you see all types of white people that did drugs, all of 'em, ain't na'an one of 'em didn't do no drugs. Now, let a Black person do some drugs. They locking him up for at least fifteen...thirty years. No matter when them white people start doing drugs, oh, they filming it! They puttin' this on camera. They ain't goin' to jail, they making a documentary of it.

Dewayne's vivid contrast between a Black person doing drugs and getting locked up to a white person doing drugs and having a documentary made out of their experiences clearly shows why he holds a high perception of criminal injustice. He knows that African Americans are not the only people consuming drugs, but believes they are punished more harshly than whites if they participate in illegal activities. His schoolmate, Keisha agrees: "Although Black people do wrong; white suburban kids ain't perfect either. They can do some outrageous stuff too."

Another South High student with a high perception of criminal injustice, Hunter, discusses his belief that the police are wrong for believing that African American kids are bad while he knows many white kids who "do a lot worse and never get caught." He explains:

HUNTER,S: They think a lot of Black kids [are] bad. They figure that a lot more Black people kids would do a lot more wrong than some white kids, but I learned that it's a lot of white kids who do a lot worse and never get caught. I know many!

I: From where? Your other school?

HUNTER,S: Naw, just doing stuff out West.

I: So, they don't caught for things they do?

HUNTER,S: Naw, they don't even sell drugs. They *do* drugs! They drive through [and say], 'Hey, kid, who's selling drugs out here?' Five,

six white boys or white girls or something right there. You see them right in the window lighting up rocks and stuff. You can tell they[re] from the suburbs cuz sometimes they plates, you can tell where they from. And you see, white parents give them the most freedom and they know they parents ain't gon believe it. 'Not little Johnny, couldn't be.' But as soon as you say, 'Oh yeah, we seen your son smoking a cigarette.' Black person gon' be on it. Tell a white person, they ain't gon' believe they son did it or they daughter did it.

Hunter obviously thinks it is worse to do drugs than sell drugs. This opinion is not surprising since he has also expresses future interest in owning a Fortune 500 company that has something to do with "stocks and bonds and the jail system." His reasoning for this future occupation choice is "They got stocks and bonds for jails. The more people go the jail, the more money you get. I figure that's a growing commodity. Everybody [is] going to jail." When I query him on whether or not it is good that jails are on the stock market, he responds, "It's not a good thing, but it's profitable." The problem is that the United States' penal population is increasing exponentially and it is disproportionately warehousing Latino and African American youth and young adults who, like Hunter, come from disadvantaged urban neighborhood and school contexts. The following section discusses how the criminalization of youth may facilitate their early introduction to the "carceral continuum,"¹¹ which starts with police contact and potentially ends in prison.

¹¹ Wacquant (2000) uses this phrase to describe the symbiotic relationship between the "black ghetto" and the prison, "such that they now constitute a single *carceral continuum* which entraps a redundant population of younger black men (and increasingly women) who circulate in closed circuit between its two

Criminalization of Youth

Youth are increasingly exposed to police contact and at earlier ages. Schools and even some homes of youth who live in public housing have begun to resemble correctional facilities with their metal detectors, fences, and other mechanisms designed to monitor and control inhabitants. Therefore, youth who must navigate these spaces must also interact with police at early ages and they are at high risk of police contact. The beginning of this chapter describes adolescence as a time where rebellion is fermented; however, the greater problem comes from children being penalized beyond the scope of their bad behavior. Shay, who lives in a Southside housing project, believes that the police "treat children like criminals more than they do adults." Her belief stems from her observations of police practices in both her home and Near South High School:

SHAY,NS: I say this because they are so quick and willing to, you know, lock the kids up 'cuz we can't really defend ourselves. We can't really say nothing. People think kids are nothing, we ain't got nothing. They look at us like we don't have no rights. Children have rights too! I know we bad and all. We don't do everything we supposed to do, but we do have rights. We don't deserve to be getting handcuffed just because we [were] fighting somebody. I think we deserve just a little talking to or a program. If you wanna do something, give us some extracurricular activities. I think that'll help us better.

Shay's high racialized perception of injustice interacts with her belief that police treat youth worse. Her residence in the housing project provides a context where what would

poles in a self-perpetuating cycle of social and legal marginality with devastating personal and social consequences" (384).

be private space for a child living in a privately owned single family home is public and instead managed by the state and subject to police surveillance and control. Although Shay does not have the ability to evaluate differential treatment by race, she makes facile observations of the treatment youth are subject to by the police in her home and school environments. Additionally, the criminalization of these youth has potentially long-lasting implications.

I: So you feel like a lot of kids are criminalized?

SHAY,NS: Yeah.

I: So when it happens, how do you think it impacts the kid?

SHAY,NS: I think the kids feel like, like if they do something bad, they think they gon' get a whipping by their parents, but sometimes they get locked up by the police. This affect they life because they already have experienced what adults would experience. I think the child should have their childhood and not be having it taken away just by one little incident. 'Cuz it can affect your life. It can ruin your child's pride, anything. A child can lose confidence because they feel like, 'Oh, this is how life goes now. If I do something wrong, I'm gon' automatically get locked up.' But if this white person do something wrong, she not gon' get locked up like that. That's how a Black child would probably look at it. I don't know how another race would probably look at it, you know.

Shay believes that being handcuffed or arrested by police is not something children should be experiencing, yet that experience is rather common in the large and small sample statistics presented in the earlier quantitative chapter. Becker's (1963) labeling theory illuminates Shay's position and brings forth the potential for youth who are criminalized to internalize those stereotypes and act accordingly. As Miller (1996) succinctly observes, "The stigma of being labeled an offender further alienates the

individual from society and promotes the building of social relationships with others who have been similarly ostracized, contributing to further acting out and creating a self-fulfilling prophecy" (112).

Youth are losing their innocence at younger and younger ages by having "adult-like" experiences of criminalization and policing in both their residential areas and inside their schools. The end of adolescence potentially marks the beginning of an age and stage of frustration that can turn a law-abiding youth in to a bitter person capable of embodying negative stereotypes they are expected to fulfill. "The Soft Bigotry of Low Expectations" is a dangerous weapon that has the potential to either push a youth heading down the wrong path farther down or change the direction of a law-abiding youth who takes in society's low (or even, *no*) expectation of him and begins to meet it.¹² According to Jacob (1971), "Personal experience with the police may leave its imprint in several ways. Contact with the police may directly affect the evaluation of the person experiencing it, boosting his evaluation if the experience was satisfactory and deflating it if the experience was unsatisfactory" (77). As revealed by my own and Jacob's (1971) research, the latter condition is often more likely to occur than the former. Positive youth-police relations often do not extend beyond the perimeter of that specific

¹² Anderson illustrates this dilemma of the police-targeted "decent" youth:
"Lee wears the same clothes as his street-oriented neighbors. When the police cruise his drug-infested neighborhood and see him in his Timberland boots, his striped shirt, and his hooded sweatshirt, they stop him and ask him where his drugs are, and this makes him bitter. The knowledge that the wider system in the person of cops, teachers, and store managers downtown is instantly ready to lump them with the street element takes a psychological toll on boys like Lee. At the same time, there is so little support for decency on the streets that they have to mimic the street kids in order to get by...It is vital that the wider system identify these youths and pluck them out of the street environment, for they can easily be lost. Lee is already angry at the police" (Anderson 1999:104).

interaction, but if youth encounter one "bad" police officer (or security guard) it can extend to their general perception of these authority figures.

Therefore, it is important to understand the development and evolution of youth's perceptions of social and criminal injustice from an ecological perspective, in addition to how these feelings originate from their master status categories (race, social class, gender, etc.). Placing the narratives of youth at the center of the analysis is the only means of countering the marginalization this group receives in their lived experiences and in sociological research about their place and outcomes. It is also the only way to uncover the nuances of why perceptions and experiences diverge across the aforementioned status categories.