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Once a Criminal, Always a Criminal: How Do Individual Responses to Formal Labeling Affect Future Behavior? A Comprehensive Evaluation of Labeling Theory

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ONCE A CRIMINAL, ALWAYS A CRIMINAL: HOW DO INDIVIDUAL RESPONSES TO
FORMAL LABELING AFFECT FUTURE BEHAVIOR? A COMPREHENSIVE
EVALUATION OF LABELING THEORY.

By

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A Dissertation submitted to the
College of Criminology and Criminal Justice
in partial fulfillment of the
requirements for the degree of
Doctor of Philosophy

Degree Awarded:
Spring Semester, 2011

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ACKNOWLEDGEMENTS

Several individuals have contributed greatly to this dissertation. First, I would like to thank the chair of my dissertation committee, Dr. Carter Hay, for his leadership, knowledge, and enthusiasm to work closely with me for past several years on not only this dissertation but also several other research efforts. My development as a student, a researcher, and a teacher has been greatly enhanced because of the time that I have spent with Dr. Hay, and I am forever appreciative for the opportunity to have worked for and with him. To my other committee members; Dr. Brian Stults, Dr. Kay Pasley, and Dr. Sonja Siennick, thank you for supporting my professional and intellectual development throughout the entity of this dissertation. I would also like to thank Dr. Gary Kleck for exposing me to a range of research methodologies and new ways of thinking during my time at Florida State University.

Many colleagues have played a critical role in my ability to complete this dissertation. In particular, I would like to thank Colby Valentine for her unwavering friendship through the various stages of our academic career. Darren Restivo, my wonderful fiancé, thank you for sticking by my side and supporting me each step of the way. The unwavering encouragement you provide me is like no other. Finally, I thank my amazing parents, Laura and Joseph Ciaravolo, for their encouragement and support. Thank you for instilling in me the self-discipline and self-motivation that is so necessary to complete something like a dissertation. None of this would have been possible without both of you in my life. I am forever grateful for your unconditional love and support.

TABLE OF CONTENTS

List of Tables	vi
Abstract.....	vii
1. INTRODUCTION	1
1.1 Labeling Theory.....	1
1.2 Three predictions of labeling theory	2
1.3 Limitations of prior research	4
1.4 The current study	4
2. LABELING THEORY OVERVIEW.....	7
2.1 Introduction	8
2.2 Prior literature and research	8
2.2.1 Symbolic Interactionism Roots.....	8
2.2.2 Early Development of Labeling Theory.....	9
2.3 Broad Predictions of Labeling Theory.....	11
2.3.1 The effects of labeling on later offending	11
2.3.2 Mediated Effects of Labeling.....	15
2.3.3 Do extra-legal factors moderate the effects of labels?.....	17
2.4 Limitations of Prior Research	20
3. CHARACTERISTICS OF THE CURRENT STUDY.....	23
3.1 Introduction	23
3.2 The organization of chapters.....	23
3.3 Sample and data collection	26
3.4 Data used	27
4. ASSESSING DIRECT AND MEDIATED EFFECTS OF THE LABELING PROCESS	31
4.1 Introduction	31
4.2 Prior Literature and Research.....	32
4.2.1 Deviant Self-Concept.....	33
4.2.2 Blocked Opportunity Structure.....	36
4.2.3 Involvement with Deviant Groups.....	37
4.2.4 Shortcomings of Prior Research.....	39
4.3 Present Study	40
4.3.1 Data	41
4.3.2 Formal Labeling Measure.....	42
4.3.3 Subsequent Delinquency Measure.....	42
4.3.4 Mediating Variables.....	43
4.3.5 Control Variables.....	44
4.4 Results.....	45
4.4.1 The Effects of Labeling on Future Criminal Behavior.....	45
4.4.2 Does Formal Labeling Affect Hypothesized	

Mediating Variables.....	46
4.4.3 Are Labeling Effects Explained By Mediating Variables.....	47
4.5 Conclusion	49
4.5.1 Findings.....	49
4.5.2 Study Limitations.....	50
4.5.3 Implications for Policy.....	51
4.5.4 Implications for Future Research and Theory.....	53
5. ASESSING MODERATED EFFECTS OF THE LABELING PROCESS	59
5.1 Introduction	59
5.2 Prior Literature and Research.....	60
5.2.1 Demographic factors.....	60
5.2.2 Behavioral and Social Variables.....	62
5.3 Present Study	67
5.3.1 Data	67
5.3.2 Formal Labeling Measure.....	68
5.3.3 Subsequent Delinquency Measure.....	68
5.3.4 Moderating Variables.....	68
5.3.5 Control Variables.....	70
5.4 Results.....	70
5.4.1 The Effects of Official Intervention on Crime.....	70
5.4.2 Social Process and Behavioral Variables as Moderators.....	71
5.4.3 Structural Demographic Variables as Moderators.....	74
5.5 Conclusion	75
5.5.1 Results.....	75
5.5.2 Implications.....	77
6. DISCUSSION AND CONCLUSION	84
6.1 Introduction.....	84
6.2 Summary and Findings.....	84
6.3 Study Limitations	86
6.4 Implications.....	87
6.5 Conclusion	91
APPENDIX	93
REFERENCES	95
BIOGRAPHICAL SKETCH	104

LIST OF TABLES

Table 4.1: Descriptive statistics	55
Table 4.2: Bi-variate correlations.....	55
Table 4.3: OLS Regression, Effect of Formal Labeling on Future Behavior	56
Table 4.4: OLS regressions on mediating variables.....	57
Table 4.5: OLS regressions, Mediated effects.....	58
Table 5.1: Descriptive statistics	80
Table 5.2: Bi-variate correlations.....	81
Table 5.3: OLS regressions, social and behavioral factors as moderators.....	82
Table 5.4: OLS regressions, structural demographic factors as moderators.....	83

ABSTRACT

Although labeling theory has been subjected to many empirical examinations, more often than not, studies present conflicting evidence or suffer from a variety of methodological limitations. In turn, the current analyses aim to contribute knowledge and clarity by evaluating the theory in a manner that addresses some of the limitations found in prior studies. Three key research questions will guide the current analyses. First, does the formal labeling process increase subsequent criminal behavior? Second, are there extra-legal factors that mediate or explain this effect? Finally, is the effect of formal labeling on future behavior moderated, or conditioned, by extra-legal factors? Taken together, an assessment of these research questions should allow for a more nuanced understanding of the harmful consequences associated with the formal labeling process.

CHAPTER 1.

INTRODUCTION

1.1 Labeling Theory

The theoretical link between legal punishments and subsequent criminal behavior has long provoked a passionate debate of significant importance in the field of criminology (Bernburg, 2002; Paternoster and Iovanni, 1989; Tittle 1980). Although some perspectives of crime emphasize that official intervention (such as arrest, conviction, or sentencing) reduces future criminal behavior (Zimring and Hawkins, 1973), theorists working from a labeling perspective suggest the opposite. They focus their attention on the criminal justice system to explain the production of crime and deviance (Paternoster and Iovanni, 1989). From their perspective, interaction with the criminal justice system has an effect on an individual's life that triggers a movement towards subsequent engagement in crime and deviance (Bernburg and Krohn, 2003; Bernburg, Krohn and Rivera, 2006; Paternoster and Iovanni, 1989; Sampson and Laub, 1997). In making these arguments, labeling theorists have advanced the idea that state intervention and official labeling can have the ironic consequence of encouraging the deviant behavior it is intended to discourage.

Key to these arguments is the meaning of labeling itself. Labeling is the process whereby something or someone becomes fixed with a particular identity. Although a label can be positive or negative, criminological research has primarily focused on negatively labeling people and how it in turn contributes to deviant behavior (Ulmer, 1994). Tannenbaum (1938) suggested that it is the labeling process, or the "dramatization of evil", that secures an adolescent into a delinquent lifestyle. The concept of "dramatization of evil" is closely linked to the self-fulfilling prophecy or the idea that an individual's behavior can be altered to meet the expectations of society. Thus, following formal labeling, individuals may consider how society perceives them and then alter their behavior to fit their newly assigned identity. In other words, Tannenbaum (1938) suggested that society's reaction to delinquent behavior could lead to a self-fulfilling prophecy whereby the labeled individual will in engage in more delinquent behavior in the future.

Formal labeling is frequently linked to our criminal justice and psychiatric systems. An example of formal labeling is when an individual is arrested, charged, or convicted for a crime.

Following the arrest, charge or conviction, a stigma or negative connotation is attached to that individual that they then carry forward into future interactions. The importance given to official punishment or formal labeling as a cause of secondary deviance is made clear in the statement: “the person becomes the thing he is described as being” (Tannenbaum, 1938). This has become increasingly apparent in recent works where scholars explicate the process through which deviant labeling influences future behavior (Bernburg and Krohn, 2003; Bernburg, Krohn and Rivera, 2006; Link, 1982; Paternoster and Iovanni, 1989; Sampson and Laub, 1997). Thus, labeling theory is primarily concerned with how the behavior of an individual may be determined by the terms or labels used to describe them.

1.2 Three Predictions of Labeling Theory

In its broadest form, there are three central predictions proposed by labeling theory. The first major prediction of labeling theory involves the implications of labels for future offending; specifically, when society attaches a criminal label to an individual, there should be a greater probability of future deviance. The theory expects labels to alter people’s self-identity such that they come to perceive themselves as criminal in nature and then adjust their behavior accordingly. In short, as members of society begin to view and treat individuals as a criminal, these individuals begin to internalize the label. In turn, the labeled individual will react to society’s response through engaging in future delinquent behavior, which has become expected of them by society.

It is important to note that labeling theory anticipates disparities in the application of formal labels to persons based on different personal characteristics. Therefore, the likelihood of receiving a stigmatizing label is not simply a function of one’s involvement in crime, but also contingent upon the offender’s gender or age (Steffensmeier, Ulmer and Kramer, 1998), employment (Spohn and Holleran, 2000) and race (Bontrager, Bales and Chiricos, 2005; Lieber and Johnson, 2008; Spohn and Beicher, 2002; Steffensmeier and Demuth, 2000). However, the theory holds that subsequent involvement in crime and delinquency will increase following the stigmatizing labeling process (Bernburg, 2002; Hagan and Palloni, 1990; Ray and Downs, 1986). This operates on the perspective that delinquency is both a cause and an effect of receiving an official label or legal punishment.

The second major prediction of the labeling perspective is that there are key variables, which may mediate the effects of labeling on future offending. Although the theory originally proposed that formal labeling leads to a criminal career, labeling theorists began to hypothesize that formal labeling can stigmatize an individual in ways that may 'push' them away from conventional society. This stigmatization process is likely to affect many areas of an individual's life and life chances. These mediating factors, which include a deviant self-identity (Schwartz and Skolnick, 1962), blocked employment or educational opportunities (Becker, 1963; Bernburg and Krohn, 2003; Sampson and Laub, 1997), and association with a deviant subculture (Bernburg, Krohn and Rivera, 2006; Tannenbaum, 1938; Warr, 2002) then lead to a secondary deviance. In other words, following official intervention and labeling, an individual may experience changes in many areas of life such as changed self-concept, association with delinquent peers, and blocked educational and employment opportunities, which in turn affect whether or not an individual engages in subsequent crime.

The third and final major prediction of labeling theory is that the effects of formal labeling on subsequent behavior are expected to be conditioned by a variety of extra legal factors. In short, the effects of formal labels may be different for some individuals than they are for other individuals. Deeply rooted within conflict theory, Lofland (1979) was among the first scholars to propose that differential effects of the labeling process are determined by personal characteristics. It is important to note that prior criminological research results propose two contradicting views in regards to the type of individual who is more likely to experience deviance amplification following formal interaction with the criminal justice system. For example, one line of thought proposes that disadvantaged individuals (in terms of both economic and social disadvantage) are less vulnerable to the criminogenic effects of labeling because their disadvantaged status already place them at heightened risk for offending (Ageton and Elliott, 1974; Jensen, 1972; Harris, 1976). In short, if such individuals are already likely to be offenders, there is less room for labeling to be consequential.

However, more recently, some have argued the opposite. These scholars propose that disadvantaged individuals should be more affected by labels because the structural impediments they face render them less insulated from the harmful effects of official labeling (Bernburg and Krohn, 2003; Sampson and Laub, 1997). In short, they may lack the personal, social, and economic resources needed to overcome the challenges presented by official labeling. Thus, for

these individuals, labeling should produce greater increases in offending than for more advantaged individuals.

1.3 Limitations of Prior Research

Although many studies have examined these various hypotheses (see Bernburg, 2002; Bernburg and Krohn, 2003; Bernburg, Krohn and Rivera, 2006; Paternoster and Iovanni, 1989), prior research is far from conclusive. As will be discussed, this is in part because of limited and conflicting empirical evidence, but also due to methodological shortcomings found in prior studies. For example, a major limitation within the bulk of prior labeling research is the type of sample employed for the analyses. Prior empirical studies largely have drawn their samples from officially labeled populations; thus, the “control” group was composed not of individuals who avoided a criminal label, but instead, of those who experienced a label of lesser intensity. For example, researchers include individuals within the control group whom have been arrested but not convicted. As others have discussed (see Bernburg and Krohn, 2003, Paternoster and Iovanni, 1989), this provides an inadequate test of the labeling perspective because it examines only the relative effects, not the absolute effects of the labeling process. Additionally, many studies employ data with a cross sectional research design or relatively short follow-up period. This shortcoming ignores the possibility that the harmful consequences of labeling may develop over an extended period of time. Each of these shortcomings will be elaborated upon in the following chapter.

1.4 The Current Study

The purpose of this dissertation is to contribute knowledge in this area by evaluating labeling theory in ways that address some of the limitations found in prior research. Three key research questions will guide the current analysis. The first research question will explore if official labels increase subsequent crime as the theory predicts it should. The positive association between official labeling and subsequent involvement in crime and delinquency has been assessed many times (see Hagan and Palloni, 1990; Palarma, Cullen, and Gersten, 1986; Smith and Paternoster, 1990), but more often than not, the studies suffer from the methodological limitations mentioned earlier. When taken together, the failure to consider these limitations indicates that there is much still to be learned about the causes and consequences of

official labels. Thus, the direct independent effect of formal labeling on subsequent behavior is of interest.

The second research focus involves the variables that may mediate the association between formal labeling and subsequent behavior. Although the independent, direct effect of the formal labeling process has dominated the attention of labeling researchers, it makes more theoretical sense to focus on indirect, mediated effects of labeling. In other words, if legal punishments increase future offending, they should do so by affecting other key variables. These key variables, as specified by prior research (see Bernburg and Krohn, 2003; Bernburg, Krohn and Rivera, 2006; Sampson and Laub, 1990), include delinquent self-concept transformation, denied access to conventional opportunities, and an increased exposure to criminal peers and delinquent subcultures.

In turn, these three consequences, each which stem from the application of a formal label, likely assist in perpetuating a criminal career. However, prior studies have largely neglected to examine the mediating processes that may help to explain the relationship between labeling and subsequent offending (Bernburg and Krohn, 2003). Moreover, no prior studies have included all three of the hypothesized mediating variables within the same empirical study. Thus, in order to understand the complicated labeling process more thoroughly, the first empirical chapter will consider both the direct and mediating models whereby formal labeling affects subsequent involvement in crime. The first empirical chapter will draw upon both the first and second broad predictions proposed by labeling theory.

The third research question considers whether the negative consequences associated with legal punishment are greater for some individuals than others. Theorists working from a labeling perspective seem to agree that not every labeled individual will experience an increase in subsequent delinquency (Chiricos, Barrick, Bales and Bontrager, 2007, Spohn and Holleran, 2002). In other words, some offenders may be more able to resist the stigmatizing effects of legal sanctions and the labeling process than others may. Although this has been considered in a number of studies (see Chiricos et al., 2007; Kruttschnitt, Uggen and Shelton, 2000; Ray and Downs, 1986; Simons, Miller and Aigner, 1980; Spohn and Holleran, 2002), empirical results are often contradictory from study to study. Moreover, the moderating variables considered in prior research have often been limited to basic structural demographic variables such as age, sex, and race. Therefore, it is important to assess the possibility that the effect of legal punishment on

subsequent involvement in crime and delinquency is conditional upon additional personal characteristics of the labeled individual. In turn, the second empirical chapter will explore moderating variables often ignored in prior research, such as behavioral and social factors, in order to examine the third broad prediction of labeling theory.

Taken together, a consideration of these research questions should allow for a more nuanced understanding of the consequences of formal labeling on subsequent involvement in crime and delinquency. Scholars are beginning to recognize that by elaborating on additional causal processes, a more complete and empirically defensible version of labeling theory can emerge (Bernburg and Krohn 2003; Chiricos et al., 2007; Sampson and Laub, 1997).

Contributing to that goal is the purpose of this dissertation. In doing so, it will first be necessary to present the reader with relevant literature and prior research on labeling theory (Chapter 2). The following chapter (Chapter 3) will then provide a thorough description of the data employed for the current research study as well as a description of each of the empirical chapters. Additionally, the third chapter will address some of the measurement and analytical issues that present challenges in testing the labeling perspective—challenges that this research will seek to address.

The next chapter, the first empirical chapter (Chapter 4), will examine the first and second broad predictions proposed by labeling theory. This chapter will assess if formal labeling affects the likelihood of engaging in subsequent delinquency. Additionally, Chapter 4 will present an emphasis on the examination of variables that mediate the harmful effects of formal labeling on future offending. The second empirical chapter (Chapter 5) will examine if structural demographic, as well as behavioral and social variables moderate the association between official intervention and subsequent delinquency. Therefore, this chapter explores the third broad prediction of labeling theory. The final chapter (Chapter 6) of this dissertation will summarize the overall conclusions of the analyses and discuss the study's limitations. Moreover, attention will be devoted to the policy implications and suggestions for future research that are revealed by the current study.

CHAPTER 2.

LABELING THEORY OVERVIEW

2.1 Introduction

Prior to the introduction of the labeling perspective, criminologists tended to view criminals as flawed individuals who engage in behaviors that are objectively problematic. However, during the 1960's, many scholars began to assert that a crime is a socially constructed phenomenon whereby the definition of crime changes over time and place. At that time, labeling theory began to suggest that a crime cannot exist without cultural values and norms because behaviors have no meaning until they are judged as morally right or wrong, and reacted to as such by a social audience. Thus, it is the nature of the reaction from society, not the absolute nature of an act or behavior, which determines if a crime has actually occurred (Becker, 1963, Erikson, 1966). In line with this, labeling theory has been referred to as the “societal reaction” perspective of crime (Gove, 1980). When an individual experiences interaction with the criminal justice system, that individual is viewed to be a “criminal” by society. According to labeling theorists, this is where the harmful labeling process begins.

During the 1960's, mainstream criminological thought began to experience a transition towards the labeling paradigm and the nation as a whole was concurrently experiencing a period of significant social change. Matza (1969) suggested that criminological theories had been ignoring the role of the state in the production of criminal and delinquent behavior. As the Civil Rights Movement explicitly drew upon the harsh reality of racism, sexism, and class inequalities in the United States, the public began to lose their confidence in the government's ability and willingness to address these injustices (Paternoster and Bachman, 2001). This social environment could be considered “perfectly harvested” for criminologists seeking to plant their seeds of thought. Consequently, a crime theory that reflected the profound anti-authority sentiments of the people gained notoriety among the public during such a tumultuous period of time in the United States. With labeling theory, criminology saw the birth of a theory that clearly questioned the legitimacy and effectiveness of the criminal justice system. It sought to challenge the unfair application of formal labels and suggested that labeling individuals as “criminal” and “delinquent” has the ability to promote—rather than prevent—later offending.

2.2 Prior Literature and Research

2.2.1 Social Construction of Crime: Symbolic Interactionism Roots

Scholars working from a symbolic interactionist perspective assert that human behavior is best understood as the product of social interaction between individuals (Cooley, 1902, Mead, 1934, Blumer, 1969). This school of thought proposes that human behavior is organized around the way that society characterizes behaviors, objects, and gestures. In other words, no objects or behaviors are inherently criminal or bad until a social audience assigns it a meaning. From a symbolic interactionist perspective, an individual's identity, values and behaviors are believed to exist only in the context of how society reacts when engaged in social interactions (Sandstrom and Kleinman, 2003). Although Blumer (1969) is well known for conceptualizing the term, "symbolic interactionism", the notion is considered to be a collaborative effort of scholars including the works of Cooley (1902), Mead (1934) and Blumer (1969).

Cooley (1902) initially developed the theoretical concept of the "looking glass self" to emphasize the meaning that people assign themselves. The main idea behind this concept is that people define themselves according to their view of society's perception of them. He argued that an individual's self-concept is formed through communication with others, in which we come to see ourselves by the way that others in society label, perceive, and subsequently treat us. We then define and treat ourselves accordingly. Mead (1934) expanded Cooley's idea, but focused on the concept of an individual's "self." In *Mind, Self, and Society* (1934), Mead describes the perception of self as formed within the context of social interaction. He argued that the self arises through the process of role-taking or viewing one's self from the perspective of the other, and then organizing one's behavior accordingly (1934). The "self" facilitates behavior based on social meaning (Mead, 1934) and is "a mechanism that is used in forming and guiding his conduct" (Blumer, 1969, p. 62).

Blumer (1969) then coined the concept 'symbolic interactionism' to emphasize that human beings define themselves from the perspectives of others in society. With particular deference to labeling theory, symbolic interactionism implies that when society applies a stigmatizing label to an individual, that person will organize their behavior around the applied label accordingly. Consequently, the labeled individual will mentally process how others perceive him as a "deviant", and in turn will develop a sense of who he is and how he should behave based on the applied label. In other words, the labeled individual will engage in

behaviors that are often associated with the meaning of the label. Thus, both schools of thought would agree that labeling someone as deviant can produce a deviant self-concept, which will prompt subsequent deviant behavior. It is clear that labeling theory and symbolic interactionism present similar dynamic views. Consequently, it is understandable that the intellectual history of labeling theory is deeply rooted within the sociological school of thought known as symbolic interactionism (Paternoster and Iovanni, 1989: 362).

2.2.2 Early Development of Labeling Theory

Frank Tannenbaum (1938) used the term “dramatization of evil” to explain the ideas behind the symbolic interactionism school of thought. In fact, the “dramatization of evil” provided one of the earliest and most profound concepts to labeling theory. In his explanation of how a juvenile delinquent becomes involved in a criminal career, Tannenbaum argued that minor forms of delinquent behavior during early adolescence are normal. However, when members of the community label the child as delinquent, the creation of the criminal begins. The stigma that accompanies the deviant label will often result in that person falling deeper into nonconformity (Pfohl, 1994). Consequently, societal reactions to this isolated delinquent act may transform an adolescent into a *delinquent* adolescent. Tannenbaum (1938: 19-20) notes

“the process of making the criminal, therefore, is a process of tagging, defining, identifying, segregating, describing, emphasizing, [and] making conscious and self-conscious; it becomes a way of stimulating, suggesting emphasizing, and evoking the very traits that are complained of”.

To put it simply, Tannenbaum viewed the labeling process to be very similar to Merton’s (1959) concept of a “self-fulfilling prophecy”. The self-fulfilling prophecy is, in the beginning, a *false* definition of the situation evoking a new behavior, which makes the original false conception come true once it is acted upon (Merton, 1968). Identifying a child as deviant may provide the necessary stimulus that drives such behavior, making the child the very thing he is described as being. As explained by Tannenbaum (1938) and Merton (1968), names can be especially harmful when an individual is labeled as a “delinquent” or “criminal”. Therefore,

contrary to the childhood saying, “sticks and stones may break my bones, but names could never hurt”; *names can hurt*.

Edwin Lemert (1951; 1967) then introduced the first methodical analysis that applied these ideas to the study of the effects of formal social control on future deviant behavior. *Social Pathology* (1951) outlines what many consider the original version of labeling theory. Focusing on the social construction of deviance, Lemert sets forth a more cohesive theory than his predecessors had done. He draws upon the differences between two types of deviant behavior: *primary deviance* and *secondary deviance*, which are elaborated upon below. Although Lemert and Tannenbaum put forth these novel ideas relating to labeling theory, the perspective did not gain popularity until the 1960's. During this time, labeling theorists began to call attention to the role of the state in producing delinquent behavior by focusing on the reactions of police, court and society. Additionally, the Civil Rights movement was under way, the Vietnam War was unpopular and heavily protested among the public, and the Watergate scandal forced Nixon to resign. Moreover, a growing counterculture rejected traditional lifestyles, capitalist goals, and the legitimacy of the state. Thus, the field of criminology was ripe for cultivating an innovative, oppositional line of thought.

Becker's (1963) analysis of the history of marijuana laws in the United States focused on individuals in the position of power and authority that make and enforce the rules. He suggested that rules are created by moral entrepreneurs, or individuals that take the initiative to crusade for a rule that would right a society's evil. The enforcement of a rule occurs when those that want a rule enforced, usually to some sort of gain to their personal interests, bring the rule infraction to the attention of the public (Becker, 1963). According to Becker (1963), studying the delinquent act of the individual is unimportant because engaging in rule breaking behavior is simply engaging in behavior that is labeled deviant by individuals in positions of power.

Taken as a whole, it is important to note that the labeling perspective proposes three broad hypotheses, each of which will be elaborated upon below. First, the theory proposes that the formal labeling process will lead to an increased likelihood of engaging in delinquent behavior. However, not everyone who engages in criminal behavior is formally labeled. Therefore, some individuals are more likely to be labeled as a delinquent than other individuals are. Second, the theory hypothesizes that the outcomes associated with the labeling process are dependent on specific mediating variables. In other words, there are other variables driving the

significant relationship between formal labeling and subsequent behavior. Finally, labeling theorists hypothesize that some individuals are more susceptible to the harmful consequences associated with the formal labeling process than others are. Thus, the effects of formal labeling on subsequent delinquency are conditioned by moderating variables. The broad predictions of labeling theory are each described in more detail below; along with a discussion of relevant prior research

2.3 Broad Predictions of Labeling Theory

2.3.1 The Effects of Labeling on Later Offending

Lemert's (1951) book *Social Pathology* introduced the basic premises of labeling theory. In the book, he distinguished between primary and secondary deviance and indicates that the labeling perspective is best understood as a sequential process that facilitates the transformation of an individual's identity. Becker (1963) details the process of how individuals become involved in secondary deviance. Primary deviance is the first "step", and this primary act may be either intentional or unintentional (Becker, 1963). According to Lemert (1951), primary deviance is the initial incidence of an act causing an authority figure to label the actor "deviant." Many individuals engage in primary deviance but do not suffer any consequence to their self-concept and little or no threat to their social roles. Thus, primary deviance involves an individual violating the norms but without viewing himself as being involved in a deviant social role.

Labeling theorists contend that the origin of primary deviance is of little importance because the real criminogenic experience occurs after an individual is labeled as "delinquent". Therefore, the central concern of labeling theory is to explain the consequences of being labeled, not the act of engaging in primary deviance. In turn, the next step—which leads to secondary deviance and a career in crime—involves the acceptance of the deviant label (Becker, 1963). Becker (1963) suggested that when an individual is known to have committed a crime and becomes recognized as a "criminal", it can become his or her "master status"—one that overrides all other identities. Labeling theorists proposed that the official assignment of a criminal label will lead a labeled individual to take on an identity consistent with that meaning and will engage in behavior that matches that identity (Becker, 1963; Ray and Downs, 1986; Schur, 1971). Thus, self-concepts are assembled in a dynamic manner whereby it is created and subsequently transformed in an ongoing process of social interaction.

According to Davies and Tanner (2003:386), “the key claim is that the public acknowledgement of disreputable, injurious, and problematic behavior (primary deviance) does not reduce the prospect of repeat performance but may in fact facilitate further wrong doing.” Thus, when members of society assign a stigmatizing label to an individual, those people will treat that individual accordingly. Over time, the delinquent identity becomes incorporated into the “self” of the labeled individual and is eventually stabilized. If the label poses no threat to an individual’s social identity, the delinquent behavior will remain primary deviance. However, if the attached label poses a threat to the individual’s identity, the individual is likely to engage in secondary deviance, or the continuation of delinquent behavior. Thus, secondary deviance refers to the behavior that results from an individual becoming engulfed in a deviant role (Schur, 1969) due to society’s response to primary deviance.

In empirical terms, the key question is this: is receiving a formal label (in the form of an arrest or conviction, for example) positively associated with later offending? In arguing that formal labeling increases future criminal behavior, labeling theorists directly challenge deterrence theory’s argument that official labeling decreases subsequent criminality. This is the labeling theory hypothesis that unquestionably has produced the most empirical scrutiny. Gold (1970) found offenders who had experienced formal interaction with the criminal justice system, were more likely to engage in future delinquency than offenders who evaded apprehension. Using a sample from the National Longitudinal Survey of Youth (NLS79) data, Davies and Tanner (2003) found that severe forms of formal labeling (such as incarceration) have the strongest relative effects on subsequent involvement in crime and delinquency.

More recently, Nieuwebeerta, Nagin and Blockland (2009) examined the effect of first-time imprisonment between ages 18-38 on the conviction rates in the three years immediately following the year of the imprisonment using data from the Netherlands-based Criminal Career and Life-course Study. The authors’ found that first-time imprisonment is associated with an increase in criminal activity in the 3 years following release, supporting the hypotheses of the labeling process. In fact, many studies (Bernburg and Krohn, 2003; Davies and Tanner, 2003; DeJong, 1997; Farrington, 1977; Palarma, et al., 1986; Ray and Downs, 1986; Spohn and Holleran, 2002; Thomas and Bishop, 1984) have found an amplified effect on subsequent offending following interaction with the criminal justice system. Moreover, it is important to note that some research finds that punishment decreases the likelihood of future criminal

behavior, supportive of deterrence theory. For example, a recent study examined prior offenders who began sentences of probation in northern Virginia. The results indicate that when compared to pre-arrest behaviors, the criminal behaviors of offenders declined dramatically after arrest and continued at a lower level throughout the probation period studied. In turn, the results were interpreted as consistent with a possible a deterrent effect. (MacKenzie and Li, 2002). Although the offenders many have avoided engaging in criminal behavior out of fear of going to prison, the results are still in line with deterrence theory.

Although the current study will not examine extra-legal variables that predict exposure to official labeling, it is important to mention that not all individuals who engage in delinquent behavior will experience formal labeling. Thus, a key consideration in labeling theory has been the possibility that one's likelihood of being labeled—of being arrested, convicted, or sentenced—is affected by factors that go beyond criminal involvement. Labeling research has found that the demographic differences found in sentencing outcomes may be the result of an individual's social class, race, age and sex (Albonetti, 1991, 1997; Bontrager, Bales, and Chiricos, 2005; Chambliss, 1999; Crawford, Chiricos and Kleck, 1998; Steffensmeier et al., 1998; Steffensmeier and Demuth, 2000). For example, there is the perception that minority defendants are more dangerous and threatening to the public. In turn, minorities are punished more severely compared to non-minority defendants (Albonetti, 1991, 1997; Steffensmeier et al., 1998; Steffensmeier and Demuth, 2000).

Karl Marx was the forerunner of the sociological thought that suggested social control is not established through normative consensus. Moreover, he argued that social control can be used in ways that disadvantage targeted groups of individuals. Blalock (1967) further illuminated the ideas of Karl Marx with the concept of "power threat." Originally proposed in political terms, Blalock argued that racial discrimination persists because white elites fear the loss of political and economic power. He proposed that there are inequalities found in sentencing outcomes that result from the elites control and use of the criminal justice system. Turk (1969) and Quinney (1970) similarly argued that the upper classes use the law as a weapon against individuals who are considered threatening to their values or positions. In other words, individuals who maintain political power are able to pass laws, mobilize police action, and employ methods of punishment against individuals who are perceived to be threatening to the powerful people's values and positions.

Liska (1992) built upon Blaylock's (1967) concept of "power threat" by recognizing that perceived threat may be broadened to include law violations. Liska was able to shift the focus of discrimination to the "underclass" as the focus of the criminal justice system control. In other words, Liska (1992) introduced a "social" threat theory. Crawford, Chiricos and Kleck (1998) then proposed a reformulation of Blaylock's (1967) and Liska's (1992) theories, with a focus on crimes that have come to be more commonly associated with minorities. The scholars (1998) define "racial threat" as the evolving race and crime specific dimension of Blalock's (1967) "threat power" and Liska's (1992) "social threat." Throughout the 1980's, racial threat typically referred to the urban underclass of blacks and crime, especially drugs (Sampson and Laub, 1998) as was seen with the crack-cocaine "epidemic" (Chiricos, 1996). In turn, criminologists often attribute racial disparity in criminal justice outcomes to racial stereotyping (Steffensmeier and Demuth, 2001).

Crawford, Chiricos, and Kleck (1998) found that black offenders were significantly more likely to face prosecution and receive a harsher sentence under habitual offender guidelines after controlling for prior record and seriousness. More recently, Spohn and Beicher (2000) suggested that judges rely on stereotyping Black and Hispanic male offenders as predatory when faced with uncertainty in sentencing decisions. In fact, threat theory, as an explanation of racial inequality in sentencing outcomes, has received a notable amount of attention at both the individual level (Albonetti, 1997; Bridges and Steen, 1998; Crawford et al., 1998; Leiber and Johnson, 2008; Spohn and Beicher, 2002; Steffensmeier and Demuth, 2000) and at the aggregate level (Bontrager, Bales and Chiricos, 2005; Stolzenberg, D'Alessio and Eitle, 2004; Ulmer and Bradley, 2006; Ulmer and Johnson, 2004). Moreover, research suggests that racial cues have become a subjective way of categorizing groups of individuals, based on perceived risk of crime and delinquency (Albonetti, 1997; Bridges and Steen, 1998).

These prior studies lend support to the notion that minority offenders are often punished more severely than whites because of the perception that they are more threatening and in turn, more deserving of harsher punishment. In other words, minority offenders are more likely be exposed to the harmful, formal labeling process than non-minority offenders (Bridges and Steen, 1998). For example, in the 2004 presidential election, Uggen, Behrens and Manza (2005) found that over eight percent of the African American voting-age population had their right to vote removed, or disenfranchised, because of a past felony conviction, as compared to less than 2% of

the non-African American voting-age population. These disparities in sentencing and punishment contribute to significant racial disparities in criminal justice outcomes, and these disparities have major implications for social life.

2.3.2 Mediated Effects of Labeling

While classical labeling theory proposes that a formal reaction to crime can lead to a criminal career, Liska and Messner (1999) argue that there may be important social processes through which official intervention and labeling affect subsequent involvement in crime and delinquency. In fact, “by failing to consider the requisite intervening effects, the bulk of labeling studies do not constitute a valid test of labeling theory” (Paternoster and Iovanni, 1989:384). Although clearly important to the theory, prior research has rarely examined the occurrence of intermediate processes that may explain the process by which deviant labeling leads to subsequent deviance (see, however, Bernburg and Krohn, 2003; De Li, 1999; Sampson and Laub, 1993). These mediating variables include the alteration of one’s self-concept, the limitation of the range of one’s conventional opportunities, and the reinforcement of deviant subcultural affiliation (Bernburg, 2009).

Becker (1963) recognized that the most important consequence of being labeled a deviant is the drastic change in one’s social identity. Certain rule-breakers come to accept the label of "deviant" as their master status. In turn, the labeled individual becomes an outsider and is denied the means of carrying on with his everyday life (Becker, 1963). When a deviant label is attached to an individual, he or she will often organize their behavior and actions around the attached label or role (Schur, 1971). Thus, subsequent criminal behavior is no longer the result of biological or social characteristics of the individual (which may have caused primary deviance), but rather is a result of identity or self-concept transformation that follows from the labeling process (Ray and Downs, 1986).

Matsueda (1992) examined a line of research that sharply contrasts with other labeling research by placing emphasis on informal labeling processes rather than those imposed by the formal criminal justice system. Heimer and Matsueda (1994) further illuminated this process and found that it is not so much the actual assigned label that matters, but that the process of role taking, which affects involvement in subsequent delinquency. As a result, if a label is applied but the child does not view himself as a troublemaker, the child is less likely to become involved

in secondary deviance. Therefore, this supports the notion that a self-concept has the ability to mediate the relationship between the labeling process and subsequent engagement in crime and delinquency.

A second detrimental effect of formal labeling is the reduction of access to legitimate opportunities in conventional society. Theorists working from a labeling perspective argue that the stigmatization process, which often follows formal labeling, creates other consequences such as blocked access to conventional employment and education opportunities, which may support in the continuation of a criminal career. Becker (1963) contends that labeling an individual “deviant” will deny the individual the legitimate opportunities or means of carrying on routines of everyday life available to most people. As a result of being denied legitimate opportunities to carry out daily routines, the labeled individual become more likely to turn to illegitimate means to make a living (Becker 1963).

In fact, there is indirect evidence that official intervention has a significant and positive effect on crime in adulthood and this effect is partially mediated by factors such as education and employment opportunities (Davies and Tanner, 2003; Hagan, 1991; Pager, 2003; Sampson and Laub, 1997; Western, 2002). Pager (2003) found in an experiment that applicants with a (supposed) criminal record were called back less than half as often as the applicants with a (supposed) clean record. Using panel data, Bernburg and Krohn (2003) found that formal intervention as a youth has a significant, positive effect on crime in early adulthood. Furthermore, the authors found that this effect is partly mediated by life chances, such as educational achievement and employment.

Similarly, Sampson and Laub’s (1997) concept of cumulative continuity suggests that education and employment opportunities often become restricted due to the stigma of the negative labels. Consequently, the labeled individual will often engage in delinquent behavior in order to attain conventional goals, such as monetary success. This is particularly true among offenders who have served time in jail or prison. Upon release from incarceration, individuals often carry the status of “ex-convict”, which is seen as a risk to employers. In turn, labeled individuals are often relegated to dead-end, low salary job opportunities. In turn, they will continue to engage in crime in order to fulfill their wants and needs. Therefore, Sampson and Laub’s (1997) concept of cumulative continuity supports the notion that the harmful labeling process is likely to be mediated by a blocked opportunity structure.

Finally, according to labeling theory, intervention with the criminal justice system and formal labeling should affect the labeled individual's immediate social networks (Bernburg, Krohn and Rivera, 2006). Tannenbaum (1938) suggested that when a juvenile delinquent is isolated due to his involvement in deviance, that isolation would likely encourage companionship with other children in a similar situation. For example, a labeled individual is likely to avoid individuals who are not delinquent out of fear that they will be judged. Becker (1963) suggests the final stage in the development of a criminal career is that of entering and belonging to an organized deviant group or subculture. Because delinquents often feel 'transparent' to conventional others, they may be more comfortable spending their time with individuals who are engaging in the same activities as them. In turn, the labeled individual will spend more time associating with others whom they know to be delinquent. Thus, it is probable that the stigma of the criminal status may increase the probability that the individual becomes involved in deviant social groups, which will ultimately increase involvement in subsequent deviance (Bernburg, Krohn and Rivera, 2006).

To summarize, the direct relationship between formal labeling and subsequent crime has been assessed many times in the past (e.g., Hagan and Palloni 1990; Horowitz and Wasserman 1979; Klein 1974; Palarma et al. 1986; Ray and Downs 1986; Thomas and Bishop 1984). Moreover, theorists have suggested several different mediating processes that may explain this relationship (see Liska and Messner, 1999:118-25). Specifically, the stigmatization of a criminal label may lead to a deviant self-concept, blocked conventional opportunities and an association with a deviant subculture (Bernburg, 2009). These mediating variables then pave the way for secondary deviance for the labeled individual. However, because prior research often neglects these mediating variables, the culmination of results from labeling studies has left scholars with a blurry depiction of the labeling process.

2.3.3 Do Extra-legal Factors Moderate The Effects of Labels?

Early labeling theorists proposed that some individuals are more affected by the harmful effects of the labeling process than other individuals. Lofland's (1969) argument that deviance amplification is based upon a variety of personal characteristics has laid the foundation for discussing the notion of differential susceptibility of formal labels among individuals. Lofland (1969) argued that deviance amplification, or the continuation of crime and deviance following

formal labeling, occurs when the individual accepts the deviant identity. The acceptance of such an identity depends on the strength of the individual's self-concept, emotional attachments to others and similar cognitive categories used to identify deviant behavior between the labeler and labeled individuals (Lofland, 1969, pp. 177-205). Since Lofland (1969), other scholars have acknowledged that the relationship between formal punishment and future behavior may be moderated by additional variables such as race, sex and socioeconomic status (Ageton and Elliott, 1974; Harris, 1976; Jensen, 1972). It is important to note that although prior research has examined structural demographic factors that moderate the labeling process, the consideration of how social process factors affect labeling consequences has received little empirical attention.

Early research and theory proposed that disadvantaged individuals would be less vulnerable to the stigmatizing effects of the labeling process (Ageton and Elliott, 1974). It is important to note that these early labeling theorists were interested in the manner in which changes in self-concept affect future behavior. For example, Harris (1976) argued that minorities are less susceptible to the stigmatizing effects of formal labels because they have already been denied full social membership in society due to their minority status or low socioeconomic status. Therefore, disadvantaged individuals, who consider themselves excluded from a high social status, are more protected from the harmful effects of formal labeling because the process is less likely to have a negative impact on their self-identity. However, more recently, theorists working from a labeling background have proposed the contrary (Bernburg and Krohn, 2003; Sampson and Laub, 1997). For example, Sampson and Laub (1997) argued that among disadvantaged individuals, disadvantages pile up faster and this has continuing negative consequences on later development. Thus, individuals in a higher structural location, higher socio-economic status or non-minority status, have more social resources to combat the ill effects of stigmatization, regardless of alterations in self-concept.

In regards to sex, prior research presents conflicting results and often fails to offer theoretical explanations for the relationships. For example, Ageton and Elliot (1974) found that males are more likely to be affected by interaction with the police than females. Keane, Gillis and Hagan (1989) similarly argue that risk averse individuals are more susceptible to deterrent effects of formal punishment and risk-takers are more susceptible to labeling effects. Thus, the authors argue that the labeling perspective holds more true for males than females, because males are more likely to be risk-takers where females are more likely to be risk-averse.

However, Ray and Downs (1986) found the opposite. They found that females are more likely to be negatively impacted by labels than males because they are more attentive to the opinions of others within interpersonal relationships. More recently, a study conducted by Chiricos, Barrick, Bales and Bontrager (2007) also found that labeling effects are stronger for women, suggesting that the labeling perspective may be sex specific. Additionally, it is important to note that scholars, such as Simons, Miller and Aigner (1980), have reported that secondary deviance applies equally across sex. In other words, the effects of labeling on subsequent behavior were similar for males and females.

Similarly, Sherman and colleagues (1992) proposed the idea of “lesser and greater vulnerability” in regards to the relationship between stakes in conformity and the effects of formal labeling. This particular idea merits attention because it suggests that additional types of extra legal factors, other than structural demographic variables, moderate the formal labeling process. According to lesser vulnerability, individuals with stronger informal social bonds, such as employment and education, are more likely to be protected from the harmful effects of the labeling process. This suggests that those with more stakes in society are less likely to engage in subsequent crime because they have the necessary resources to overcome the negative impact of labeling.

However, the greater vulnerability hypothesis argues the opposite. It argues that advantaged individuals, those married and employed, are more vulnerable to the effects of formal labeling because they care more about the “opinions of conventional society” (Sherman, Smith, Schmidt and Rogan, 1992, p.682). Thus, an individual who cares more about the opinions of others will be more affected by the way others perceive them. In turn, this will have a stronger, detrimental effect on an individual’s self-identity. This supports Paternoster and Iovanni’s (1989) argument that those who do not grant legitimacy to legal order and group rules are more resistant to the negative effects of the labeling process.

In addition to the idea of “lesser and greater vulnerability”, Sherman’s (1993) defiance theory argues that there are differential effects of formal punishment. Sherman (1993) developed the idea in order to explain the range of outcomes associated with labeling effects. In doing so, the theory predicts the conditions which lead to the “net increase in prevalence, incidence, or seriousness of future offending against a sanctioning community caused by a proud, shameless reaction to the administration of a criminal sanction”, or defiance. These conditions include the

perception of an unfair and stigmatizing sanction, a poorly bonded offender, and the offender denies the shame produced by the sanction imposed. Bouffard and Piquero (2010) recently found that those with weak social bonds respond defiantly to authority by continuing to engage in deviant behavior. This theory is of particular importance to this dissertation because it proposes the idea that social process factors may affect the relationship between formal punishment and subsequent behavior, in addition to the more commonly studied structural demographic factors.

2.4 Limitations of Prior Research

Although prior research studies have offered numerous hypotheses regarding the mechanisms that may produce the relationship between official labeling and subsequent delinquency (Bernburg and Krohn, 2003; Bernburg Krohn and Rivera, 2006; Hagan, 1993; Sampson and Laub, 1993), there are a few notable issues concerning prior research that merit some attention here. First, a pressing methodological issue of prior labeling research involves the possibility of a spurious relationship. Of direct importance with respect to labeling theory is the possibility that formal labeling and subsequent involvement in crime and delinquency are associated with each other only because both are the result of one's prior history of offending.

It therefore is necessary for researchers to include a control for prior deviance in order to account for differences between individuals with respect to prior offending or criminal propensity in general. For example, Bernburg and Krohn (2003) found that police and juvenile justice intervention had a significant effect on crime at age 19-20 even after controlling for serious adolescent delinquency. Similarly, Chiricos and colleagues (2007) utilized Florida Guidelines data, allowing the researchers access to a very comprehensive measure of an individual's prior record. When controlling for such, the authors found that a felony label increases the likelihood of recidivism (Chiricos, Barrick, Bales and Bontrager, 2007). Thus, the stronger empirical tests of labeling theory, those of which control for prior patterns of offending, provide the most reliable support for the argument that the significant relationship between formal labeling and secondary deviance is not purely the function of a spurious relationship.

A second methodological issue that appears in prior tests of labeling theory involves the use of samples containing only formally labeled subjects (see studies by Horowitz and Wasserman, 1979; Klein, 1974; Smith and Paternoster, 1990). Because formal punishment and delinquency are statistically rare events among most members in society, these types of samples

are used in part to ensure sufficient variation in reports of delinquent behavior. However, Bernburg (2002) argues that samples that consist of individuals with varying degrees of official labels (probations versus prison) are problematic because a true test of labeling theory should compare those who have been labeled to those who have not. Moreover, studies that employ a sample of offenders only tend to produce less support for the hypotheses associated with labeling theory.

Fortunately, a number of prior studies that employed a sample that includes both labeled and non-labeled individuals (see studies by Farrington, 1977; Hagan and Palloni, 1990; Palamara, Cullen, and Gersten, 1986; Ray and Downs, 1986; Thomas and Bishop, 1984) have found empirical support for the labeling process. Thus, although all studies which include absolute effects are not always methodologically perfect, researchers (see Bernburg, 2002; Bernburg and Krohn, 2003; Tittle, 1980) assert that the most profound differences are found between those who have never been labeled and those who have.

A third methodological issue pertaining to prior empirical tests of labeling theory is the lack of a temporal lag or multi-wave panel data. The labeling process culminates over time and the effects are not expected to be immediate. It therefore is critical to examine the labeling process in a sequential manner (Bernburg and Krohn, 2003). Unfortunately, prior labeling research does not routinely employ longitudinal data (for exceptions see Bernburg, Krohn and Rivera, 2006; Davies and Tanner, 2003; Johnson, Simons and Conger, 2004), making it very difficult to specify the direction of causation between formal labeling and criminal behavior. Moreover, labeling research must consider that although formal punishment may occur during adolescence, the detrimental effects may not be evident until a later point in time. For example, arrest at age 14 may not negatively affect an individual's opportunity structure until age 16, when he or she is applying for employment. Although it is sometimes not possible to follow a sample from adolescence to adulthood, it is critical to employ a longitudinal data set in order to model the sequential labeling process and its potentially long term effects (Bernburg and Krohn, 2003).

A final methodological issue of prior examinations of the labeling process includes the lack of research pertaining to the possibility of mediating and moderating relationships. As mentioned earlier, theorists have suggested that there may be extra-legal factors through which formal labeling affects subsequent behavior. In fact, these mediating variables have been

identified as a delinquent identity transformation (Becker, 1963), a blocked opportunity structure (Bernburg and Krohn, 2003) and an association with a delinquent subculture (Bernburg, Krohn, and Rivera, 2006). However, prior research studies have neglected to include the entire set of hypothesized mediating variables in the same model.

In regards to moderating variables, Tittle (1975) suggested that formal punishment might differentially affect individuals depending on personal characteristics including race, age, sex and socioeconomic status. Therefore, although some studies have examined the labeling process and the possibility of contingent relationships (Bernburg and Krohn, 2003; Chiricos, Barrick, Bales and Bontrager, 2007; Spohn and Holleran, 2002), these studies have primarily focused on structural demographic factors. Additionally, empirical results have been contradictory from study to study. For example, scholars (Ageton and Elliott, 1974; Harris, 1976) argue the harmful effects of the formal labeling process are less consequential for those living in poverty and minorities, while others (Sampson and Laub, 1997) suggest that the stigmatizing effects are more detrimental for disadvantaged individuals. Thus, as suggested by Bernburg and Krohn (2003), it is necessary to identify specific conditions that make the labeling process harmful for some offenders, but not for other offenders.

When taken as a whole, the relevant literature and prior research support a few tentative conclusions that can be drawn to explain the relationship between formal labeling and subsequent involvement in crime and delinquency. While it does not appear that labeling has received overwhelming support, researchers have concluded that most tests are not appropriate (Bernburg and Krohn, 2003; Paternoster and Iovanni, 1989; Tittle, 1980) and that the most rigorous tests tend to show more support for the perspective (Bernburg, 2002). Thus, although there is not an abundance of research results that overwhelmingly support the theory's hypotheses, much of this may be due to poor empirical testing. In turn, further research is necessary in order to clarify the theory's accuracy and to point to ways in which it might be improved (Paternoster and Iovanni, 1989).

CHAPTER 3.

CHARACTERISTICS OF THE CURRENT STUDY

3.1 Introduction

After a period of disapproval and rejection (see Tittle 1980), labeling theory has experienced a revitalization in recent years. Part of this follows from favorable empirical results in methodologically rigorous studies (Bernburg and Krohn, 2003; Bernburg, Krohn and Rivera, 2006; Chiricos et al, 2007). Moreover, scholars have begun to recognize that by elaborating on a variety of social processes and structural factors involved in the labeling process, the labeling approach can be of great utility to criminologists (Paternoster and Iovanni, 1989; Sampson and Laub, 1997). This dissertation builds on these developments and seeks to contribute to the current literature on the causes and consequences of official labeling. Furthermore, it will do so in ways that overcome some of the shortcomings in earlier research.

First, the data to be used come from a sample that includes both individuals who have been labeled (arrested) and those who have not. Thus, rather than making comparisons between individuals who all have been arrested but who have received punishments of varying severity (e.g., incarceration vs. probation), this study can make comparisons between the two groups most central to labeling theory's hypotheses: those who have been labeled and those have not. Second, the research questions considered in this dissertation will be examined with panel data that were collected in three waves. This will allow for temporal lags between the independent and dependent variables,, which is relevant to addressing the long-term rather than contemporaneous or short-term effects of labeling (see Bernburg and Krohn, 2003). Finally, this study will control for prior delinquency in order to assess the important analytical issue of spuriousness when conducting research on labeling theory. Thus, although there have been multiple tests of the labeling process, many have been conducted using data or analytical approaches that are far from optimal. This dissertation seeks to improve upon those efforts.

3.2 Organization of Chapters

This dissertation addresses three specific research questions. First, does receiving an official label increase one's later delinquency? Second, if receiving an official label does increase later delinquency, what variables, if any, mediate this relationship? Together, the first and second research questions explore if there are additional mechanisms through which formal

labeling affects subsequent behavior. The third research question addresses if there are structural demographic factors, as well as behavioral and social process factors, that condition the effect of formal labeling on subsequent involvement in crime and delinquency. Simply stated, are the negative consequences associated with legal punishment greater for some individuals than others, and if so, what moderating variables produce these differences?

With the exception of the concluding chapter, the remaining chapters will report findings from statistical data analyses. Therefore, the two chapters to follow will each be self-contained examinations of one of the research questions raised above. Each of these empirical chapters will fully develop the theoretical foundation for the analysis that will be conducted, and then will proceed to a discussion of data and measures before presenting the analysis. In short, each chapter will be modeled after what typically is done for an empirical article submitted for publication to a peer-reviewed journal.

Chapter four will explore both the direct and mediated effects of receiving legal punishment. Although labeling theory has been tested and scrutinized many times, firm conclusions on the theory's central hypothesis still cannot be made. Many researchers (see Bernburg and Krohn, 2003; Bernburg, 2002; Paternoster and Iovanni, 1989; Tittle, 1980) have suggested that most empirical tests of labeling theory are inadequate for a variety of reasons including the use of cross-sectional data, only examining relative effects of the labeling process, and a failure to control for prior delinquency. Consequently, this chapter will assess the direct relationship of official labeling on secondary crime and deviance. Following the assessment of the direct effects, the chapter will then move on to consider whether those effects are explained by additional variables. The current study included the three intervening variables most commonly emphasized in the scholarship on this issue: negative self-concept, a blocked opportunity structure, and an association with a delinquent subculture (Becker, 1963; Bernburg and Krohn, 2003; Bernburg, Krohn, and Rivera, 2006; Sampson and Laub, 1997). Thus, Chapter four will seek to answer this question: Does labeling affect the likelihood of engaging in subsequent involvement in crime and delinquency, and if so, how?

Chapter five will consider extra legal factors that may amplify or diminish the effect of official labeling on secondary deviance. In other words, this chapter will seek to answer the question: Are the unfavorable effects of official punishment on subsequent behavior moderated by characteristics of the offender? Many arguments have been made regarding the possibility

that some offenders are better sheltered from social stigma than others, and therefore may be in a better position to recover from the experience of labeling (Bernburg and Krohn, 2003; Sampson and Laub, 1997). Such individuals should be more protected from the harmful expected consequences of official labeling including a deviant self-identity, association with a delinquent subculture, and blocked opportunities. Thus, it is plausible to accept that some individuals may be more successfully able to ward off the stigmatizing labeling than others (Ageton and Eliot, 1974; Scimecca, 1977; Paternoster and Iovanni, 1989).

Although interaction effects have previously been considered, prior research studies typically focus on race or social status of the offender (Barrick, Bales, Bontrager, and Chiricos, 2005; Bernburg and Krohn, 2003; Sampson and Laub, 1997). Thus, the case will be made that social process variables should be considered in addition to structural demographic factors when examining the sequential labeling process. In making this argument, this chapter will draw upon the “lesser vulnerability” version labeling theory as proposed by Sherman, Smith, Schmidt, and Rogan (1992) to hypothesize that disadvantaged individuals are less sheltered or protected from the stigmatizing effects formal punishment than advantaged individuals. Thus, because of their social status or strong informal social bonds (Bernburg and Krohn, 2003, Bouffard and Piquero, 2010; Sampson and Laub, 1997), advantaged individuals will be less vulnerable to the harmful labeling effects than disadvantaged individuals. In other words, perhaps additional social process factors act as insulation from the detrimental effects of the labeling process so that socially advantaged individuals are more protected from harmful consequences than socially disadvantaged individuals.

Additionally, this chapter will also draw upon Sherman’s (1993) defiance theory to explain the differential effects associated with the labeling process. Defiance theory argues that there are specific conditions that predict an increased likelihood of future offending following sanctioning. According to the theory, a poorly bonded offender who views a sanction as unfair and denies the shame associated with the sanction will be likely to respond to formal punishment with defiance and in turn, engage in subsequent criminal behavior. Both defiance theory and the lesser and greater vulnerability versions of labeling theory will be elaborated upon in Chapter 5. Thus, this chapter will address if the negative consequences associated with legal punishment and formal labeling are more harmful for some individuals than others. In doing so, a large array of moderating variables will be considered, including age, sex, race, social status, as well as

exposure to family conflict, weak commitment to school, low levels of self- control, and a negative perception of the police.

3.3 Sample and Data Collection

These research questions will be examined with data from the Children at Risk (CAR) study (Harrell, Cavanagh, and Sridharan, 2000). The United States Department of Justice, the Office of Justice Programs, the National Institute of Justice Columbia University, the National Center on Addiction and Substance Abuse- United States Department of Health and Human Services, the National Institutes of Health and the National Institute on Drug Abuse funded the CAR project. Although the goal of the program was to evaluate the long-term impact of a case management intervention for high-risk youths, the strong research design (described below) provides an appealing dataset for empirical research on the effects of labeling. Given our focus on the sequential nature of the labeling process, these data are particularly valuable for conducting a thorough assessment of labeling theory—the CAR dataset contains information of the same set of respondents throughout a three-wave panel study. Additionally, there is an abundance of desirable information in regards to engagement in crime and delinquency, experiences with formal punishment, and information pertaining to the hypothesized mediating and moderating variables.

The CAR project included data from interviews with the adolescents and caretakers, as well as official data gathered from school and legal officials. Youth respondents were selected to take part in the program based on CAR eligibility criteria. In order to be eligible, youths had to be 11 to 13 years old, attend the sixth or seventh grade and live in the targeted neighborhoods. The neighborhoods were small in geographic area but were considered severely distressed and typically had the highest rates of crime, drug use, and poverty in each city (Austin, Texas; Bridgeport, Connecticut; Memphis, Tennessee; Savannah, Georgia; and Seattle, Washington). In order to include youth at high risk for offending, the project also targeted individuals who met school, family, and personal risk criteria. School risk factors examined in the evaluation included grade retention, poor academic performance, truancy, tardiness, disruptive behavior, and out-of-school suspension, while the family risk criteria included family violence or having a gang member, a convicted offender, or drug user or dealer in the home. The personal risk criteria for each youth was defined by use or sale of drugs, juvenile court contact, delinquency or mental

illness, association with gang members or delinquent peers, a history of abuse or neglect, and parenthood or pregnancy.

This screening procedure produced a pool of approximately 874 youths for the study. Data were collected in face-to-face interviews with the adolescent at three points in time: at baseline (between random assignment and the start of the program), at the end of the program (2 years later), and at follow-up (1 year after program completion). Baseline interviews with youths and caretakers took place between January 1993 and May 1994, during the month following recruitment when subjects were approximately 12 years old. The second wave of interviews took place two years later between December 1994 and May 1996, when the subjects were approximately 14 years old. The last wave of data were collected one year after that, between December 1995 and May 1997 when the respondents were about 15 years old. The response rates were relatively high—98% at baseline, 77% at wave 2, and 76% at wave 3 (see Harrell, Cavanagh, and Sridharan, 2000). Therefore, it is clear that the data are of particular interest to this dissertation because they provide three-wave panel data for a large sample of high-risk adolescents.

During wave one interviews, the average age of the respondents is about 12 years old and the sex ratio of the sample is roughly one to one. The sample is comprised almost exclusively of racial and ethnic minorities, with Hispanics and African Americans contributing to 35% and 55%, respectively, of the sample population. Moreover, the focus on youths already at high risk for offending clearly makes this a “high risk” sample. This is an important feature given that serious forms of delinquency are statistically rare events in samples of the general population. Such a sample would be problematic for the present project, given that an analysis of self-reported delinquency, arrest and subsequent involvement in delinquency requires sufficient quantity and variation in reports of delinquent behavior.

3.4 Data Used

The CAR data include general demographic measures, measures of interaction with the criminal justice system, and measures of self-reported involvement in delinquency. However, the dataset is of particular interest because of the availability of a wide variety of items pertaining to potential causes of deviance, including those relevant to assessing variables that may mediate or moderate the effects of labeling. For example, the demographic data on each youth includes age,

gender, and ethnicity (Harrell, Cavanagh, and Sridharan, 2000). Additionally, the parent of each youth indicated socioeconomic status through their answers to questions pertaining to level of education, current employment status, and whether or not the family currently receives food stamps. Each of these responses are of great utility in measuring the moderating structural demographic variables of interest: age, sex, race and socio-economic status, respectively. Moreover, data from police records include police contacts, detentions, and arrests prior to the collection of any other data. These data are necessary in order to include a control variable for prior history of arrest, a factor of significant importance when considering the labeling process and the possibility of a spurious relationship.

The CAR data also includes self-reported information from all three waves of the adolescent questionnaires. There were questions completed by each youth pertaining to a variety of characteristics of his or her behavior, lifestyle and attitudes towards various aspects of life. Responses to these questions were of particular use with respect to measuring the hypothesized mediating variables and social process moderating variables. For example, questions were answered in response to the youth's self-image (self-identity) and delinquency of peers (delinquent subculture). Additionally, the youth were asked questions regarding their perceived likelihood of being promoted to the next grade level in school, graduating from high school, attending college, and getting married (pro-social opportunity structure). Thus, the data contain information needed to measure the hypothesized mediating variables associated with the labeling process.

The adolescent questionnaire also includes desirable information in regards to the hypothesized behavioral and social process moderating variables. For example, the youths responded to a variety of questions regarding their participation in various school activities, team sports, clubs or groups, other organized activities, and religious services, all of which are useful to measure stakes in conformity. Furthermore, this data includes self-reported information on the youth's home environment (family conflict) as well as risk seeking behavior of the adolescent (low self-control) and attitudes toward school and homework (commitment to school).

The variables most related to the labeling process—labeling and delinquency—merit further attention here. One of the greatest problems facing researchers interested in the labeling process is that the theory does not offer a precise definition of what constitutes the term labeling. The theory's ambiguity leads to a lack of clarity concerning the key concept of the theory and in

turn, most variables used to measure labeling are typically poorly specified or are proxies for labeling (for examples, see Parlarma, Cullen, and Gersten, 1986). Following the lead of many prior studies (Bernburg and Krohn, 2003; Bernburg, Krohn and Rivera, 2006), this dissertation operationalizes labeling by considering whether or not the youth has been arrested in the past. This information is attained in a self-report question that asks: How many times in the past two years have you been arrested? This self-reported measure is quite similar to those used in recent assessments of the effects of the labeling process (e.g., Bernburg and Krohn, 2003; Bernburg, Krohn and Rivera, 2006).

However, a shortcoming often found in prior research is that researchers employ datasets in which not many adolescent respondents have been arrested or formally labeled. In short, the independent variable has little in the way of variation. However, an initial analyses with the CAR data indicates that nearly 23% of the sample has experienced a prior arrest. Therefore, the dataset employed for the current study is particularly beneficial not only because it allows for variation among those who have been arrested, but it also allows the researcher to assess the absolute effects of labeling since the sample includes both labeled and non-labeled individuals. In turn, arrest was used to develop a measure that closely matches formal labeling, the key variable of interest for this dissertation.

To measure involvement in delinquency, this study will draw from the widespread set of self-reported delinquency items that are included in each wave of the CAR surveys. All of the items ranged in response categories from “never” to “five or more times” with a reference period of the “prior year” for wave one and three, whereas for wave two, it was the period since the first interview at wave one (which occurred roughly two years earlier). These items were used to create a measures of delinquency that includes a wide range of deviant behaviors including violent, property, and status offenses. Separate measures were created for waves one and three. The wave one scale was used as a control variable, whereas the scale for wave three was used as the dependent variable. The scales for both waves were strong in terms of key measurement properties—each had high levels of internal reliability as well as a relatively large number of items within each scale. Additionally, the delinquency scales are significantly correlated in the expected ways both with one another and with the other variables considered in this current study. Thus, these data are of great utility in acquiring information on the adolescent’s self-

reported engagement in crime and delinquency. These issues will be discussed in more detail as the measures are introduced in the empirical chapters.

Taken as a whole, the current dissertation examines the extra-legal factors that may assist in clarifying some complications associated with the labeling process and prior research. As mentioned earlier, each empirical chapter will present an examination of particular research questions within the realm of labeling theory. In doing so, the overall goal of these empirical chapters is to better capture and understand the complicated labeling process with a specific focus on interaction and intervening effects.

CHAPTER 4

DIRECT AND MEDIATING EFFECTS OF THE FORMAL LABELING PROCESS

4.1 Introduction

Lemert (1951, 1969) elaborated on the labeling process when he coined the terms *primary* and *secondary* deviance. He suggested that primary deviance is normal adolescent behavior, but the labeling of such behavior as “delinquent” will often lead to secondary deviance. Moreover, classical labeling theory argues that the labeling of primary deviance as “delinquent” will lead to secondary deviance because the “person becomes the thing he is described as being” (Tannenbaum, 1938:20). Therefore, the theory suggests that formal reactions to crime will become a stepping-stone in the development of a criminal career (Becker, 1963; Lemert, 1967; Tannenbaum, 1938). However, scholars (see Liska and Messner, 1999) recently have highlighted the social processes through which formal labeling affects future criminal behavior. Thus, an issue that deserves more attention involves the variables that may mediate the association between official sanctioning and subsequent engagement in crime and delinquency. This chapter examines the extent to which the relationship between formal labeling and subsequent criminal behavior is mediated by a variety of variables. The causal diagram presented in Figure 1 is the focus of the current chapter.

Bernburg and colleagues (2006) indicate that researchers have rarely studied the presence of intermediate processes that may intervene between deviant labeling and subsequent involvement in crime and deviance. Attention to this issue is important, given that any effect of labeling almost certainly is indirect—interaction with the criminal justice system should have an effect on an individual’s identity, values, associations, or commitments that in turn generate a movement towards greater crime and deviance (Bernburg and Krohn, 2003; Bernburg, Krohn and Rivera, 2006; Paternoster and Iovanni, 1989; Sampson and Laub, 1997). In connection to this, Bernburg (2009) suggested that there are three main processes through which labeling influences future behavior: Through the development of a deviant self-concept, through processes of social rejection and withdrawal, and through involvement with deviant groups.

The current research study will examine the classical labeling perspective by considering these three ways that official intervention may lead to secondary deviance. Three specific mediating variables will be considered: self concept, prosocial expectations, and association with

deviant peers. Although the theoretical roots of each of these variables may stem from different origins, each variable is theoretically compatible with the effect of official intervention on subsequent involvement in crime and deviance. This is understandable because official labeling can stigmatize an individual in ways that may “push” them away from conventional society, which will affect many areas of an individual’s life and life chances. The purpose of this chapter therefore is to advance the current literature by considering the possibility of mediating effects on the association between that of official intervention and subsequent deviance.

In approaching this task, it is important to first provide a background on labeling theory and research in this area. Following this discussion, the chapter will proceed to the examination of the independent effect of official sanctioning by the criminal justice system on subsequent crime and deviance, while also considering variables that may mediate this effect. Data from the Children at Risk (CAR) (Harrell, Cavanagh, and Sridharan, 1999) study will be analyzed to specifically to test for these effects. Finally, this study will attempt to develop and evaluate a revised model of labeling that better depicts the complicated association between formal labeling and subsequent delinquent behavior.

4.2 Prior Literature and Research

Labeling theory predicts that formal punishment stigmatizes an offender in a way that often will have the unexpected consequence of amplifying future delinquent behavior. This notion strongly contradicts the popular notion that punishment deters the likelihood of engaging in subsequent delinquency. However, the critical review of prior research conducted by Paternoster and Iovanni (1989) emphasizes that formal labeling of delinquent behavior should not directly lead to future criminal behavior. Instead, the scholars suggested that formal labeling significantly affects the likelihood of engaging in secondary deviance through a number of key mechanisms. The most prominent of these hypothesized mediating variables include a delinquent self-identity transformation (Matsueda, 1992), as well as a blocked opportunity structure (Bernburg and Krohn, 2003), and social exclusion from conventional others (Bernburg, Krohn and Rivera, 2006). Each will be elaborated upon in further detail below.

With respect to labeling theory, *symbolic interactionism* suggests that the formal labeling process affects a labeled individual’s self-identity. Blumer (1969) coined the term *symbolic interactionism* to emphasize that the *self* is formed through social experiences with other

individuals. In fact, he suggested that the self is the product of a socially constructed meaning and individuals behave in accordance with that meaning. In other words, individuals are not born with an innate sense of *self*. Therefore, no behaviors or objects are inherently wrong until a social audience assigns it such a meaning. Important to both the labeling perspective and symbolic interactionism is Cooley's (1902) concept of the *looking glass self*. The *looking glass self* suggests that an individual's self-image is a reflection of interaction with other individuals in our social world. Mead (1934) expanded on Cooley's concept by elaborating on the socialization process through which an individual internalizes how society characterizes her or himself. Therefore, symbolic interactionism, and labeling theory suggest that individuals view themselves from the perspective of others.

4.2.1 Deviant Self-Concept

Tannenbaum (1938), one of the earliest labeling theorists, introduced the concept of "dramatization of evil". He argued that the process of identifying a child as "deviant" ultimately stimulates such deviant behavior. Thus, the person actually 'becomes the thing they are being described as' (1938, p20). Central to this process is the idea that individuals consider how they have been treated in order to develop a sense of who they are as an individual (Curra, 2000). Similar to a self-fulfilling prophecy, this suggests that humans have a tendency to take on an identity that is congruent with the meaning of the attached label. Therefore, when an individual is formally labeled by the criminal justice system, the labeled individual will view himself as a "delinquent" and construct his future behavior around this new delinquent identity. Thus, the dramatization of a child's deviant behavior (labeling an adolescent as a troublemaker) can often lead to an increase in the likelihood of delinquent behavior in the future.

Nearly 35 years after Tannenbaum (1938), Becker argued that "being caught and branded as deviant has important consequences for one's further social participation and self-image" (Becker, 1973, p. 32). In fact, he proposes that "the deviant identification becomes the controlling one" or a master status (1963, p 34). However, the predominant and most developed causal schema of the relationship between that of self-concept and delinquency is the 'esteem enhancement' model proposed by Kaplan (1975). He argues that the delinquency is an adaptive or defensive response to self-devaluation. Following self-devaluation, the individual is motivated to take action to restore positive self-regard through engaging in deviant behavior.

Thus, a labeled individual will engage in subsequent crime and delinquency in order to act in accordance with their new, delinquent self-identity.

Similarly, Garfinkle (1956) observed that court appearances often function as “status degradation ceremonies.” He argued that the public nature of the societal reaction to behavior becomes the driving force that leads to an identity transformation of the labeled individual. In these status degradation ceremonies, individuals accused of law violations are cast as criminal and unworthy (Garfinkle, 1956), and in turn this is how they begin to view themselves.

Matsueda (1992) and Heimer and Matsueda (1994) make similar arguments in their analysis of informal labeling that comes from parents and peers. Matsueda (1992) draws upon Mead and symbolic interactionism with an integrated framework that suggests an individual’s self-image is formed through *reflected appraisals*, or interaction with other individuals. The research suggests that “role-taking” begins at an early age and through informal labels placed upon children by significant others.

Heimer and Matsueda (1994) further illuminated this process by finding that it is not so much the label that matters, but instead, the role-taking done by the child that affects delinquency. Therefore, labeling affects future behavior because it affects the individual’s identity, which leads the labeled individual to engage in crime and deviance. Additional studies have found support for these findings (see Zhang, 1997). Thus, it is plausible that a delinquent self-concept accounts for a large portion of the effect of formal labeling on future delinquency, similar to its effect on the relationship between informal labeling and subsequent behavior.

Based on the research to date, a conclusion that can be tentatively drawn is that processing juveniles through the criminal justice system is likely to produce a negative effect on one’s self-concept (Farrington, 1977; Garfinkle, 1956; Jensen, 1980; Kaplan and Johnson, 1991; Schwartz and Skolnick, 1962). For example, Schwartz and Skolnick (1962) found that the criminal justice process will often result in a negative effect on an individual’s self concept, particularly that of juvenile delinquents. Likewise, Jensen (1980) found that formally labeled adolescents have a more delinquent self-identity than adolescents who have never been labeled. Thus, following formal intervention, the labeled individual often comes to see himself as a “delinquent” or “criminal.” Moreover, research has also indicated that a delinquent self-identity often generates more criminal and delinquent behavior. For example, in a recent longitudinal study, researchers found that those who had reported negative self-concept (e.g., perceived

themselves to be “disobedient” or “unfriendly”) at age 12 were more likely to be substance dependent at age 20 (Taylor, Lloyd, and Warheit, 2005).

It is important to note that a direct measure of *delinquent* self-concept is not always available. Therefore, prior empirical examinations of the labeling process often include theoretically relevant measures in order to capture the variable under scrutiny. For example, prior studies have employed measures of self-esteem and self-rejection (Jensen, 1980; Ray and Downs, 1986; Tomas and Bishop, 1984; Kaplan and Johnson, 1991; Zhang, 2003). When an individual feels stigmatized as a “deviant”, it will not only create a delinquent identity but it will also affect their self-esteem or self-identity. Therefore, although measures of self-esteem and negative self-perception do not fully capture a *delinquent* self-identity, the measures are related to each other because of the very nature of the stigmatization process that is expected to follow from experiences of the formal labeling process.

Similar to Matsueda, Richard and colleagues (2010) recently assessed whether reflected appraisals are associated with subsequent intention to use marijuana, whether this relationship is mediated by negative self-concept, and whether it is moderated by extra-legal factors such as gender and ethnicity. The scholars measured negative self-concept with a variety of items that asked the respondent if he or she would describe himself or herself as “a drug user,” “a criminal,” “a moral person,” “a good student,” “a friendly person,” and “a happy person.” (Richard, Trevino, Baker, and Valdez, 2010). Results indicate that reflected appraisal is associated with marijuana use intentions and that negative self-concept significantly mediates this relationship. However, it is important to note that when controlling for prior causal variables, Rankin and Wells (1983) found that the effects of self-esteem on subsequent delinquency are substantially small.

In addition to self-esteem and a negative self-identity, scholars have employed other measures in order to capture a delinquent-self identity. For example, Farrington (1977) examined the impact of criminal conviction on self-reported delinquency using data from the *Cambridge Study in Delinquency Development*. Without a direct measure of a deviant self-image, Farrington (1977) employed an indirect measure in the form of hostile attitudes towards police (which should follow from a deviant self-concept). Farrington found that hostile attitudes toward police mediated the relationship between conviction and subsequent involvement in crime and delinquency.

4.2.2 Blocked Opportunity Structure

In addition to a delinquent identity transformation, classic labeling theorists (Becker, 1963; Lemert, 1967) proposed the notion that criminal labeling can have a detrimental impact on an individual's opportunity structure. Becker (1963) suggested that labeling an individual as "deviant" denies the individual the legitimate means of carrying on routines of everyday life that are available to conventional individuals. In turn, as we often see with ex-convicts, the labeled individual will resort to illegitimate means in order to attain wants and needs. Additionally, Link (1982) argued that those who are formally labeled by the criminal justice system come to expect rejection and exclusion from potential employers. Link (1982) suggested that the structural impediments often faced by labeled offenders are an important explanatory factor as to why individuals engage in delinquent behavior following formal labeling. Unfortunately, this becomes a cyclical pattern whereby the labeled individual is often re-arrested and faced with the same challenges upon release.

The ideas of Becker (1963) and research studies by Link and colleagues (1982, 1989) are similar to the more recently proposed concept of *cumulative continuity* introduced by Sampson and Laub (1997). Cumulative continuity suggests that interaction with the criminal justice system will result in a snowball effect, such that the labeled individual "mortgages opportunity" for deviance later in life (Sampson and Laub, 1997:147-148). Sampson and Laub (1997) argue that a criminal career will perpetuate because those who experience interaction with the criminal justice system will also experience a reduction of both educational attainment and employment stability. They note that (1997: 148) "Arrest, conviction, and imprisonment are clearly stigmatizing, and those so tarnished face structural impediments to establish strong ties to conventional lines of adult activity- regardless of their behavioral dispositions." In turn, the labeled individual will often deal with the accompanying challenges of the attached label and social stigma through engaging in a life of crime rather than legitimate work and educational opportunities.

In connection to this, Matsueda (2001) suggests that formal labeling segregates individuals from achieving conventional means of success even when they are not faced with the presence of physical barriers. In other words, stereotypes that are associated with the word "criminal" become the defining characteristics of an individual following formal intervention

with the criminal justice system. Thus, family, friends, teachers and potential employees perceive the labeled individual to be someone who is a delinquent. Subsequently, these conventional individuals respond to the labeled individual with a stigmatization process, which includes a denial of conventional opportunities such as education advancement and employment positions. In fact, the notion that employment opportunities become limited after a potential employer discovers an individual has a prior criminal record has been well documented in prior research (Davies and Tanner, 2003; Pager, 2003; Western, 2002).

Similar to these studies, Bernburg and Krohn (2003) recently hypothesized that deviant labels assigned to individuals may influence subsequent deviance by altering not only the person's self-concept but also the tangible aspects of social exclusion. The authors found that official intervention decreases the likelihood of high school graduation and is significantly associated with an increased likelihood of engagement in serious crime in early adulthood. Therefore, the social marginalization experienced by labeled individuals, including an exclusion or expulsion from conventional schools, will increase the likelihood of engaging in more crime and delinquency in the future (Bernburg and Krohn, 2006). Thus, these results support the notion that official intervention, or formal labeling increases involvement in crime and deviance due to the negative effect it has on an individual's prosocial opportunity structure.

Prior research supports the notion that the stigmatization of labels can exclude individuals from mainstream opportunities such as education and employment (Bushway, 1998; Davies and Tanner, 2003; Farrington, 1996; Hagan, 1991; Lanctot, Cernkovich and Giordano, 2007; Tanner, Davies and O'Grady, 1999). In turn, it is plausible to accept the notion that conventional others often respond to the labeled individual with mistrust and extreme caution because he or she is now perceived to be a "criminal." The stigmatizing preconceptions of a criminal offender will subsequently lead to a blocked opportunity structure and negative perceptions of future success for the labeled individual.

4.2.3 Involvement with Deviant Groups

Finally, there is the possibility that official intervention with the criminal justice system will impact associations with deviant social networks, which in turn affect the likelihood of subsequent delinquency. First, it is important to understand that formal labels have the potential to create social exclusion from conventional relationships. For example, consider the following

scenario: a parent of learns that one of his son's peers has recently been arrested. It is plausible, if not likely, that the parent will make an effort to limit social interaction between the "delinquent" adolescent and his or her own child. In fact, Tannenbaum (1938) noted that when a juvenile delinquent is isolated due to his involvement in delinquent behavior, that isolation would encourage companionship with other children in a similar situation. Additionally, a labeled individual will often protect themselves from their own fear of rejection and isolation from conventional others by associating with similarly labeled individuals ("delinquent" or "criminal") (Link, 1987).

Individuals who have been formally labeled as a "delinquent" will seek out associations with similarly labeled individuals as a source of social support for acceptance of their behavior. Therefore, a labeled individual will begin to associate with delinquent others as a defense mechanism, protecting themselves from the rejection from mainstream society. Interaction with delinquent peers increases with the positive value and reinforcement placed on criminal and delinquent behaviors (Kaplan and Johnson, 1991). Eventually, delinquent behavior becomes normative, accepted behavior for the labeled individual. Although rooted in social learning theory, this notion suggests that a delinquent subculture provides rationalization and encouragement of criminal behavior (Bernburg, Krohn and Rivera, 2006) through the reinforcement of subsequent delinquent behavior (Akers, 1998). Thus, it is likely that a delinquent subculture mediates the positive effect of formal labeling on subsequent crime and delinquency.

Prior research indicates that the consequences of deviant labeling generate processes leading to movement into deviant peer groups (see Bernburg, Krohn and Rivera, 2006; Johnson, Simmons and Conger, 2004; Kaplan and Johnson, 1991; Zhang and Messner, 1994). For example, in a sample of Chinese delinquents, Zhang and Messer (1994) assessed the effect of formal labeling on mainstream and delinquent associations. The scholars found that the severity of criminal justice sanctions has an effect on association with peers. Therefore, the more severe the sanction (arrest vs. court sentence), the more likely the individual would be rejected from conventional peer associations. More recently, Johnson and Colleagues (2004) assessed the role of involvement with the criminal justice system on subsequent offending. Using seven waves of data from the Iowa Youth and Families Project, the researchers found that involvement with the criminal justice system was positively related to subsequent crime and deviant peer association.

It is important to note that fewer empirical studies that have examined the mediating role of delinquent peer associations on the relationship between formal labeled and subsequent crime and deviance (see Bernburg, Krohn and Rivera, 2006 for exception). Bernburg, Krohn, and Rivera (2006) recently found that juvenile justice interventions lead to an increase deviant peer network embeddedness, which increases future involvement in crime. In fact, results indicate that delinquent peer associations accounted for nearly half of the direct effect of formal intervention on future delinquency. The authors suggest that the social learning process, as described by differential association theory, plays a vital role in the hypothesized labeling process (Bernburg, Krohn and Rivera, 2006). Thus, it is plausible that formally labeled individuals will turn to one another as a means of escape as well as security and acceptance for their behavior. Moreover, a delinquent subculture will secure the labeled individual's deviant identity, which will then lead to an increased likelihood of engaging subsequent criminal behavior.

4.2.4 Shortcomings of Prior Research

Although some studies have examined the various effects and consequences of official intervention (see Bernburg, 2002; Bernburg and Krohn, 2003; Bernburg, Krohn and Rivera, 2006; Paternoster and Iovanni, 1989), prior research continues to exhibit limitations. In fact, Bernburg and Krohn (2003) indicate that prior studies of the formal labeling process are lacking in the following ways: the sample typically includes only individuals who have experienced formal labeling, most studies are cross sectional or have a relatively short follow-up period and they often ignore the possibility of contingent or mediating relationships between and future delinquency. Each of these issues could be considered methodological limitations, and in turn, each has the potential to account for overestimates or underestimates of the direct effect of formal labeling on subsequent delinquency.

As mentioned above, a major shortcoming found in prior research is the type of sample used for analysis. When a study uses a sample consisting of *only* individuals who have been formally labeled by the criminal justice system, it is impossible for the researcher to assess the absolute effects of formal labeling on subsequent engagement in delinquent behavior. Therefore, in order to study the absolute effects of the labeling process, it is necessary to employ a sample that includes both labeled and non-labeled individuals. Furthermore, Paternoster and Iovanni

(1989) indicate that samples of individuals are often drawn from police records and other non-random samples. A non-random sample is also considered problematic because it is not possible to generalize results beyond those individuals whom were included in each sample. Therefore, it is important for labeling studies to include a random sample of both labeled and non-labeled individuals as was done in the current study.

Some recent studies have considered mediating variables while addressing these limitations (Bernburg and Krohn, 2003; Bernburg, Krohn and Rivera, 2006; Sampson and Laub, 1997). It bears emphasizing, however, that two of the most influential such studies were conducted with the same set of data from the Rochester Youth Development Study (see Bernburg and Krohn, 2003; Bernburg, Krohn and Rivera, 2006). Therefore, it is critical for future studies to move beyond the datasets that have been employed in previous labeling studies. Additionally, although mediating variables all have been considered in prior research, they almost never have been considered within the same study. Therefore, the goal of this paper is to address the issues mentioned above in order to better capture and understand the relationship between official labeling and subsequent involvement in crime and delinquency.

An additional and very important shortcoming of prior research is that studies often neglect to examine mediating processes (Bernburg and Krohn, 2003). The most critical limitation of prior labeling studies is that most studies have not considered mediating variables. Labeling theory is often criticized for its lack of empirical evidence confirming that formal labeling has a detrimental effect on future behavior (Hirschi, 1973; Curran and Renzetti, 2001). However, this does not mean that formal sanctioning does not have the ironic consequence of increasing the likelihood of future criminal behavior. Rather, it indicates that the formal labeling is not solely responsible for the harmful effect on future behavior.

4.3 The Present Study

The purpose of this study is to address the relationship between official labeling and subsequent delinquency with data and measures that address the limitations of prior research. Although previous studies have examined the mediating effects of specific variables (Bernburg and Krohn, 2003; Bernburg Krohn and Rivera, 2006), literature has largely ignored the simultaneous effects of these mediating variables on subsequent involvement in delinquency. In turn, this study will first consider the independent effect of official intervention on subsequent

involvement in delinquent behavior. The second research question will explore the possibility that the effect of formal intervention on subsequent delinquency is mediated by a number of variables that may explain the effects of labeling, including self concept, association with deviant peers, and prosocial expectations.

4.3.1 Data

The present analysis used the Children at Risk (CAR) data (Harrell, Cavanagh, and Sridharan, 1999) that were described previously in Chapter 3. CAR is a three-wave panel study which come from an interview conducted between January 1993 and May 1997. For youths to be eligible in the CAR program, they must be ages eleven through thirteen and attending 6th or 7th grade and must also fit the target criteria regarding neighborhood, school and family risk factors. It is important to note that although the sample is considered “high-risk”, the researcher is still able to examine the absolute effect of labeling because the sample includes individuals who have and have not been formally labeled. This is beneficial because prior studies have often exclusively focused on the relative effects, while neglecting to examine the absolute effects of the formal labeling process.

In order to assess subsequent deviance, it is necessary to include only those individuals that completed all three waves of the study. Thus, 197 individuals who failed to complete all three waves of the interviews were dropped from the analyses. In order to determine if these 197 dropped cases were systematically different from those who were retained, the researcher assessed results from some basic bivariate analyses. The results indicate that there were minor differences between those dropped and those retained. As compared to those retained, individuals who were dropped from the sample were more likely to be male (55% vs. 51%) and of a slightly lower SES.

In turn, the total sample size is 677. Subjects have a mean age of 12.4 years at wave 1, and 51% of the sample is male. In addition, the sample is mostly comprised of racial and ethnic minorities: 58% of the sample is African American and 34% Hispanic. The CAR data includes general demographic measures, measures of interaction with the criminal justice system as well as subsequent involvement in delinquency. However, the data set employed in the current study is of great utility because of the availability of a wide variety of items pertaining to potential causes of deviance, including those that are relevant to the respondent’s self-concept, prosocial

expectations, and deviant peers. Moreover, in addition to the wide range of available items, the data is particularly suited for this research study because of its three-wave longitudinal design. The labeling process culminates *over time* and so it is plausible that the effects of formal labeling are not immediate, but takes place as time goes on. Therefore, an assessment of labeling theory must employ longitudinal data in order to model the sequential nature of the process under scrutiny. This study employs all three panels of CAR data with the dependent variable (subsequent deviance) coming from wave 3 and the independent variable (intervention with the CJ system) coming from wave 2. Each of the mediating variables are from wave 3 as well. Additionally, the control variables (including prior delinquency, age, race, and sex) come from wave 1.

4.3.2 Formal Labeling Measure

Three different measures of involvement with the criminal justice were available in the CAR data. These individual measures include how often, in the past two years, the subject had been arrested, had been to court, and had been held in jail or juvenile detention. However, following intervention with the criminal justice system, whether that be arrest, court appearances or jail/juvenile detention, individuals will likely experience similar stigmatization due to official labeling. Therefore, in order to prevent repetition of the results, the current study will only make use of the measure of arrest.

Arrest was measured with dichotomous self-reported item which asked subjects whether they had been arrested since the last interview (two years earlier). Responses were coded as “1” if the individual had been arrested and a “0” if they have not been arrested. As mentioned in Chapter 3, this measure of official closely matches the measure used in recent assessments of the effects of official labeling (e.g., Bernburg and Krohn, 2003; Bernburg, Krohn and Rivera, 2006). Preliminary analyses reveal that nearly 23% of the sample reported during the second wave of interviews that they had been arrested at least one time in the previous two years.

4.3.3 Subsequent Delinquency Measure

The dependent variable, subsequent delinquency, was measured with a scale that incorporates items pertaining to twelve various acts of delinquency collected at wave 3. The index was created by aggregating responses to questions regarding how often, in the past year,

the subject has: “run away overnight or longer”, “taken something worth less than \$50”, “taken something worth more than \$50”, “joy-riding”, “tried to buy stolen things”, “damaged something not yours”, “arson”, “serious school fight”, “group fight”, “attacked to hurt someone”, “robbery with or without weapons”, and “forced sex”. Each item had response categories that ranged from 1 to 4 with 1 indicating “never” and 4 indicating “5 or more times”. To prevent more frequent items from dominating the scale, each item was standardized prior to averaging. The resulting twelve-item scale for *subsequent delinquency* has a Cronbach’s alpha of .85.

4.3.4. Mediating Variables

Negative self concept was measured with ten items in which respondents were asked to indicate how much they agreed or disagreed with the following statements: “I have a positive attitude toward self,” “I have a number of good qualities,” “I do not have much to be proud of,” “I am a person of equal worth to others,” “I wish I could have more self-respect,” “sometimes I think I am no good at all,” “I am able to do things as well as most people”, “I generally feel that I am a failure,” “I am generally satisfied with myself,” and “I certainly feel useless at times”. The responses are coded using a Likert type scale where “strongly disagree” is coded one and “strongly agree” is coded five. (Some items were reverse coded so that high values indicate negative self-concept). To prevent more frequent items from dominating the scale, the items were first converted into a z-score and then averaged to create a ten-item scale with a Cronbach’s alpha of .78.

Although the current study uses the respondent’s negative self-concept as a mediating variable, it is important to note that a more direct measure of a *deviant*—rather than negative self-concept would be more useful. However, a more direct measure of a deviant self-concept was not available with the current data. Nevertheless, this study examines the mediating effect of negative self-concept, which may be related to a deviant self concept by the very nature of the stigmatization process that is expected to follow from experiences of the formal labeling process. Therefore, although a negative self-concept does not capture the extent to which one has a deviant self-concept in particular, it does capture an element of self-concept that is relevant to various interpretations of labeling theory (Ray and Downs, 1986; Tomas and Bishop, 1984; Kaplan and Johnson, 1991; Zhang, 2003).

Association with delinquent peers was used to measure an individual's links with a delinquent subculture. This variable was measured with twelve items in which respondents were asked to indicate whether or not their friends engaged in the following deviant acts: "sneak things without paying", "act loud or rowdy in public", "throw bottle rocks at people", "join in serious fights", "go joy riding", "take things w/o paying", "have sex", "belong to a gang", "sell hard drugs", "use alcohol", "use marijuana", and "use hard drugs". The items were coded so that greater values indicate greater levels of delinquency among peers. To prevent more frequent items from dominating the scale, all items were first converted into a z-score and then averaged to create a standardized index. This produced a twelve-item scale with a strong Cronbach's alpha of .84.

The final mediating variable, *prosocial expectations* was measured with a scale that included responses to four items in which respondents were asked to indicate the priority they place on educational and occupational achievement. Subjects were asked to indicate whether "getting a good job" and "finishing school" are important. Respondents were also asked "how far in school would you want to go," and "how far in school will you go". Although these items cannot capture actual educational and occupational success that occur at a future point for these individuals, they do capture the individual's perceived expectations in these areas. The items were coded such that high values indicate higher perceived prosocial expectations for the future. The four items were first standardized and then averaged to produce a four-item scale with a moderate Cronbach's alpha of .56.

4.3.5 Control Variables

The analysis includes as control variables four demographic variables: *SES*, *age*, *sex* and *ethnicity*. These control variables have been included to protect against the possibility that the independent and dependent variables are correlated with one another only because they both are outcomes of the same background or demographic characteristics of the respondents. Sex is coded 1 for male and 0 for female. For race, dummy variables have been created for "Hispanic", "Black" and "Whites/other" (this latter group is 8 percent of the sample), while age was measured continuously in years. The final demographic variable included is SES, which was measured with four items in the caregiver questionnaire. These questions asked the caregiver to respond whether they "graduated from high school", "are currently employed", "currently

receive food stamps”, and “currently receive AFDC”. To prevent more frequent items from dominating the scale, each variable was first converted into a z-score and then averaged. This produced a four-item scale with a moderate Cronbach’s alpha of .68. A control also was included to account for whether subjects received any CAR program services during the study period. Recall that the CAR data were collected as part of an evaluation of a delinquency prevention program that included treatment and control groups. Thus, in estimating the effects of labeling and the mediating variables, all models include a control for a dichotomous treatment variable (1=treatment group, 0=otherwise.)

The final control variable employed involves the *child’s prior deviance*. This wave one control is included to address concerns that any relationships are the result of preexisting differences in deviance. Similar to the dependent variable, this index was created by aggregating responses to thirteen questions regarding how many times, in the past year, the subject had engaged in a variety of delinquent behaviors. Each item was coded 1 through 4, with 1 indicating never and 4 indicating 5 times or more. To prevent more frequent items from dominating the scale, each variable was first converted into a z-score prior to averaging. This produced a thirteen-item prior deviance scale with a strong Cronbach’s alpha of .79.

4.4 Results

The analysis began by first examining the bivariate correlations of all of the variables included in each model. Results are displayed in Table 4.2 and present the relationships among formal intervention and subsequent involvement in delinquency, and the other hypothesized mediating variables. All of the variables included in the model, except for treatment and age, are significantly correlated in the expected direction with the dependent variable, subsequent delinquency. Of special importance, wave 2 arrest and wave 3 delinquency have a moderately strong and statistically significant correlation coefficient of .26. This is consistent with the labeling hypothesis, which suggests that formal labeling will lead to subsequent criminal behavior. Additionally, it is important to note that arrest, the main explanatory variable is significantly correlated with delinquent peers, commitment to school, and prosocial expectations.

4.4.1 The Effects of Official Intervention on Future Criminal Behavior

In order to determine if official labeling is a significant predictor of subsequent delinquency, the independent effect of arrest on the overall measure of subsequent involvement in delinquency was examined. An ordinary least squares (OLS) regression equation was first estimated which included only control variables; age, sex, SES, race and ethnicity, wave one levels of deviance, and whether or not the individual received treatment. Results are presented in Model 1 of Table 4.3. As expected, prior delinquency has a strong, significant effect on subsequent delinquency, net of other control variables. Additionally, an R^2 of .119 indicates that only 12% of the variation within the model is explained by the included variables. Next, an ordinary least squares (OLS) regression equation was estimated which included arrest as the independent variable, while controlling for age, sex, SES, race and ethnicity, wave one levels of deviance, and whether or not the individual received treatment. The results for this baseline model are presented in Model 2 of Table 4.3. Arrest had a statistically significant regression coefficient of .28 with an R^2 of .229. Thus, by including arrest or formal labeling, the model's R^2 increases from .119 (Model 1) to .229, indicating that about 23% of the variation within the model is explained by the included variables. Therefore, results reveal that official intervention or arrest has a significant positive effect on subsequent involvement in delinquency, net of control variables and prior deviance.

Many scholars have suggested that gender is the strongest and most consistent correlate of criminal behavior (Quetlet, 1935; Tittle and Paternoster, 2000). Therefore, it is beneficial to note the magnitude of the effect of sex as compared to that of arrest on subsequent involvement in delinquency. Model 2 of Table 4.3 presents the results for this assessment. Sex has a statistically significant regression coefficient of .06, indicating that there is a .06 unit increase in wave 3 delinquency that is associated with being male. Importantly, the coefficient for arrest ($b=.28$) is more than four times as large.

4.4.2 Does Formal Labeling Affect Hypothesized Mediating Variables?

Having established the link between official arrest and subsequent delinquency, it is next important to provide evidence that the independent variable, arrest, is significantly related to the mediating variables. Table 4.4 presents the reader with three models, which each examine the independent, direct associations between labeling and the three hypothesized mediating variables. Results reveal that official intervention, or arrest has a significant effect on each of the

three variables, net of control variables and prior deviance. In fact, models 2 and 3 suggest that arrest, or formal labeling has a moderately strong effect on the increased likelihood of engaging with delinquent peers and the decreased likelihood of prosocial expectations, as indicated by the statistically significant regression coefficients of .17 and -.13 respectively. As indicated by Model 1, arrest has the weakest effect, in regards to strength and significance level, on negative self-concept. Overall, this pattern of results suggests that it is possible that these variables mediate the association between labeling and subsequent delinquency—these variables are significantly influenced by labeling in the expected manner.

4.4.3 Are Labeling Effects Explained By Mediating Variables?

Attention then turned to whether the effects of formal labeling on subsequent delinquency are mediated by a combination of variables. Each mediating variable was assessed separately by adding the variable of interest to the baseline model presented in model 1 of Table 4.5. Of particular interest is the extent to which these mediating variables are related to delinquency and the extent to which their inclusion reduces the relationship between arrest and delinquency that was observed in model 1. These equations—which include one of the mediating variables under scrutiny as well as all of the control variables—were estimated and these results are found in Model 2 through Model 4 in Table 4.5.

The results for these equations are consistent with the hypothesis that these variables at least partially mediate the effect of arrest on subsequent involvement in delinquency. To be clear, this is less true for some variables. For example, Model 2 indicates that although negative self-concept has a significant, independent effect on crime and delinquency ($B=.15$), its inclusion produces almost no reduction in the significant relationship between formal labeling and future delinquent behavior (its unstandardized effect moves from .28 to .27). A similar pattern is observed for prosocial expectations (considered in Model 4), although the evidence for mediation is a bit more evident. Prosocial expectations is significantly related to delinquency ($B=-.17$) in the predicted direction, and its inclusion in the model reduces the relationship between arrest and subsequent delinquency by approximately 21 percent (reducing the unstandardized coefficient from .28 to .22).

This is consistent with the idea that following arrest, any increase in delinquency that occurs is explained in part by a process in which an individual begins to perceive lower

expectations with respect to conventional activities such as attending school, securing legitimate employment opportunities, and attending college. Therefore, as described by Hirschi (1969), a blocked opportunity structure could indicate a lack of stakes in society. When formal labeling leads to a blocked opportunity structure, or even the perception of one, the labeled individual will not view himself as having a great deal to “lose” from formal punishment, such as acceptance to college or high school graduation. Therefore, a blocked opportunity structure can often lead to an increased likelihood of criminal labeling in the future.

The most notable evidence of mediation came when considering the mediating role of delinquent peers. Associating with delinquent peers is significantly and strongly related to subsequent delinquency ($B=.46$). Indeed, the addition of just this one variable nearly doubled the explained variance, moving it from .229 in Model 1 to .396 in Model 3. Additionally, the inclusion of this model reduced the relationship between arrest and subsequent delinquency by about 35 percent (from .19 to .12). These results therefore are consistent with the hypothesis that arrest increases delinquency in part by altering the extent to which an individual associates with peers who are delinquent.

A final step to the analysis was to consider a model that includes the whole set of mediating variables together. Model 1, which includes no hypothesized mediating variables, will be used as a baseline comparison model. As mentioned earlier, the original baseline analysis indicates that arrest has a significant, positive effect on subsequent involvement in delinquency, with a regression coefficient of .28 and an R^2 of .229. However, when negative self-concept, delinquent peer associations and prosocial expectations are considered in the same model, the effects are in line with expectations. The results for this analysis are presented in Model 5 of Table 3. In line with the prior results, all three mediating variables are significantly related to subsequent delinquency, although this is only marginally true for the variable negative self-concept ($B=.06$). Delinquent peers maintains its strong relationship to delinquency ($B=.45$.) Of greatest importance, however, is that in this model, the effect of arrest on wave 3 delinquency has been reduced from .28 to .12. This relationship is still significant, but this amounts to a reduction of 57% when all three hypothesized mediating variables are included in the model. These results suggest that accounting for negative self-concept, delinquent peers and prosocial expectations explain roughly half of the effects of formal labeling on subsequent delinquent behavior.

It is important to note that some respondents did not answer some of the self-report questions, which were employed as items in the computation of the scales. Therefore, these missing cases were dropped from the computation of that scale, but not from the overall study. For example, when looking at Models 2 and 3 (self-concept and delinquent peers) in Table 4.5, the sample size is 578. However, when looking at Model 4 (pro-social expectations) in Table 4.5, the sample size is reduced to 537. Thus, forty-one more respondents that failed to answer an item pertaining to the pro-social expectations scale, as compared to the other mediating variables. In order to examine the possible differences between the two groups of missing cases and the full sample, mean delinquency levels and percentages involved in delinquency were examined, in addition to demographic variables. After all, not answering questions regarding one's pro-social expectations may be connected to one's own delinquency or structural demographic factors. However, these analyses indicated that the missing cases did not differ significantly with regard to delinquency from those included in the sample.

4.5 Conclusion

Prior research indicates that public intervention within the criminal justice system will lead to an increase in subsequent involvement in crime and delinquency due to official labeling. However, recent research (Bernburg and Krohn, 2003; Bernburg, Krohn and Rivera, 2006, Liska and Messner, 1999; Sampson and Laub, 1997) has devoted greater attention to the mediating variables that may explain this relationship. In assessing the consequences of official intervention, this study focused on the proposition that formal labeling tends to affect other life conditions, which in turn are conducive to subsequent involvement in criminal and delinquent behavior. This possibility was examined while simultaneously considering multiple variables that may mediate the relationship between official intervention and subsequent involvement in crime and deviance.

4.5.1 Findings

Two principle conclusions emerged from the analysis. The first key conclusion was that official intervention has a significant, positive effect on subsequent involvement in crime and delinquency, net of demographic control variables and prior levels of deviance. This finding is consistent with the current labeling literature and continues to lend support to the idea that

formal labeling will lead to an increase in future delinquent behavior. However, prior research has indicated that official labeling during adolescence may be a consequential event for the individual's life course, pushing or leading individuals on a pathway of blocked structured opportunities and delinquency in young adulthood (Bernburg and Krohn, 2003; Sampson and Laub, 1993). Therefore, it was necessary to consider the social factors that may explain the harmful effect of formal labeling on subsequent criminal behavior.

The second key conclusion that emerges from this study relates to these mediating variables. First, the results indicate that arrest independently affects each of the three hypothesized mediating variables. In other words, the official intervention with the criminal justice system leads to an increased delinquent self-identity, decreased prosocial expectations and an increased association with delinquent peers, which then lead to an increased likelihood of engaging in subsequent delinquency. Thus, these findings are theoretically consistent with the labeling perspective and suggest that the harmful effect of the labeling process is actually driven by the hypothesized mediating variables.

More specifically, formal labeling or arrest leads to an increased likelihood of association with deviant peers. The labeling process creates an identity for the individual that is in-line with the delinquent label, placing the adolescent in the company of deviant others, and denying the individual prosocial expectations. Throughout the study, the variables used to measure an individual's association with delinquent peers consistently exhibited the strongest mediating effect on subsequent involvement in delinquency. This suggests that the intermediary role of deviant networks may be the most crucial factor in the development of delinquency following official intervention and labeling, as argued by Bernburg, Krohn and Rivera (2006).

When seeking accurate results in an assessment of the labeling process, it is critical to include a measure for a delinquent subculture. Where some studies may have attributed the cause of delinquent behavior to the arrest, these results suggest that arrest causes an association with delinquent peers, which in turn leads to a greater likelihood of engaging in subsequent delinquent behavior. Therefore, prior studies that have neglected to include a measure for delinquent peers have missed an opportunity to specify a mechanism by which arrest translates into greater subsequent delinquency. Although not as strong in magnitude, the results also suggest that the exclusionary process that follows from formal labeling may also affect one's prosocial expectations including employment and education.

4.5.2 Study Limitations

These findings should be seen in recognition of some of the study's limitations. The first limitation deals with the inability to incorporate an ideal measure of self-concept. Specifically, a clear and direct measure for deviant self-concept was not available within the CAR data. However, this study examines the mediating effect of negative self-concept—which may be related to a deviant self concept by virtue of the stigmatization and shame that is expected to follow from experiences of official labeling. It is important, however, for future research to seek out additional data sources which employ a more direct measure of an individual's deviant self concept transformation.

Another limitation of the present study is that the causal order between the mediating variables and subsequent delinquency cannot be established with absolute certainty. Specifically, the analysis used a measure of arrest from wave two and while measuring the mediating variables and subsequent delinquency with wave three data. To the extent that the mediating variables and delinquency have a reciprocal relationship, the relationships observed in the current study may overstate the effects of the mediating variables. Thus, in order to better capture the true longitudinal nature of the labeling process, it would be beneficial for future researchers to use data that allow for more precise temporal ordering. Finally, the CAR study did not employ a random process to create the sample of high-risk adolescents to participate in the intervention program. However, the CAR study employed random assignment when creating the control and treatment groups. Therefore, this current analysis employs a non-random sample, which has been cited as a shortcoming of prior research studies.

4.5.3 Implications for Policy

Notwithstanding these limitations, the findings presented here have important policy implications. Most notably, the harmful effects of the labeling process point to the unexpected costs of arrests that should be minimized when possible. Labeling theorists (see Lemert, 1973, Schur, 1973) have proposed policies that suggest it would be beneficial for communities to tolerate many minor offenders, rather than risk the chance of formal punishment of minor offenses leading to more serious offenders. However, this is not always the way line of thinking for many individuals in our society. Therefore, it important to consider ways in which the

harmful fallout from an arrest might be minimized, in order to decrease the likelihood of subsequent crime and delinquency. In connection to this, Braithwaite has emphasized the need for (1989) reintegration techniques when creating programs for those already formally labeled. Restorative integration, as proposed by Braithwaite (1989), confronts the offender with consequences of the crime in a respectful way. In other words, the offender is shamed but not in a degrading manner. In fact, there are explicit efforts made on society's part in order to avert stigmatization through a commitment to ritual reintegration.

In order to prevent an identity transformation, it is important to avoid shaming and focus on a more re-integrative approach with adolescents (Maruna, 2001). These opportunities to repair, restore relationships, apologize, and sincerely forgive the offender include within institution and community programs for juveniles and adults such as community service, direct apologies and reparations to victims and the families victims, accepting responsibility of harm caused, and conflict management and resolution training classes. Therefore, reintegrated individuals are less likely to experience an association with delinquent peers, a delinquent identity transformation and a perception of a blocked opportunity structure following intervention with the criminal justice system. In turn, reintegrating individuals back into conventional society as a non-criminal may play a critical role in the prevention of formal punishment leading to subsequent criminal behavior.

Although it is difficult to determine the most effective treatment to re-integrate formally labeled adolescents back into main-stream society, the debate continues to transpire among scholars. The results from the current study suggest that a program, which combines case management and mentoring, may be very beneficial in reducing the likelihood of criminal behavior following the formal labeling process. Both of these ideas have yielded promising results in evaluations of delinquency-reducing programming. In fact, the current crime and delinquency literature is filled with examples of intervention program models that aim to promote prosocial development and reduce subsequent delinquency (Farrington and Welsh, 2006). However, not all intervention programs are successful. For example, Lipsey's (1992) meta-analysis, in which he evaluated over 400 different juvenile programs, found the most promising results in community-based programs run by private providers with high levels of both intensity and duration. An example of community-based program would be a dawn-to-dusk education and training program, which would provide assistance and support for the parents of

adolescent offenders in addition to arrangements for recreational and employment activities for the adolescent offenders.

In a recent review of such programs, Greenwood (2008) identifies the factors that lead to successful programs and offers guidance on how jurisdictions can shift toward more evidence-based practices. Greenwood (2008) found that community- and school-based diversion and intervention programs could successfully divert first-time offenders from further encounters with the justice system. More recently, Cohen and Piquero (2010) assessed an individual program known as YouthBuild (YB) USA Offender Project. YouthBuild USA is an intervention program that focuses on employment and educational training for 16 to 24-year-old offenders. Therefore, the program allows formally labeled young adults to learn a variety of trade skills while also earning a high school diploma. Additionally, personal counseling and training in life skills and financial management are provided to create clear pathways to a productive future for the participants. In connection with the current chapter, these steps are found to be critical in creating prosocial expectations for a labeled individual. The researchers found that YB Offender Project graduates were not only more likely to graduate from high school when compared to dropouts from the program, but they were also more likely to exhibit lower rates of future offending (Cohen and Piquero, 2010).

According to Greenwood (1996), appropriate interventions for adolescent offenders will usually involve the parents and provide a mix of activities, services, and community sanctions. Therefore, although the adolescent is a primary focus of the program, he or she is not the sole focus of the program. It is vital to include the guardians who interact with the adolescent as well. Similarly, Hay and Colleagues (2010) recently assessed the mediating variables that intervene between program participation in the CAR intervention program and reduced delinquency. The researchers primarily focused on the question of: *why*, if at all, this particular intervention program is effective. The results from the analysis indicate that the CAR program was effective because of its ability to influence subjects' peer associations (Hay, Wang, Ciaravolo, and Meldrum, 2010). In line with the findings from the current chapter, these results suggest it is necessary for intervention programs to target peer associations in order to increase the likelihood of programming success. In connection with the results found in the current chapter, as well as in prior empirical studies, a key question remains. Can similar programs can be created in order

to decrease the likelihood of association with a delinquent subculture in order to decrease the likelihood of subsequent criminal behavior?

4.5.4 Implications For Future Research and Theory

Of particular interest may be the need for future research to extend tests of labeling theory and its intervening mechanism to adult populations. Although the current study focused on adolescents, it is plausible that similar results would be found if the study employed a sample of adult offenders and non-offenders. In fact, future research of this kind would be very beneficial. The United States justice and correction system does little to prepare inmates for life in conventional society once released from prison (Atkinson and Rostad, 2003). Furthermore, there is little evidence to guide jurisdictions in developing reentry programs to enhance the likelihood of successful reintegration of offenders into community (Travis and Visher, 2005). In fact, a recent study found more than two-thirds or 66% of state prisoners were re-arrested for one or more serious crimes within only a few years of release (Langan and Levin, 2002). Therefore, the key challenge is that there is little direct research evidence to inform jurisdictions in regards to the best practices to prevent recidivism by returning offenders to conventional society (Petersilia, 2000; Travis, 2005).

With respect to labeling theory, these findings attest to the value of the labeling approach for explaining criminal and delinquent behavior. Overall, the results suggest that there are additional processes that account for the impact of official intervention on subsequent behavior. In fact, empirical research studies such as this one imply that there are very important associations between offender characteristics and the increased likelihood of recidivism. As revealed in the current study, these characteristics include most importantly an association with a delinquent subculture but also a delinquent self-identity transformation and a perception of a blocked opportunity structure. Thus, although the theory is correct in that labeling leads to more delinquent behavior, this process is not a direct, independent effect. In fact, this effect is greatly mediated by these variables. Mediated effects generally have been neglected in this area of research. Therefore, this paper seeks to inspire more research to address some limitations found here while yielding a more complete understanding of the effect of official labeling on subsequent adolescent delinquency.

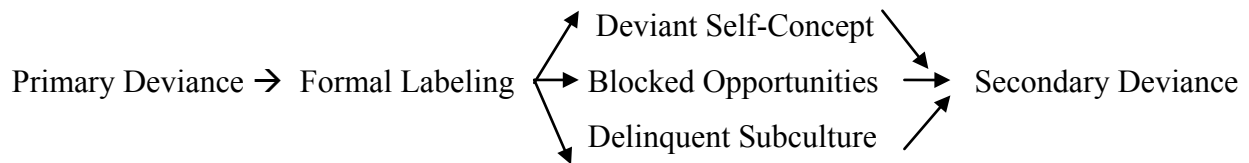


Figure 4.1 Labeling Causal Process Diagram

Table 4.1. Descriptive Statistics

	Mean	SD	Min	Max
Self-Reported Deviance** n=596	0	0.61	-0.37	3.91
Arrest n=662	.23	.42	0	1
Negative Self-Concept* n=596	1.57	0.52	1	4
Delinquent Peers* n=596	0.32	0.29	0	1
Pro-Social Expectations* n=553	3.5	0.45	1.8	4.6
Age n=677	12.35	0.7	10	14
Male n=677	0.51	0.5	0	1
African-American n=673	0.58	0.49	0	1
Hispanic n=673	0.34	0.48	0	1
SES	.02	.73	-.98	1.09
Treatment n=677	0.4	0.5	0	1
Wave 1 Deviance** n=661	0	0.56	-0.32	3.98

Note: * indicates standardized index

Table 4.2. Bivariate Correlations

	1	2	3	4	5	6	7	8	9	10	11	12
1. Deviance	-	.26*	.20*	.57*	-.20*	.08	.18*	-.16*	.08*	.10*	-.01	.40*
2. Arrest		-	.07	.20*	-.13*	.17*	.16*	.04	-.05	-.08*	.05	.21*
3. Negative Concept			-	.19*	-.16*	.10*	-.04	-.25*	.21*	-.01	-.07	.11*
4. Delinquent Peers				-	-.16*	.13*	.03	-.22*	.15*	.09*	-.12*	.35*
5. Pro-social Expect					-	-.07	.06	.09*	-.15*	.13*	.07	-.12*
6. Age						-	.06	-.16*	.12*	.02	-.02	.10*
7. Male							-	-.03	.06	.05	.01	.12*
8. Black								-	-.85*	-.10*	-.06	-.04
9. Hispanic									-	.01	.04	.03
10. SES										-	-.02	.03
11. Treatment											-	-.02
12. W1 Deviance												-

Note: * indicates $p < .05$

Table 4.3: OLS Regression, Effect of Formal Labeling on Future Behavior

	Model 1 n=585	Model 2 n=578
Arrest	--	.19** .28 (.06)
Self Concept	--	--
Delinquent Peers	--	--
Pro-Soc.Expect	--	--
African American	-.29** -.35 (.09)	-.21** -.26 (.09)
Hispanic	-.19** -.24 (.09)	-.10 -.13 (.09)
Age	.02 .02 (.03)	-.02 -.01 (.03)
Male	.13** .16 (.05)	.07** .06 (.04)
SES	.05 .04 (.03)	.07* .06 (.03)
Prior Deviance	.37** .41 (.04)	.34** .37 (.04)
Treatment	-.02 -.03 (.05)	-.03 -.04 (.04)
Constant	.04 (.41)	.25 (.41)
R ²	.198	.229
F-statistic	21.73**	21.14**

Note: For each variable, the standardized coefficient is presented in the top row and the unstandardized coefficient and standard error (in parentheses) are presented in the bottom row. *P≤.05, two- tailed test
**P≤.01, two-tailed test

Table 4.4: OLS Regression on Mediating Variables

	Model 1 (Negative Self Concept)	Model 2 (Delinquent Peers)	Model 3 (Prosocial Expectations)
Arrest	.05* .06 (.05)	.17** .10 (.02)	-.13** -.15 (.05)
African American	-.25** -.26 (.09)	-.24 -.12 (.04)	-.07 -.07 (.08)
Hispanic	.00 .00 (.09)	-.05 -.03 (.04)	-.27** -.27 (.09)
Age	-.06 -.04 (.03)	-.04 -.02 (.01)	-.04 -.03 (.03)
Male	-.07** -.07 (.04)	-.05 -.02 (.02)	.04 .04 (.04)
SES	.05 .04 (.03)	.07 .03 (.01)	.06* .06 (.03)
Prior Deviance	.09* .09 (.04)	.30** .14 (.02)	-.13** -.12 (.04)
Treatment	-.09** -.10 (.04)	-.14** -.07 (.02)	.06 .06 (.04)
Constant	1.26 (.39)	.23 (.18)	.00 (.36)
R ²	.091	.206	.097
F-statistic	7.13**	18.48**	7.11**

Note: For each variable, the standardized coefficient is presented in the top row and the unstandardized coefficient and standard error (in parentheses) are presented in the bottom row. *P≤.05, two tailed test
**P≤.01, two tailed test

Table 4.5: OLS Regression on, Mediated Effects

	Model 1 n=578	Model 2 n=578	Model 3 n=578	Model 4 n=537	Model 5 (n=537)
r est	.19** .28 (.06)	.18** .27 (.05)	.12** .17 (.05)	.16** .22 (.06)	.09* .13 (.05)
Self Concept	--	.15** .17 (.04)	--	--	.06 .07 (.04)
Delinquent Peers	--	--	.46** 1.06 (.09)	--	.45** .99 (.08)
Pro-Soc.Expect	--	--	--	-.16** -.19 (.05)	-.11** -.13 (.05)
African American	-.21** -.26 (.09)	-.18 -.21 (.09)	-.11 -.13 (.08)	-.26** -.29 (.09)	-.11* -.13* (.08)
Hispanic	-.10 -.13 (.09)	-.10 -.13 (.09)	-.08 -.10 (.09)	-.19* -.22 (.09)	-.13 -.16 (.08)
Age	-.02 -.01 (.03)	-.02 -.02 (.03)	-.03 -.03 (.03)	-.02 -.01 (.03)	-.04 -.03 (.03)
Male	.07** .06 (.04)	.11** .14 (.04)	.13** .15 (.04)	.11** .12 (.04)	.13** .15 (.04)
SES	.07* .06 (.03)	.08* .06 (.03)	.04 .03 (.03)	.10** .07 (.03)	.06* .05 (.03)
Prior Deviance	.34** .37 (.04)	.32** .35 (.04)	.20** .22 (.04)	.27** .29 (.04)	.15** .16 (.04)
Treatment	-.03 -.04 (.04)	-.01 -.02 (.04)	.04 .04 (.04)	-.02 -.02 (.04)	.05 .05 (.04)
Constant	.25 (.41)	.03 (.46)	.00 (.36)	1.02 (.45)	.51 (.41)
R ²	.229	.250	.396	.218	.386
F-statistic	21.14**	21.05**	41.38**	16.33**	29.94**

**Note: For each variable, the standardized coefficient is presented in the top row and the unstandardized coefficient and standard error (in parentheses) are presented in the bottom row. *P≤.05, two-tailed test
P≤.01, two-tailed test

CHAPTER 5

DO EXTRA-LEGAL FACTORS MODERATE THE LABELING PROCESS?

5.1 Introduction

The effect of formal punishment on subsequent behavior is the primary focus of labeling theory. The perspective holds that official labeling by the criminal justice system will lead to an increase in crime and deviance by assigning the label of “deviant” to offenders (Tannenbaum, 1938). Labeling theory hypothesizes that those who receive formal punishment will be more likely to commit crime in the future because once labeled, they often face additional problems that build up as a result of the negative stigma attached to them. Thus, theorists working from a labeling background contend that official intervention with the criminal justice system and subsequent reactions from members in society can be a stepping stone in the development of a criminal career (Becker, 1963; Lemert, 1967; Tannenbaum, 1938).

The labeling perspective was largely popular throughout the tumultuous times of the 1960’s in the United States, but scholars (Hirschi, 1980; Tittle, 1980) began to criticize the theory for its ambiguous nature and lack of empirical support shortly thereafter. However, more recently, theorists have noted the importance of clarifying and elaborating on the labeling process. In fact, a reoccurring theme within recent labeling research is the idea that the negative consequences associated with formal labeling may be moderated or conditioned by personal characteristics of the offender (Bernburg and Krohn, 2003; Chiricos, Barrick, Bales and Bontrager, 2007; Sampson and Laub, 1997).

In other words, the theory proposes that formal labeling has the capacity to produce future criminal behavior, although this effect is not necessarily identical for all labeled offenders. Although some researchers have emphasized that the magnitude of an impact of a label may vary across individuals (see Barrick, Bales, Bontrager, and Chiricos, 2005; Bernburg and Krohn, 2003; Sampson and Laub, 1997; Tittle, 1975), consensus on what may be expected in this regard has yet to emerge. For example, there is conflict among scholars regarding whether minorities are more or less likely to engage in criminal and delinquent behavior in response to a formal intervention with the criminal justice system. Moreover, while researchers have subjected labeling theory to empirical examinations in the past, many assessments have failed to properly

examine if labeling effects are more harmful for certain types of individuals and how these particular personal characteristics may affect that relationship. In addition, when the possibility of moderated effects has been considered, prior research generally has focused on the structural or demographic factors moderators while neglecting key social process or social interactional variables that could moderate the effects of labeling. This chapter will systematically address these voids found in prior research.

In approaching this task, it is important to provide a background on the literature and prior research in this area. Following this discussion, this study will direct attention to the variables that may moderate the effects of labeling. To do so, data from the Children at Risk (CAR) study will be analyzed to specifically to test for these effects. CAR is a well-suited sample for this study because it is a longitudinal study designed to provide information on the prevalence of deviance among adolescents, as well as information on the subject's social and personal lives. Finally, this study will develop and evaluate a revised model of labeling that better depicts the complicated association between official sanctioning and deviance.

5.2 Prior Literature and Research on Moderated Effects of Labeling

5.2.1 Demographic Factors

During the 1970's, theorists working from a labeling perspective argued that the negative and stigmatizing effects associated with the labeling process would be less consequential for disadvantaged individuals, including those who are racial or ethnic minorities and those of lower socioeconomic status (Ageton and Elliott, 1974; Harris, 1976; Jensen, 1972). In contrast, higher status individuals or non-minority offenders, were expected to be more susceptible to detrimental labeling effects (Ageton and Elliott, 1974; Harris, 1976; Jensen, 1972; Paternoster and Iovanni, 1989).

This view of labeling theory, whereby disadvantaged individuals experience less harmful effects, emphasizes self-identity transformations and how such transformations affect future behavior. For example, Harris (1976) proposed that minorities are affected less by the stigmatizing labeling process because they have already been labeled as an "outsider" by society. Thus, when compared with minorities or individuals with a lower socioeconomic status, whites and high status individuals will experience a more harmful negative identity transformation. In

other words, because higher status individuals are starting from a more advantageous position, they have more to lose when experiencing an official label. In turn, this identity transformation will produce an amplified relationship between labeling and subsequent criminal behavior for those in higher social standings or non-minorities. Chiricos and colleagues (2007) found support for this notion in a recent study—they found that adjudication was associated with higher levels of recidivism, and this effect was stronger for white offenders than black and Hispanic offenders.

As mentioned earlier, prior theory and research examining the conditional effects of race and formal social control on future behavior are often contradicting. For example, in contrast to the arguments just presented Sampson and Laub (1997) argued that deficits and disadvantages pile up faster for disadvantaged individuals and this has continuing negative consequences for later development. Thus, those at higher structural locations have greater social resources to combat the negative effects of labeling and subsequent stigmatization. In turn, racial minorities and those in a lower structural location have less informal social supports to act as protection from the harmful effects of being formally labeled. With fewer personal and social resources, and with a greater array of accumulating disadvantages, those in a lower structural location therefore should experience amplified effects of being labeled.

This argument supports the results found by Berk and colleagues (1992), who found that the effect of labeling or arrest on recidivism was 11% greater for blacks than whites. More recently, Bernburg and Krohn (2003) found that the relationship between official intervention and self-report recidivism was stronger for minorities and for those of a lower socioeconomic status. Thus, it may be that disadvantaged individuals (minority and low socioeconomic status) suffer more from the negative, harmful consequences of formal labeling than advantaged individuals.

It is important to note that additional studies find no such moderating effect. For example, Sherman et al. (1992) found that race did not have a moderating effect of arrest on subsequent domestic violence. Thus, confusion remains as to which race, if any, experiences greater detrimental or stigmatizing effects of the formal labeling on subsequent involvement in crime and delinquency.

In addition to race and class, it is plausible that sex moderates the relationship under scrutiny as well. A review by Baumer (1997) found that males are more likely than females to engage in subsequent delinquency following interaction with the criminal justice system. The

findings from this review support the findings of prior research studies, which suggest that that females are not only less inclined than males to get in trouble in the first place, but also less likely to continue anti-social behavior following an encounter with the criminal justice system (see Ageton and Elliott, 1974, Smith and Paternoster, 1990). More recently, in a study that employed data from a longitudinal study in Ohio, Giordano, Cernkovich and Lowery (2004) found that males suffer more greatly from the detrimental effects associated with institutionalization as compared to females. These studies have found support for the notion that sex moderates the association between formal labeling and future behavior.

However, other scholarship suggests the converse of this proposed relationship. For example, Bem (1974) suggested that the stigma of labels may exert more influence on female behavior than male behavior because females are more attentive to interpersonal relationships than males. Therefore, females are more aware of reactions from society and organize their behavior based upon such reactions. Likewise, Davies and Tanner (2003) found that the most severe forms of labeling (sentencing and incarceration) at ages 15 to 23 had the strongest negative effects on occupation status, income and employment at ages 29-37 years old. However, whereby the main labeling effects for males were consistently associated with the more severe sanction options, labeling effects for females began at a much earlier age with pre-criminal school encounters with authority. More recently, Chiricos and colleagues (2007) found that although both men and women display negative labeling effects, the impact of adjudication was stronger for women than men.

Other studies reveal no moderating effect of sex in either direction. For example, both Taxman and Piquero's (1998) study on drunk driving convictions and Thistlethwaite, Wooldredge and Gibb's (1998) study on domestic violence arrest found that sex plays does not have a moderating effect on the sequential labeling process. Additionally, Simons, Miller and Aigner (1980) indicate that the effects of the labeling process should be the same for both males and females. Taken together, results from these studies mentioned above suggest that labeling may affect delinquency differently for males and females, but the direction of this moderated association is not necessarily clear, and indeed, sex may play no moderating role of any kind. Continued research ,especially that which addresses some of the limitations in prior labeling theory scholarship, may reveal new insight on these possibilities.

5.2.2 Behavioral and Social Variables

Although many studies have examined structural or demographic variables as moderators, there have been fewer assessments of social and behavioral factors as moderating variables. Lofland (1969) was one of the earliest labeling theorists to suggest that there may be a contingent relationship between labeling and subsequent behavior. He suggested that the acceptance of a deviant identity depends on three factors, including disorientation, affective bonds with others and congruence between cognitive categories (Lofland, 1969). Although this notion was proposed more than 40 years ago, current research and literature that examines the moderating effects of the labeling process are still contradictory in nature. For example, Sherman and colleagues (1992, p. 682) note that there is disagreement over the relationship between stakes in conformity and outcomes associated with the labeling process. The scholars refer to the opposing hypotheses as the *greater vulnerability* and *lesser vulnerability* versions of labeling theory.

Those who support the *greater vulnerability* version expect that those who “care more about the opinions of conventional society” to be more vulnerable to the negative consequences of formal labeling (Sherman, Smith, Schmidt, and Rogan, 1992, p. 682). Thus, individuals with stronger bonds to society, including strong attachments to conventional others and commitment to school or employment, will be more harmed by the labeling process, leading to more crime. Conventional others in society, individuals who once provided support and stability, begin to view the individual as “criminal” or “deviant” and begin to treat him as such. In turn, the individual experiences exclusion from conventional associations and pro-social opportunities that was once readily available.

In contrast, according to the *lesser vulnerability* version, those who have stronger informal social bonds, including marriage and employment, will be more insulated from the harmful effects of labeling because they have “other social resources that overcome the impact of labeling” (Sherman, Smith, Schmidt, and Rogan, 1992, p. 682). This has been supported by studies (see Dejong, 1998; Sherman, Smith, Schmidt, Rogan, 1992) that have found formal labeling effects to be less detrimental for those that are employed and married. This implies that those with lower stakes in society, or those who care less of the opinions of conventional society, would experience higher recidivism following formal punishment. In addition to having greater societal resources to aid as insulation from the harmful labeling effects, those with greater stakes

in society also have more to lose because of formal punishment. If an individual has a strong commitment or bond to conventional society, that individual would be less likely to recidivate in order to avoid threatening the stability of that particular stake in society.

As with other control perspectives (Reckless, 1967; Reiss, 1951), social bonding theorists argue that deviance is more likely when bonds to society, such as family, school, and peers are weakened or broken. Hirschi (1969) explains that the bond to society is comprised of four specific elements, which create a stake in conformity or an incentive to avoid trouble. These four elements include attachment to conventional others, commitment to conventional goals (such as educational and occupational success), involvement in conventional activities and belief in the legitimacy of legal norms. Demonstrative of the lesser vulnerability version, Hirschi's (1969) theory suggests that those with stronger bonds of attachment would be less vulnerable to harmful effects of formal labeling. Thus, it is plausible that extra-legal factors, such as these aspects of social bonding, play a significant role in determining the likelihood that official labeling will lead to future delinquent behavior.

Similarly, an adolescent's family and home dynamics may affect the relationship between formal punishment and subsequent behavior. Supportive of this notion, prior research has often found that adolescents commit fewer criminal acts when they have an emotional attachment to their parents (Cernkovich and Giordano 1987; Sampson and Laub 1993; Wright and Cullen 2001) and when they are exposed to consistent, fair, and nonphysical parental discipline (Laub and Sampson 1988; Rankin and Wells 1990). For example, if an adolescent experiences a high volume of family conflict within their household, the family dynamics may not provide the social resources needed to overcome the detrimental effects of formal punishment. Thus, it is plausible to consider if elements of internal family dynamics, such as family conflict or warmth, moderate the likelihood that an individual will engage in criminal behavior after experiencing the formal labeling process.

Hirschi (1969) would argue that if one of the four elements of the social bond is broken, an individual is free to engage in crime. In line with Hirschi's (1969) social bonding theory, a negative perception of the police is similar to a lack of confidence in the legitimacy of conventional belief. Thus, an individual who has a negative perception of the police, or does not grant legitimacy to the law, is more likely to engage in delinquent behavior than an individual with a more positive view of the formal justice system. In fact, there is significant evidence

suggesting that when an offender perceives the law or sanction to be unfair, they are less likely to accept the decisions of formal social control, comply with court-imposed sanctions, and obey the law in the future (Belvedere, Worrall and Tibbetts, 2005; Paternoster, Brame, Bachman and Sherman, 1997; Paternoster and Simpson, 1996; Paternoster and Piquero, 1995; Tyler and Huo 2002).

In order to explain the range of outcomes associated with the labeling process, Sherman (1993) introduced defiance theory. Sherman's (1993) defiance theory, predicts the conditions that lead to the "net increase in prevalence, incidence, or seriousness of future offending against a sanctioning community caused by a proud, shameless reaction to the administration of a criminal sanction", or defiance. These conditions include the perception of an unfair and stigmatizing sanction, a poorly bonded offender, and the offender denies the shame produced by the sanction. In a direct test of defiance theory, Bouffard and Piquero (2010) employed data that reflects perceptions of individual encounters with the police. The scholars found evidence that when an individual defines a sanction as unfair, and is also poorly bonded to society, that individual is likely to experience higher rates of offending and a much slower process of desisting from crime. Thus, it is likely that an offender's perception of the criminal justice system plays an influential role in predicting the likelihood of criminal behavior following the formal labeling process.

In addition to stakes in society and belief in legitimate norms, one's level of self-control may play a moderating role in the relationship between formal labeling and subsequent crime and delinquency. Gottfredson and Hirschi (1990) define self-control as the differential tendency to avoid criminal behavior. In other words, self-control is the extent to which different individuals are vulnerable to temptations of the moment. Those whom lack self-control will have six defining characteristics: impulsive, attracted to simple tasks, self-centered, risk-seeking, preference for physical over mental activities and hot tempered. According to Gottfredson and Hirschi (1990), the forerunners of self-control theory, these traits can be identified prior to the age responsible for crime and have the tendency to persist throughout the life-course. Thus, it is reasonable to consider them as comprising a stable construct useful in the explanation of engagement in crime following official intervention.

The notion that low self-control predicts involvement in delinquent behavior has received widespread empirical support (Grasmick et al., 1993; Burton et al., 1994; Hay, 2001; Pratt and

Cullen, 2000). Research has supported the notion that low self-control significantly affects such the likelihood that an individual engages in drunken driving (Piquero and Tibbetts, 1996), juvenile delinquency (LaGrange and Silverman, 1999; Paternoster and Brame, 1998), and adult criminal behavior (Grasmick et al., 1993). Furthermore, Pratt and Cullen's (2000) meta-analysis suggest that low self-control is one of the strongest correlates of crime. These results suggest that following formal punishment, an individual's level of self-control may condition the effect of official labeling on future criminal behavior.

Finally, it should be emphasized that Braithwaite's *reintegrative shaming* theory, which overlaps in many ways with labeling theory, has significantly influenced current thinking on the legal response to juvenile crime (Hay, 2001; Losoncz and Tyson, 2007). In fact, Braithwaite's (1989) concept of *reintegrative shaming* extends labeling theory by proposing that the shame that follows formal intervention has a harmful, stigmatizing effect. However, *reintegrative shaming* maximizes efforts to successfully reintegrate the offender back into the community of law-abiding citizens.

Reintegrative shaming is done through forgiveness ceremonies, which serve to decertify the offender as a *deviant*. Additionally, it serves to reinforce membership within the conventional, law-abiding community and strengthen bonds of respect between the offender and those imposing the shame. Braithwaite (1989) created the theoretical concept of *reintegrative shaming* in order to answer the following question: when is a criminal label likely to have the effect of producing a criminal self-concept and increase the likelihood of involvement in future criminal behavior, and conversely, when will it prevent criminal behavior?

Reintegrative shaming leads to a lower likelihood of engaging in crime and delinquency following formal punishment because the social audience recognizes that the individual has engaged in deviant behavior, but reconciles the shamed offender within the community and their social roles. Conversely, disintegrative shaming attaches a delinquent label to an individual in which that person will have to live up to because they are not decertified as a delinquent. It creates a process of stigmatization, which acts as a force that subsequently "pushes" the labeled individual towards criminal and delinquent behavior. The repaired informal social bonds, stimulated by reintegrative shaming, may act as a form of insulation from the harmful effects of the formal labeling process. Therefore, the *lesser vulnerability* version of labeling theory is very much in line with Braithwaite's concept of reintegrative shaming. .

5.3 The Present Study

As proposed by labeling theory, an individual is likely to engage in future delinquent behavior following official intervention. However, scholars have suggested that extra-legal factors may condition the relationship under scrutiny. In other words, the effect size of formal labeling on subsequent behavior may be moderated by additional extra-legal factors and characteristics of the individual offender. Although previous studies have examined the labeling process and the moderating effects of structural demographic variables (Ageton and Elliott, 1974; Chiricos, Barrick, Bales and Bontrager, 2007; Harris, 1976; Ray and Downs, 1986; Sampson and Laub, 1997), prior research is lacking in regards to social process variables that may moderate this relationship. People seem to intuitively believe that some individuals are better “protected” from the social stigma of official interaction with the criminal justice system or formal labeling. Thus, these individuals are in a better position to recover from the experience of the labeling process, and in turn less vulnerable to the harmful effects of labeling. However, the bulk of prior research has failed to ascertain specific variables that condition the labeling process and in what direction they do so. Drawing from the prior theory and research described above, this chapter examines a number of variables that may condition the effect of official intervention on subsequent self-reported delinquency. These extra-legal factors include level of family conflict, risk-seeking behavior, a weak commitment to school, and a negative perception of the police, as well as structural demographic factors including age, sex, race and socioeconomic status. In other words, this analysis will assess which extra-legal factors amplify or diminish the harmful effects of official punishment on future delinquent behavior.

5.3.1 Data

Data from the Children at Risk (CAR) study (Harrell, Cavanagh, and Sridharan, 2000) was employed in the current study to assess the possibility of a moderating relationship between formal labeling and subsequent behavior. This issue is examined with data that come primarily from waves 2 and 3 of the CAR data. Specifically, the analysis considers the relationship between wave two labeling and wave three self-reported delinquency, with data for the moderating variables drawn from wave two. Thus, the analysis considers whether the moderating

factors that were experienced during the same period in which the labeling was experienced do in fact condition the effects of those labels on later offending.

5.3.2 Formal Labeling Measure

The independent variable, formal labeling, is measured in an identical manner to the independent variable in the previous chapter. Formal labeling or arrest is measured as a dichotomous self-reported item, which asked the subjects whether they had been arrested during the prior year (or since the last interview). Responses were re-coded as “1” if the individual had been arrested and a “0” if they have not been arrested.

5.3.3. Subsequent Delinquency Measure

The dependent variable, subsequent engagement in crime and delinquency, was measured with a scale that incorporates items pertaining to twelve various acts of criminal and delinquent behavior. Identical to the dependent variable employed in the previous chapter, Chapter 4, the measure for *subsequent delinquency* produced a twelve-item scale with a strong Cronbach’s alpha of .85.

5.3.4 Moderating Variables

Weak commitment to school was measured with seven dichotomized items in which respondents were asked to indicate whether or not they agree or disagree with the following statements; “homework is a waste of time,” “try hard in school,” “working hard in school is worthwhile,” “like school generally,” “try to please teacher,” “grades are important,” and “usually finish homework.” One item (homework is a waste of time) was re-coded in order for greater values to indicate a weaker commitment to school. Therefore, high scorers on this scale had a weak commitment to school because they responded that they “disagree” to statements regarding “trying hard in school” and “grades are important.” To prevent more frequent items from dominating the scale, each variable was first converted into a z-score and then averaged to create a standardized index. This produced a seven-item scale with a moderate Cronbach’s alpha of .66.

Family conflict was measured with a seven item scale that ask the respondent how often a variety of physical and verbal altercations take place in their household. The adolescent

indicated how often the following took place in his or her family household: “cursing, yelling, threatening, or screaming fights”; “hitting arguments”; “curse, yells, threatens, screams at me”; “I curse, yell, threaten, scream at them”; “I get hit or slapped”; “I hit or slap them”; and “I get thrown out of house for a while.” Each item was re-coded so that high values indicate a greater level of family conflict within that particular household. Therefore, the response set ranges from 1 through 4 with 1 indicating “never” and a 4 indicating “usually.” The seven items were then converted into a standardized z-score and then averaged to produce a standardized index with a strong Cronbach’s alpha of .76.

Risk Seeking behavior, a component of low self-control (Gottfredson and Hirschi, 1990), was measured with a standardized index that incorporates items pertaining to two different questions. These items asked the respondent to indicate whether they agree or disagree with the following statements: “I get a kick out of doing things a little dangerous” and “I test myself by doing something a little risky.” To prevent more frequent items from dominating the scale, both items were first converted into a z-score and then averaged to create a standardized index. This produced a two-item scale with a strong Cronbach’s alpha of .75.

The final social process moderating variable, *negative perception of police* was measured with a scale that incorporates items pertaining to six different questions. Items were re-coded so that high scorers on this scale indicate a more negative perception of police. Thus, a respondent who negatively perceives the police is one who agreed with the statements “police don’t treat kids fairly” and “police don’t treat minority people fairly” and disagreed with the statements that “police are good at preventing crime,” “police catch people who commit crime,” “police help victims of crime,” and “police are polite to neighbors.” Each item was then averaged to create a standardized index that is used to measure an individual’s negative perception of police. This measure produced a six-item scale with a strong Cronbach’s alpha of .65.

The analysis also includes four structural demographic variables: *sex*, *race*, *SES*, and *age*. In addition to assessing if these variables have a moderating effect on the relationship under scrutiny, they have also been included as control variables. This was done to protect against the possibility that the independent and dependent variables are correlated with one another only because they both are outcomes of the same background or demographic characteristics of the respondents, such as their age, race, or sex. *Sex* is coded 0 for male and 1 for female. *Race* has been recoded as “Hispanic”, “black” and “Whites, Asian, unknown”. Thus, the variable “black”

was coded 0 for Hispanic and white/other and 1 for black, while “white/other” has been coded 0 for Hispanic and black and 1 for whites, Asians, and unknown. Additionally, *age* was coded continuously in years. As can be seen in Table 1, the mean age of respondents was 12.35 years old and 50% of the sample are male. Additionally, it is important to note that the sample is comprised of 58% African American and 34% Hispanic.

Finally, *socioeconomic status* (SES) was measured with four items in the caregiver questionnaire. These questions asked the caregiver to respond if they “graduated from high school”, “are currently employed”, “currently receive food stamps”, and “currently receive AFDC”. The items that asked if the caregiver is “currently receiving food stamps” and “currently receiving AFDC” have been re-coded so high scorers on this scale indicate a higher socioeconomic status. Again, to prevent more frequent items from dominating the scale, each variable was first converted into a z-score and then averaged to create a standardized index. This produced a six-item scale with a moderate Cronbach’s alpha of .68.

5.3.5 Control Variables

Data from the Children-at-Risk study (Harrell, Cavanagh, and Shridharan, 1999) include information from individuals who were originally placed in a treatment group, a control group, and a quasi-control group. To account for the possibility that the treatment group experienced different effects than individuals in the control and quasi groups, a group variable was generated to control for those placed in the treatment group, versus those placed in the control and quasi-experimental group. Similar to the previous chapter, child’s *wave 1 level of deviance* is included to address concerns that any relationships are the result of pre-existing differences in deviance. Also similar to the dependent variable in the previous chapter, *subsequent deviance* was created by aggregating responses to a variety of items regarding a variety of delinquent and criminal behaviors. This produced a thirteen-item scale of prior deviance with a strong Cronbach’s alpha of .79. It is important to note that increasing levels of prior deviance indicate that the adolescent has engaged in prior deviance more frequently.

5.4 Results

5.4.1 The Effects of Official Intervention on Crime

The analysis began by first examining the bivariate correlations for all variables included in the analysis. Results are displayed in Table 5.2 and indicate the relationships among official intervention and subsequent involvement in delinquency, and the other hypothesized moderating variables. Table 5.2 reveals a significant link between wave 3 delinquency, the dependent variable under scrutiny, and wave 2 arrest ($r=.26$). In fact, all of the variables included in the model, except for treatment, are significantly correlated in the expected direction with the dependent variable, subsequent delinquency. The central concern of this study is whether the association between arrest and subsequent criminal behavior is moderated by personal and social characteristics. Table 5.3 presents the results for six ordinary least squares (OLS) regression models that assess this prediction. Model 1 assesses the baseline effects of arrest when including controls for age, sex, race, SES, differences in group placement, and wave 1 delinquency. Results reveal that arrest has a statistically significant effect ($b = .28$ $p < .01$) on subsequent delinquency, net of the control variables. Because this study controls for levels of prior delinquency and includes a sample of both labeled and non-labeled individuals, these results provide relatively strong evidence on the link between receiving an official label and involvement in later delinquency.

Model 2 of Table 5.3 adds the personal and social moderating factors. The findings are in line with the labeling hypothesis, which asserts that formal labeling increases the likelihood of subsequent criminal behavior. It is also important to note that the significant coefficients for the four social process variables range from .04 (risk-seeking behavior) to .13 (negative perception of the police). These significant coefficients reveal that each of the four social process variables significantly and independently affect the likelihood of engaging in subsequent delinquency in the expected direction.

5.4.2 Social Process and Behavioral Variables as Moderators

Attention then turned to whether the effect of arrest is moderated by a variety of extra-legal factors: family conflict, risk-seeking behavior, weak school commitment and a negative perception of the police. OLS product term analysis was the best approach for examining these interactions (see Aiken and West 1991; Jaccard, Turrisi, and Wan 1990). This method uses an interaction term that is the product of the predictor (formal labeling) and the hypothesized moderating variables. Entering the product term into an equation that includes the main effects

indicates whether the effects of arrest vary across values of extra-legal social and personal behavior factors. Specifically, the product term's coefficient reveals how the predictor's effect changes in response to a one-unit change in the hypothesized moderating variable (Jaccard et al. 1990). Models 3 through 6 of Table 5.3, which each add the interactions between arrest and family conflict, arrest and commitment to school, arrest and risk seeking behavior, and arrest and negative perceptions of the police, assess the possibility of a conditional relationship between arrest and subsequent engagement in crime and delinquency. A significant coefficient for the interaction term indicates that the magnitude of the effect of arrest on subsequent delinquent behavior varies across levels of the hypothesized moderating variables. In other words, arrest and the hypothesized moderating variable 'interact' with each other to affect the likelihood of engaging in subsequent delinquency.

The results for these equations reveal a significant interaction effect between arrest and each of the four hypothesized moderating variables. Importantly, each of these coefficients is in the predicted positive direction. Thus, the effect of official labeling on subsequent involvement in crime and delinquency is significantly amplified by the presence of family conflict, risk-seeking propensity, weak commitment to school, and negative perception of police.

The findings for family conflict, which are shown in Model 3, provide a good illustration of this pattern. When family conflict is at its mean, arrest will increase the likelihood of engaging in subsequent delinquency by .19 units (as indicated by the main effect of arrest). However, given the significant coefficient of .19 for the interaction term, this effect doubles to .38 when family conflict is one standard deviation above the mean. Post arrest, there is a greater likelihood of engaging in delinquency for individuals whose families are marked by significant conflict. A similar but less pronounced pattern was observed when risk seeking was considered as the moderator. This equation is shown in Model 4. The main effect of arrest was .21 when risk-seeking behavior was at its mean. As risk-seeking behavior increased to one standard deviation above its mean, this effect elevated to .26 (a 24 percent increase in the effect of risk seeking behavior). Therefore, high risk seeking behavior amplifies the effects of arrest on subsequent delinquency.

The results presented in Model 5 of Table 5.3 indicate that weak school commitment also moderates the relationship between formal labeling and future behavior. When weak school commitment is one standard deviation above its mean, the effect of arrest on subsequent

delinquency is increased by 110 percent to a statistically significant coefficient of .40. Conversely, when weak school commitment is one standard deviation below the mean, the effect of arrest is essentially zero (-.02). Last, Model 6 of Table 3 indicates a strong, significant interaction between arrest and the individual's negative perception of police. Given a significant coefficient of .26 for the interaction term, the effect of arrest on wave 3 delinquency increases to .41 (a change of roughly 150 percent) when negative perceptions of the police are one standard deviation above its mean. Conversely, there is a -.09 unit change in wave 3 delinquency when negative perception of the police is one standard deviation below the mean. In other words, when an offender views the police in a more positive manner, arrest has the capacity to decrease the likelihood of engaging in subsequent delinquent behavior.

A final step to the analysis was to estimate an equation that includes interaction terms for all of the interactions in question. This allows for an assessment of each interaction while controlling for the other interactions under scrutiny. Given the correlations that exist between the different moderating variables and the multiplicative interaction terms, as well as the overall difficulty in detecting significant interactions with non-experimental data (McClelland and Judd, 1993), such a model may be a fairly conservative test for each interaction in question. However, it is justified in seeking to identify the independent effects of the interactions in question. It is also important to note that when more than two independent variables are jointly collinear, the regression coefficients become unstable and standard errors become very inflated. In order to determine if any variables are jointly collinear in the model, correlation coefficients between the independent variables, VIF and the condition number¹ were all assessed and suggested non-problematic multicollinearity.

Results are presented in Model 7 of Table 5.3 and indicate that two of the four equations yielded a significant interaction term when controlling for other interaction effects. The two remaining interaction coefficients were positive, but not significant. The interaction term for arrest and family conflict has a statistically significant coefficient of .14. This indicates that net of the control variables and the other interactions being considered, family conflict continues to interact with arrest to affect future behavior. With a direct effect of .15, the magnitude of the

¹ The obtained mean VIF of 1.14, less than the critical value of 4 suggests that there is not overall multi-collinearity. The obtained condition number of 3.2596 is also far below the critical value of 30, thus too suggesting non-problematic.

effect of arrest on subsequent delinquent behavior increases by 93% when levels of family conflict are one standard deviation above the mean. The most pronounced interaction, however, is for negative police perceptions of police. With a main effect of .15 and an interaction coefficient of .27, the magnitude of the effect of arrest on subsequent behavior increases from .15 to .42 (or an increase of 180%) when negative perceptions of police increases to one standard deviation above its mean. However, when negative perception of the police is one standard deviation below the mean, the effect of arrest not only decreases in magnitude but also switches direction..

5.4.3 Structural Demographic Variables as Moderators

Attention then turned to whether the effect of arrest on subsequent delinquency is conditioned by a variety of structural demographic factors. To test for interaction effects, product terms were created for interactions between arrest and the five variables used to measure SES, race, sex and age.

Separate models were estimated for each of these interactions, and these models revealed significant interactions between arrest and SES, as well as arrest and two of the race variables. The models for these significant interactions are shown in Table 5.4. Model 1 of Table 5.4 reveals the significant interaction effect between arrest and SES, with the positive interaction coefficient indicating that the effect of arrest on subsequent delinquency becomes greater when SES is at higher levels. When socioeconomic status of the adolescent is at its mean, arrest will increase subsequent delinquency by .25 units. However, the effect of arrest roughly doubles to .51 when SES is increased to one standard deviation above the mean.

Model 2 of Table 5.4 reveals the significant arrest X black interaction. The significant interaction term of -0.25 indicates that the effect of arrest on delinquency decreases in magnitude, adjusting the regression coefficient from .22 to -.03, when the race of the respondent is black. Thus, there is a -.25 unit change in wave 3 delinquency that comes from a one-unit change in labeling (zero to one), when there is a one-unit change in the variable (Whites/others and Hispanics to black). Therefore, race moderates the statistically significant relationship between arrest and subsequent involvement in crime and delinquency.

These results are consistent with the idea that in these data, the effects of labels are greater for those from more advantaged groups—non-minority and those of higher SES. It is

important to emphasize, however, that the entire CAR sample is relatively disadvantaged. Each respondent in the sample comes from a high-crime and economically depressed neighborhood. Additionally, the sample is more than 90 percent black or Hispanic. In the case of SES, for example, the high SES group (+1 standard deviation.) likely is on the low end of the overall SES continuum in the United States. Thus, although the results present interesting results in regards to the moderating effects of race and socio-economic status, it is important to consider this shortcoming when interpreting the results. In short, the standard comparison often used in such an analysis—the effects of labels for middle-class whites vs. the effects of labels for disadvantaged minorities—is sacrificed when using data from the Children at Risk study (Harrell, Cavanagh, and Sridharan, 1999).

5.5 Conclusion

In assessing the consequences of official intervention on subsequent behavior, this study examines if the effects of formal labeling are conditional upon personal characteristics. This chapter examines a variety of hypothesized moderating variables and the role they each play on the relationship between interaction with the criminal justice system and future delinquent behavior. The results from this study suggest that the effect of arrest on recidivism differs significantly between different types of individuals.

5.5.1 Results

The “lesser vulnerability” version (Sherman et al., 1992) of labeling theory suggests that formal labeling is associated with an increased likelihood of subsequent criminal involvement among those with a weaker stakes in society. The results presented in the current study suggest that this is true. In other words, an individual with more stakes in conventional society is less vulnerable to the harmful labeling effects, most notably subsequent crime and delinquency. If an individual exhibits a weak commitment to school or high levels of family conflict in the household, it is suggestive that this individual has a low stake in this particular realm of society. Furthermore, the results indicate that weaker levels of commitment to school and higher levels of family conflict lead to an increased likelihood that the individual will engage in subsequent crime and delinquency. An individual with lower stakes in conformity may feel as though he has

less to lose because of formal punishment. In turn, he is more likely to engage in delinquent behavior following arrest than an individual with more or stronger stakes in society.

The results suggest that the direction and magnitude of the effect of legal sanctions on future behavior also vary according to the individual's perception of the police. In other words, if a labeled individual views the police in a positive manner, arrest has the capacity to decrease the likelihood of engaging in subsequent delinquency rather than increasing the likelihood. The nature of the variable indicates that individuals with a more positive perception of the police grant more legitimacy to the police. In turn, this creates a stake in conventional society. Those who perceive the police in a negative light are more likely to engage in delinquency, perhaps because they have fewer stakes invested to lose because of engaging in delinquent behavior. Therefore, the results attained for this particular moderating variable support the "lesser vulnerability" hypothesis of labeling theory as well. Additionally, these results support the arguments of Sherman's (1993) defiance theory, which suggest that the perception of unfair and stigmatizing sanctions affect the likelihood of engaging in future criminal behavior.

Results also infer that the effects of formal labeling are amplified when individuals exhibit high risk seeking behaviors. It is important to note that risk-seeking behavior is an important component often used to measure an individual's level of self-control (Gottfredson and Hirschi, 1990). Thus, an individual with high levels of risk seeking behavior is more likely to act in an impulsive manner and is less likely to think of long-term consequences. Therefore, it is not surprising that the effect of arrest increases nearly 25% in magnitude when an individual's risk seeking behavior is one standard deviation above the mean.

Overall, the results from the current study support the hypothesis that the offender's race and SES condition the effect of arrest on subsequent delinquency. As noted earlier, there are conflicting hypotheses regarding the conditional effects of disadvantage. Some scholars (see Ageton and Elliott, 1974; Harris, 1976; Klein, 1986) have suggested that a low socioeconomic status may weaken the impact of labeling on subsequent crime because such individuals have a preconceived, negative stigma attached to their classification status. These scholars would argue that the formal labeling process will have a less detrimental effect on their self-identity and in turn, it will have a weaker effect on future delinquent behavior among those in a lower socioeconomic status.

Conversely, other theorists (Bernburg and Krohn, 2003; Sampson and Laub, 1997) argue that formal labeling will have a stronger criminogenic effect among the disadvantaged because they cannot afford to have their social bonds or life opportunities jeopardized. However, results from the current analysis suggest greater empirical support for the former view. When socioeconomic status is low, the magnitude of the harmful effect of arrest on subsequent delinquency is slightly reduced as compared to those in the higher SES. Therefore, as the SES of the adolescent's family increases, that individual is more likely to engage in subsequent crime and delinquency following arrest.

The moderating effect of race also paints an interesting picture for the audience. Similar to SES, there are conflicting views as to how race affects the relationship between arrest and subsequent delinquency. On one side of the spectrum, scholars have suggested that blacks are more likely to be negatively affected by interaction with the criminal justice system (Adams, Johnson and Evans, 1998). Conversely, other scholars argue that the effect of formal labeling on future deviance is greater for whites than blacks (Chiricos et al., 2007; Klein, 1986). The results found in the current study are more supportive of the latter hypothesis as the significant, positive effect of arrest on future criminal behavior was strongest for white individuals.

The results suggest that the effect of arrest on subsequent crime and delinquency increases in magnitude when SES is higher and the respondent is white. Earlier theorists (see Harris, 1976; Jensen, 1972) would speculate that this is because labels have a more harmful effect on the self-identity of individuals in a higher social standing. In turn, labeling may have a weaker, less-harmful effect on the self-concept of members of minority groups, implying a weaker effect on subsequent deviance. However, it is important to keep in mind that each respondent in the sample comes from a high-crime and economically-depressed neighborhood. Furthermore, the sample is more than 90 percent black or Hispanic and those in the high SES group are likely on the low end of the overall SES continuum in the United States. Therefore, although the study presents interesting results in regards to the moderating effects of race and socio-economic status, one must consider this shortcoming (homogeneity of sample) when interpreting the results.

5.5.2 Implications

According to Braithwaite's (1989) notion of *reintegrative shaming*, the effect of formal labeling on the likelihood of engaging in future criminal and delinquent behavior is conditional on the level of reintegration of which the offender experiences. The mending of inter-dependency bonds (including family dynamics, commitment to conventional goals, and perception of the police) could play a vital role in diminishing the likelihood that formal labeling will lead to subsequent crime and delinquency. As seen in the current study, the effect of arrest on subsequent delinquency experienced a 100 percent increase and 110 percent decrease in magnitude when family conflict and school commitment, respectively, increased one unit from the mean. Additionally, the magnitude of the effect of arrest, or formal labeling on future delinquent behavior increases by 154 percent when negative perception of the police is one unit above its mean.

The patterns found in the current study have implications for policy, particularly regarding a key issue that often surfaces when discussing responses to juvenile crime and future behavior. What can society do to decrease the likelihood that an adolescent will engage in delinquent behavior following interaction with the criminal justice system? If arrest is associated with increases, rather than decreases in later crime (Bernburg and Krohn, 2003), it is necessary to assess the social and behavioral factors that moderate this relationship. In other words, if increases in crime occur because of arrest, it is necessary to provide case-management programs that target the processes that may be amplifying or diminishing this relationship. A possible method to reduce harmful labeling effects is a diversion program, which would act as an informal, alternative for the more typical methods of formal punishment. The informal process will help to avoid negative labels and stigmatization that follow incapacitation. As suggested by Braithwaite (1989), a successful program would aim to decriminalize and reintegrate adolescent offenders back into conventional society and social roles. In turn, this type of diversion program would provide an adolescent offender with the skills necessary to build stronger stakes in conventional society following an arrest or formal labeling.

Moreover, results from the current study reveal that a negative perception of the police has the strongest moderating effect on the labeling process. In order to enhance an adolescent offender's perception of the police, as well as the manner in which the police treat adolescents, mandatory mentoring programs for all at-risk youth and arresting officers should be employed within the school and court systems. One possibility could be a youth mentor, case-management

program whereby at-risk adolescents and volunteer police officers from the community engage in a community night each week. These community-mentor nights could include a variety of activities including sporting events (basketball, soccer, etc), video-game competitions, and even tutoring programs. Both offenders and officers would participate in the activities. This would allow the adolescent to see a real person behind the negative connotations often attached to the façade of being a “police officer”. In order to avoid severed bonds of respect and rejection from conventional others, a labeled adolescent with greater stakes in society will be more likely to avoid future criminal behavior. Therefore, these stakes may provide insulation or protection from the harmful effects of the labeling process, which often lead to secondary deviance. In turn, stakes in society help to explain the differential effects of formal labeling on subsequent criminal behavior.

Table 5.1 Descriptive Statistics

	Mean	SD	Min	Max
Self-Reported Deviance* n=596	.00	.61	-.37	3.91
Arrest n=662	.23	.42	0	1
Family Conflict* n=670	.00	.64	-.62	3.48
Weak Commitment to School* n=648	.00	.58	-.45	2.95
Risk Seeking* n=668	2.77	2.08	0	6
Negative Perception of Police* n=669	.00	.60	-.75	1.35
SES* n=677	.02	.73	-.98	1.09
Age n=670	12.35	.70	10	14
Male n=670	.50	.50	0	1
African-American n=666	.58	.49	0	1
Hispanic n=666	.34	.48	0	1
Treatment n=677	.40	.49	0	1
Wave 1 Deviance** n=661	.01	.55	-.32	3.98

Note: * indicates a standardized index

Table 5.2. Bivariate Correlations

	1	2	3	4	5	6	7	8	9	10	11	12	13
1. Deviance	-	.26*	.08	.18*	-.16*	.08*	.10*	.20*	.33*	.30*	.26*	-.01	.40*
2. Arrest		-	.17*	.16*	.04	-.05	.08	.12*	.18*	.11*	.16*	.05	.21*
3. Age			-	.06	-.16*	.12*	.02	.05	.08*	.10*	.09*	-.02	.10*
4. Male				-	-.03	.06	.05	-.13*	.07	.13*	-.02	.01	.12*
5. Afric Amer					-	-.85*	-.10*	-.06	-.18*	-.19*	-.04	-.06	-.04
6. Hispanic						-	.01	-.06	.19*	.09*	.04	.04	.03
7. SES							-	.01	.10*	.09*	.03	-.02	.03
8. Family Conflict								-	.23*	.19*	.17*	-.04	.19*
9. Weak School Commit									-	.32*	.29*	-.04	.23*
10. Risk Seeking										-	.12*	.05	.15*
11. Neg Police Perc											-	.00	.18*
12. Treatment												-	-.02
13. W1 Deviance													-

Note: * indicates $p < .05$

Table 5.3: Results For OLS Regression, Social and Behavioral Factors as Moderators

	Model 1 n=578	Model 2 n=558	Model 3 n=558	Model 4 n=558	Model 5 n=558	Model 6 n=558	Model 7 n=558
Arrest	.19** .28 (.06)	.15** .21 (.06)	.13** .19 (.06)	.14** .21 (.06)	.13** .19 (.06)	.12** .17 (.06)	.10** .15 (.06)
Family Conflict	--	.07* .07 (.04)	.04 .03 (.04)	.08* .07 (.04)	.08* .07 (.04)	.08* .08 (.04)	.06 .05 (.04)
Risk Seeking	--	.16** .04 (.01)	.16** .05 (.01)	.12** .03 (.01)	.16** .04 (.01)	.15** .04 (.01)	.13** .04 (.01)
Weak School Commit	--	.11** .12 (.04)	.11 ** .11 (.04)	.11** .11 (.04)	.04 .05 (.05)	.11 ** .12 (.04)	.07 .08 (.05)
Neg. Perception of Police	--	.14** .13 (.04)	.14** .14 (.04)	.13** .13 (.04)	.14** .14 (.04)	.07 .06 (.04)	.08* .08 (.04)
SES	.07* .06 (.03)	.04 .03 (.03)	.04 .03 (.03)	.04 .03 (.03)	.04 .03 (.03)	.04 .03 (.03)	.04 .03 (.03)
African American	-.21 ** -.26 (.09)	-.12 -.15 (.09)	-.12 -.14 (.09)	-.12 -.14 (.09)	-.13* -.15 (.09)	-.11 -.13 (.09)	-.10 -.12 (.09)
Hispanic	-.10 -.13 (.09)	-.05 -.07 (.09)	-.05 -.06 (.09)	-.05 -.06 (.09)	-.06 -.07 (.09)	-.04 -.05 (.09)	-.04 -.04 (.09)
Age	-.02 -.01 (.03)	-.03 -.02 (.03)	-.03 -.02 (.03)	-.03 -.02 (.03)	-.03 -.02 (.03)	-.03 -.02 (.03)	-.02 -.02 (.03)
Male	.10** .12(.04)	.11** .13 (.04)	.11** .13 (.04)	.11** .12 (.04)	.11** .12 (.04)	.11** .13 (.04)	.11** .13 (.04)
Prior Deviance	.34** .37 (.04)	.23** .25 (.04)	.24** .26 (.04)	.23** .26 (.04)	.23** .25 (.04)	.24** .26 (.04)	.24** .26 (.04)
Family Conflict_Arrest	---	---	.09* .19 (.08)	---	---	---	.07* .14 (.09)
Risk Seeking_Arrest	---	---	---	.09* .05 (.03)	---	---	.04 .03 (.03)
Weak School Commitment_Arrest	---	---	---	---	.12** .21 (.08)	---	.05 .09 (.09)
Negative Perception of Police_Arrest	---	---	---	---	---	.24** .26 (.04)	.13** .27 (.09)
Treatment	-.03 -.04 (.04)	-.03 -.03 (.04)	-.02 -.03 (.04)	-.03 -.03 (.04)	-.03 -.03 (.04)	-.03 -.03 (.04)	-.01 -.02 (.04)
Constant	.25 (.41)	.18 (.39)	.14 (.39)	.17 (.39)	.15 (.39)	.15 (.39)	.11 (.39)
R ²	.229	.283	.289	.289	.291	.299	.309
F-statistic	21.14**	17.89**	16.99**	16.95**	17.20**	17.88**	15.09**

Note: For each variable, the standardized coefficient is presented in the top row and the unstandardized coefficient and standard error (in parentheses) are presented in the bottom row. *P≤.05, two tailed test **P≤.01, two tailed test

Table 5.4: Results For OLS Regression, Structural Demographic Factors as Moderators

	Model 1 n=578	Model 2 n=558
Arrest	.17** .25 (.06)	.15** .22 (.06)
Family Conflict	.07* .06 (.04)	.07* .07 (.04)
Risk Seeking	.16** .04 (.01)	.16** .04 (.01)
Weak School Commit	.11** .11 (.04)	.11 ** .11 (.04)
Neg. Perception of Police	.14** .13 (.04)	.13** .13 (.04)
SES	-.02 -.01 (.03)	.04 .03 (.03)
African American	-.10 -.12 (.09)	-.08 -.09 (.10)
Hispanic	-.03 -.04 (.09)	-.04 -.05 (.09)
Age	-.02 -.02 (.03)	-.03 -.02 (.03)
Male	.11** .13 (.04)	.11* .13 (.04)
Prior Deviance	.22** .24 (.04)	.23** .25 (.04)
SES_Arrest	.14** .26 (.08)	---
Black_Arrest	---	-.09* -.25 (.11)
Treatment	-.03 -.04 (.04)	-.03 -.03 (.04)
Constant	.06 (.39)	.14 (.39)
R ²	.298	.289
F-statistic	17.79**	17.02**

Note: For each variable, the standardized coefficient is presented in the top row and the unstandardized coefficient and standard error (in parentheses) are presented in the bottom row. *P≤.05, two-tailed test **P≤.01, two-tailed test

CHAPTER 6

DISCUSSION AND CONCLUSION

6.1 Introduction

Labeling theorists propose that although primary deviance stems from a variety of causes, labeling an individual as “deviant” or “criminal” has the ironic consequence of leading to a new set of problems (Becker, 1963; Lemert, 1967). When an individual is arrested, or experiences other forms of formal punishment, society naturally views that individual as “deviant” or “criminal”. Therefore, it is not surprising that societal reaction will often lead to various life problems and the stabilization of delinquent behavior. In turn, the purpose of this dissertation was to examine the complicated labeling process, while attempting to overcome some of the shortcomings found in prior labeling research.

In addition to assessing the direct effect of formal labeling on subsequent criminal behavior, the current research study sought to determine if there are additional processes that significantly mediate the relationship under scrutiny. These mediating variables include a negative self-concept, a blocked opportunity structure and a delinquent subculture. The study then moved on to examine various personal characteristics that may amplify or diminish the impact of formal labeling on subsequent behavior, namely a weak school commitment, a negative perception of the police, levels of family conflict and a high risk-seeking behavior. As seen in the two previous empirical chapters, a few notable findings have emerged from the current research study. Thus, the purpose of this final chapter is two-fold. First, I will summarize and review the findings and conclusions that emerged from each of the previous empirical chapters. Following this, I will discuss the limitations of the current study and suggest implications.

6.2 Summary and Findings

Overall, the results from this dissertation suggest that it is critical to elaborate on the processes by which formal labeling affects future behavior and identify for whom these effects are the strongest when assessing the labeling process. The first key finding to emerge is that

formal labeling is significantly related to future involvement in criminal and delinquent behavior (Chapter 4). More specifically, the results indicate that formal labeling, in the form of arrest, leads to an increased likelihood of engaging in subsequent delinquent behavior. However, the second key finding to emerge in this chapter indicates that the relationship between arrest and subsequent delinquency is mediated by a negative self-concept, a blocked opportunity structure, and a delinquent subculture (Chapter 4). In particular, when measures for the hypothesized mediating variables were considered, they accounted for more than half of the effect of arrest on the wave three measure of self-reported delinquency. Therefore, results from Chapter 4 suggest it is critical to include mediating factors when predicting the likelihood of subsequent delinquent behavior following formal labeling. In fact, these results suggest the direct effect of formal labeling on subsequent delinquency may not be as strong as suggested in prior labeling literature and research.

Formal labeling affects future delinquent behavior by virtue of its effect on one's self concept, opportunity structure, and most notably, delinquent peer associations. Individuals who are labeled as "delinquent" are viewed and treated fundamentally different from conventional others in society. In turn, the labeled individual will begin to view himself as a "deviant" and will organize his actions around this new identity. From this perspective, the criminal justice system acts as an instrument in the identity change from non-delinquent to delinquent for the labeled individual. In addition to a delinquent self-identity, formal labeling also creates a blocked opportunity structure. Upon release, an ex-convict is likely to be denied legitimate opportunities, including education and employment. Therefore, he is likely to resort to illegitimate means to make a living, as is often seen with ex-convicts. Finally, a labeled individual is often excluded from situations involving conventional others, leading to an increased association with a delinquent subculture or delinquent peers. In fact, as seen in the previous chapter, delinquent peers exhibits the strongest mediating effect on the relationship between formal labeling and subsequent behavior. Thus, in stark contrast to specific deterrence theory, the findings suggest that legal sanctions will not suppress crime by making punished persons more sensitive to the threat of punishment in the future (Zimring and Hawkins, 1973), but will amplify future deviant behavior.

The third key finding to emerge from the current study is that the relationship between arrest and subsequent crime and delinquency is moderated by extra legal factors. These factors

include socioeconomic status, race, family conflict, weak school commitment, high risk-seeking behaviors, and a negative perception of the police (Chapter 5). For example, the analysis found that whites and individuals in a higher socioeconomic status are more likely to engage in criminal behavior following arrest than minorities and individuals in a lower socioeconomic status. Although structural demographic factors have been assessed as moderating variables many times in the past, social and behavioral variables have not. However, this dissertation found the effect of formal labeling to be more harmful for individuals who have certain social and behavioral characteristics than other individuals who lack such characteristics. In particular, a negative perception of the police was found to be the most consequential of the hypothesized variables; whereas, a high risk-seeking behavior, a component of low self-control, was found to be of little causal significance.

Overall, the findings indicate that individuals with weaker stakes in society are more likely to engage in criminal behavior following formal intervention with the criminal justice system than an individual who has many or stronger stakes in society. Thus, stakes in conformity may play a major role in moderating the significant relationship between formal labeling and subsequent crime and delinquency. Although prior labeling research often ignores the possibility of contingent effects of the labeling process, the current study has helped fill this void by examining the impact of arrest on future criminal behavior across a variety of individual characteristics, including both behavioral and demographic factors.

6.3 Study Limitations

Although informative findings have emerged from the current analyses, it is critical to consider them in the context of the study's limitations. The first limitation of the current study pertains to the generalizability of the findings, as less than 10% of the sample classified themselves as Caucasian. To the extent that the effect of formal labeling on future delinquency is related to factors that vary across racial groups, the findings presented here may misestimate the effect of arrest within the general population. An additional factor that may limit the generalizability of the findings from the current study is that most of the respondents and their families are classified as low socioeconomic status. As noted in Chapter 3, there were a number of family, personal, and neighborhood risk factors that determined if particular adolescents were eligible to participate in the CAR study. Many of these risk factors likely contributed to a more

homogenous, high-risk, low socio-economic status sample of individuals. In turn, in the case that the effect of formal labeling on subsequent criminal behavior is related to factors that vary across socioeconomic groups, the findings presented here may again misestimate the effects of arrest within the general population. Thus, future studies should aim to replicate the current study with a more heterogeneous sample of individuals.

A second limitation of the current study pertains to the research design of the employed data set. The goal of this dissertation was to evaluate the labeling process and the possibility of moderating and mediating effects. However, the researcher was only able to assess the effects of formal labeling on subsequent behavior at three points in time separated by two years and one year (wave one to wave two and wave two to wave three, respectively). Without more than three points in time, it was necessary to employ the hypothesized moderating variables from the same wave as the independent variable. Similarly, the hypothesized mediating variables come from the same wave as the dependent variable. Therefore, although the current study modeled subsequent delinquency as a function of arrest, or formal labeling, it is possible, as with all research, that reverse causation or reciprocal effects could have been ongoing during this period of time. Unfortunately, with only three waves of data, the researcher was not fully able to consider these possibilities.

A third limitation of this study is the measure employed to assess the hypothesized mediating effect of a *delinquent* self-identity. Although the results indicate that *negative* self-concept has the weakest mediating effect of the hypothesized mediating variables, it is possible the measure employed in the current study is not fully capturing the variable of interest. Specifically, delinquent self-identity was measured using information regarding a *negative* self-concept reported by the respondent. Unfortunately, a more direct measure of a delinquent self-identity transformation was not possible with the available data. In turn, a more sufficient measure of a *delinquent* self-identity may provide stronger findings than the current findings and should be employed in future empirical research examining the mediating effects of formal labeling on future behavior.

6.4 Implications

When considering the findings of the current study, there are a number of suggestions for future avenues of theory, research and policy. Although classical labeling theory argues that

there is a positive association between interaction with the criminal justice system and future behavior, the current studies emphasize that formal labeling will have effects that depend on the circumstances and manner in which the label is applied to the individual. As indicated in the previous empirical chapters, there is a possibility that the association between arrest and future criminal behavior is driven by intervening variables and is conditional in nature. In other words, various life processes *mediate* the relationship between formal labeling and future behavior. Moreover, various life circumstances will *moderate* this relationship as well.

An underlying issue found in the current study is one that points to an overall limitation of labeling theory. The theory proposes that primary deviance is not important because it is the act of labeling that leads to subsequent delinquency, not the primary act of delinquency. However, as seen throughout the current study, wave one delinquency is the strongest predictor of wave three or subsequent delinquency. Therefore, although formal labeling may lead to future criminal behavior, findings from the current study suggest that primary deviance may be more important than previously hypothesized. In other words, it is important for theorists to explain the causes of primary deviance as well. For example, what causes people to engage in primary acts of deviance?

Critics have argued that criminal behavior paves the way for the label more so than the label paves the way for subsequent behavior (Tittle, 1975). Furthermore, the current study suggests that when prior delinquency and personal and social characteristics are controlled, formal labels have little effect on the development of future delinquency (Ray and Downs, 1986: 171). Collectively, this suggests that among individuals with the same level of prior delinquency, those who have and those who have not been labeled have a similar likelihood of engaging in subsequent delinquency. Thus, similar to Davis (1972), the current studies support then notion that labeling theory is lacking because it fails to address the roots of the original act of deviance.

It is important to note that a variety of measurement issues arise when examining the formal labeling process. Although measurement issues are a common problem when examining any theory of crime, labeling theory offers no clear-cut, direct definition of what “labeling” embodies. In turn, labeling studies employ proxies of labeling in order to reflect formal labeling. For example, Palamara and colleagues (1986) used a single measure that asked “whether a youth had a juvenile-status and/adult law violation”. However, it is important to assess if interaction

with the criminal justice system provides a valid and reliable measure for labeling. In other words, does getting arrested or charged indicate that an individual has been labeled for all offenders? As with the current studies, theoretical vagueness may have led to poor measurements of key variables in prior studies of the labeling process (Gove, 1980).

The results suggest that the strongest mediating effect on the relationship between formal labeling and subsequent delinquent behavior is that of delinquent peers. However, it is possible that the mediating effect of peers is driven by changes in opportunity to associate with delinquent peers, which is triggered by official intervention. In other words, formal labeling may increase association with deviant peers by placing the individual in the company of deviant others, rather than being rejected by conventional others, as proposed by labeling theorists. Therefore, it is important for theorists and researchers to develop strategies to control for this alternative interpretation of the effects of formal intervention and labeling (Bernburg, Krohn, and Rivera, 2006). This effort should entail direct measurement of the proposed labeling processes, including perceived rejection and typecasting by peers and other members of conventional society.

When considering mediating and moderating relationships in regards to labeling theory, it is critical to keep in mind the age of the respondents employed in the current study. During such a critical period known as early adolescence (12-15 years old), it is probable that the respondents are still dependent on their parents and/or guardians. Therefore, it is likely that parents and guardians play a strong mediating role on the relationship between formal labeling and subsequent behavior for young adolescents in particular. Because the respondents are only 15 years old (during final wave), their resources and social status are often interconnected with their parents' resources and social status. Thus, it is possible that parental behavior will channel the adolescent's behavior following arrest. If the criminal justice system punishes an adolescent, but parents do not label the child as "delinquent", it is possible that formal labeling will not lead to an increased likelihood of delinquent behavior. In turn, it is important to determine whose reactions in society have an impact on an adolescent's behavior following arrest.

In line with informal labeling, it is important to mention that social reaction means something different for teenagers and adolescents than it means for adult offenders. The findings from the current study, most notably in regards to delinquent peers, fit nicely with the key concerns and contexts of adolescence. However, it is important to consider whose reactions

would matter most (who is the key social audience for adolescents) to the individual. In addition to peers, it is possible that teachers' and schools' reactions function as an important mediating factor. Whereas parents may try to protect their own children from subsequent crime and delinquency following an arrest, it is likely that they may experience a more “exclusionary” process from teachers and school. Thus, an important question for labeling theory remains. Specifically, does labeling theory ignore the effects of teachers, siblings, peers, law enforcement, neighborhoods, and one’s school environment?

Concerning future labeling research, it would be enlightening to explore the effect of formal labeling or arrest on late adolescent and early adult behavior. The current finding on youths' conventional expectations is an interesting counterpoint to studies of older offenders, which more often focus on work, civic involvement, and family formation. However, due to the nature of the sample, conventional expectations remain speculative since the adolescent remain school-age until the completion of the study. Thus, it is important to determine the theoretical mechanisms behind labeling effects that apply to early adolescents? Similarly, which mechanisms will not become relevant until these respondents are older?

Furthermore, although the current study was only able to examine this issue through the age of 15, it would be beneficial for future research to examine the sequential labeling process through the age of 25. It may be that the formal labeling process is more detrimental during late adolescence and early adulthood as labeled individuals begin to mature and enter the “real-world.” Related to this possibility, the opposite findings may emerge. For example, the harmful effects of the formal labeling process may become less consequential during early adulthood. Informal social bonds and stakes in society may grow as individuals age, creating more insulation from the harmful effects of the labeling process. Additionally, it would be ideal for future research to use a data set with more than three waves of information. This would allow the researcher to employ measures for the independent, dependent, mediating, and moderating variables from different waves of data. Thus, it would also be more conducive when examining the possibility of reverse causation and reciprocal effects.

As mentioned throughout the entity of this dissertation, it is important for policy makers to consider Braithwaite’s (1989) techniques of reintegrative shaming when considering the harmful effects of the formal labeling process. The mending of social bonds (including attachment, conventional peers and positive perceptions of the police) could play a major role in

decreasing the likelihood of delinquent behavior following arrest. Rather than focusing on the criminality of the offender, it is important to focus on reintegrating this offender back into conventional society. In contrast to criminal courts, community courts could play a large role in reducing the future criminal behavior. Community courts sentence low-level offenders to pay back the neighborhood through community service, while also offering the offender the appropriate assistance to help with problems that often underlie criminal behavior. For example, although the offender may be sentenced to complete a day of community service, they would likely be mandated to GED programs, employment training, drug rehabilitation, or mental health therapy. In turn, programs such as these help to build public confidence that the system is holding offenders accountable, while offering them the assistance they may need to avoid further criminal and delinquent behavior.

Finally, the results from the current study indicate that an individual's perception of the police has the strongest moderating effect on the relationship between formal labeling and subsequent behavior. As suggested in the previous chapter, the formal labeling-subsequent delinquency relationship is amplified by a perception that police are acting in an unfair manner or are not doing their job correctly. Therefore, it seems plausible that criminal justice officials would be well served to consider ways to legitimize their authority by enhancing perceptions of the police and criminal justice system, in the eyes of offenders. As mentioned in the previous chapter, one possibility could be a youth mentor, case-management program whereby at-risk youth and law enforcement personnel engage in a mandatory community night each week. These community-mentor nights could include a variety of activities that aim to create a more positive perception of the police. This would allow the youth to remove preconceived negative connotations often associated with police among labeled youth. This particulate stake in society may provide a strong barrier to the harmful effects of the labeling process, which often lead to secondary deviance.

6.5 Conclusion

For decades, criminologists have investigated if the role of formal labeling or official punishment plays in the etiology of delinquent behavior. Although results have affirmed this, what is of particular interest, is that formal labeling drives additional social processes which lead to the increased likelihood of delinquency following formal labeling. Furthermore, the formal

labeling process does not have the same effect on every individual. Thus, the findings of the current study, coupled with other recent work on the possibility of mediating and moderating effects, suggest that the field of criminology can no longer remain blind to the fact formal labeling increases the likelihood of future criminal behavior. However, the sooner we recognize and incorporate mediating and moderating variables into our labeling studies, the closer we can come to understanding the continuation of criminal and delinquent behavior following formal labeling or intervention with the criminal justice system.

APPENDIX A:

VARIABLES AND ITEMS

Variable/Item	Response categories	Alpha
Arrest (W2)		
How many times in the past two years have you been arrested?	never, 1-2 times, 3-4 times, 5 + times	---
Deviance (W3)		
<i>How many times in the past year have you:</i>		
run away overnight/longer	never, 1-2 times, 3-4 times, 5 + times	.85
something worth <\$50	never, 1-2 times, 3-4 times, 5 + times	
something worth >\$50	never, 1-2 times, 3-4 times, 5 + times	
joyriding	never, 1-2 times, 3-4 times, 5 + times	
tried to buy stolen things	never, 1-2 times, 3-4 times, 5 + times	
damaged something not yours	never, 1-2 times, 3-4 times, 5 + times	
arson	never, 1-2 times, 3-4 times, 5 + times	
serious school fight	never, 1-2 times, 3-4 times, 5 + times	
group fight	never, 1-2 times, 3-4 times, 5 + times	
attacked to hurt someone	never, 1-2 times, 3-4 times, 5 + times	
robbery w/ or w/o weapons	never, 1-2 times, 3-4 times, 5 + times	
forced sex	never, 1-2 times, 3-4 times, 5 + times	.68
SES (caregiver data)		
Graduated from HS*	No, Yes	
Currently employed*	No, Yes	
Currently receive food stamps	Yes, No	
Negative Self-Concept		
<i>How much do you agree or disagree with the following statements:</i>		
I take positive attitude toward self*		.78
I do not have much to be proud of	disagree, somewhat disagree, somewhat agree, agree	
I have a number of good qualities*		
I am a person of equal worth to others*	<i>greater values indicate a more negative self concept</i>	
I wish I had more self respect		
Sometimes I think I'm no good at all		
I generally feel I am a failure		
I am generally am satisfied with myself*		
I certainly feel useless at times		
I'm able to do things as well as most people*		
Pro-Social Expectations		
<i>How far in school will you go</i>		
How far in school do you want to go	<i>grade 9-11, graduate HS, post HS education</i>	.56
<i>How important are the following:</i>		
getting a good job	not important at all, not very important, somewhat important, very important	
finishing school		
Delinquent Peers		
<i>Do your friends:</i>		
sneak things w/o paying*	no, yes	.84
act loud or rowdy in public*	no, yes	
throw bottle rocks at people*	no, yes	
join in serious fights*	no, yes	
go joy riding*	no, yes	
take things w/o paying*	no, yes	
have sex*	no, yes	
belong to a gang*	no, yes	
sell hard drugs*	no, yes	
use alcohol*	no, yes	
use marijuana*	no, yes	
use hard drugs*	no, yes	

Family Conflict		.76
How often do members of your household:	Never, less 1x/week, 1x/week, several/week, nearly every day	
Cursing, yelling, threatening, screaming fights*	Never, less 1x/week, 1x/week, several/week, nearly every day	
Hitting arguments*	Never, rarely, sometimes, usually	
Curse, yells, threatens, screams at me*	Never, rarely, sometimes, usually	
I curse, yell, threaten, scream at them*	Never, rarely, sometimes, usually	
I get hit or slapped*	Never, rarely, sometimes, usually	
I hit or slap them*	Never, rarely, sometimes, usually	
I get thrown out of house for a while*		

Risk Seeking	agree, somewhat agree, somewhat disagree, disagree	.75
I get a kick out of doing things a little dangerous	agree, somewhat agree, somewhat disagree, disagree	
I test myself by doing something a little risky		

School Commitment		.66
Do you agree or disagree with the following statements:		
working hard in school is worthwhile	disagree, agree	
I like school generally	disagree, agree	
homework is a waste of time*	disagree, agree	
grades are important	disagree, agree	
I try to please the teacher	disagree, agree	
I usually finish my homework	disagree, agree	
I try hard in school	disagree, agree	

Negative Perception of Police		.65
The police:		
are good at preventing crime*	agree, disagree	
catch people who commit crime*	agree, disagree	
help victims of crime*	agree, disagree	
are polite to neighbors*	agree, disagree	
don't treat kids fairly	disagree, agree	
don't treat minorities fairly	disagree, agree	

Prior Deviance (W1)		.79
How many times have you done the following:		
run away from home overnight/longer	never, 1-2 times, 3-4 times, 5 + times	
taken something worth <\$50	never, 1-2 times, 3-4 times, 5 + times	
taken something worth >\$50	never, 1-2 times, 3-4 times, 5 + times	
taken a car	never, 1-2 times, 3-4 times, 5 + times	
set fire to somebody else's property	never, 1-2 times, 3-4 times, 5 + times	
tried to buy/sell stolen things	never, 1-2 times, 3-4 times, 5 + times	
damaged somebody else's property	never, 1-2 times, 3-4 times, 5 + times	
had a serious fight in school	never, 1-2 times, 3-4 times, 5 + times	
taken part in a group fight	never, 1-2 times, 3-4 times, 5 + times	
attacked someone	never, 1-2 times, 3-4 times, 5 + times	
made someone give you money/thing	never, 1-2 times, 3-4 times, 5 + times	
forced someone to do sexual acts	never, 1-2 times, 3-4 times, 5 + times	
carried a weapon	never, 1-2 times, 3-4 times, 5 + times	

Note: * indicates response categories have been reversed so all items are in the same direction. Additionally, greater values are descriptive of the variables name, so greater values of delinquent peers indicates more delinquent peers.

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