

# **“WHO SIGNS THE COMPLAINT?” RELATIONAL DISTANCE AND THE JUVENILE JUSTICE PROCESS**

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This paper investigates the role of “relational distance” between complainant and offender as a determinant of legal sanctions in juvenile status offender cases. After reviewing evidence suggesting that greater relational distance is associated with harsher sanctioning, I develop the case for an alternative “relational resource” hypothesis, which emphasizes that conflicts among proximate parties entail an intrinsic loss of resources for the accused. This hypothesis is supported by status offense data from four decision points in the juvenile justice system which show, with some variation across decision points, that youth who are the subject of parent-initiated complaints fare consistently worse than youth accused by the police. The available evidence suggests that this is not explained by the possibility that parental accusations only occur when behavior is especially serious. Analyses of temporary detention and court disposition data reveal higher-order interactions that suggest that the impact of the complainant’s identity is partially contingent on the formality of agency procedures and on the family’s circumstances.

The relationship between complainant and offender has been identified as a factor influencing the mobilization of legal sanctions at numerous points in the justice process and in different social settings (Black, 1976). For example, Hall (1952: 318) argued that the probability of prosecution is less if partners to a dispute know each other well. Reporting findings from a large national survey, Ennis showed that persons say they are less likely to call the police if the offender is known to them personally than if s/he is not known (1967: 44; see also Block, 1974). Black found a similar pattern in an observational study of police-citizen encounters (1970; see also Black, 1980: 106). Not only were disputes between strangers more likely to

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generate official complaints than those between non-strangers, but disputes between "friends, neighbors and acquaintances" were more likely to generate complaints than those between family members. A similar pattern has been reported in a number of other cultures (see, e.g., Kawashima, 1963; Gulliver, 1963; Tanner, 1966). On the basis of such evidence, a direct association between the invocation of law and relational distance has been formulated as a general proposition by Black (1970; 1971; 1976: 40-48). The question of what social and legal processes produce this pattern has received little attention, although it seems reasonable to suppose that factors such as trust, communication, homophily, the desire to maintain relations, and the availability of alternative mechanisms of conflict resolution are correlated with relational distance and account for the relationship.

This paper deals with what may be an important exception to this generalization. In comparing intrafamilial conflict with nonfamilial conflict, at least two factors suggest that legal dispositions might be more severe when family members invoke the law against each other than when unrelated individuals do so. First, when one encounters the law, close relatives—if they are present at all—are typically allies, and as such are potentially important resources as the individual confronts the legal system. This is particularly true of juvenile offenders whose parents are with them as they stand before the judge. When it is the parent who presses the complaint, the accused juvenile lacks a crucial ally. The state is interposed between child and parent and becomes a broker of family relations. Second, sanctioning outcomes in disputes between parties who are relationally close to each other may be affected by the cathetic nature of the relationship. If law is called upon when conflict reaches the point of estrangement, the intensity of the relationship may fuel the conflict. In the juvenile court, both parents and offspring may become committed to lines of action from which retreat seems humiliating, thus making compromise, reconciliation, or leniency less likely. Parents in such conflicts may not only withhold their support but also aggressively pursue sanctions against a child. Thus, having parents as adversaries entails two important kinds of potential difficulties for the juvenile confronting the legal system: (1) an absence of support and (2) the presence of prosecutorial pressure.

If these conjectures are correct, one would expect, in the case of juveniles at least and perhaps more generally, that

when the law is brought against a person by a member of the same family, the likelihood of harsh sanctions is greater than it would be had the law been mobilized by a stranger. This reasoning suggests what I call the *relational resource hypothesis*; namely, that family conflicts at a minimum cost the accused party allies who are normally important as resources and in some circumstances turn those lost allies into aggressive adversaries.

A few studies report findings that support this hypothesis. In an analysis of a subset of the same data used in his earlier paper (1970), Black (1971) reported that police were more likely to make an arrest if parties to a dispute were family members than if they were friends. In a study of juvenile justice processing, Chused (1973) found that parent-signed complaints were more likely than those signed by police or citizens to result in harsh treatment for juveniles processed in two of three New Jersey courts, and Andrews and Cohn (1977) saw a similar tendency in two New York counties. The findings of these studies can, however, only be taken as suggestive. Black's data are based on observed encounters between police and citizens that can lead to arrest, while Chused and Andrews and Cohn worked from records of the final dispositions of the juvenile courts. It is possible that sanctions are applied differently at these two points in the justice system. Also, Black does not distinguish the roles of offender and complainant within the family, whereas the other two studies focus exclusively on juveniles against whom complaints are signed. A shortcoming of all three studies is that their tabular analyses allow consideration of only one or two independent variables at a time.

This paper focuses on "relational distance" as a factor related to the legal sanctioning of status offenders in the juvenile court. Status offenses, most commonly defined as truancy, running away from home, and "incurability," are so labeled because they are crimes that turn crucially on the offender's status as a juvenile. The present investigation overcomes some of the limitations of those described above by examining processing outcomes (1) at several different decision points; (2) in several different settings; and (3) using log-linear analysis to control for spurious effects and specify more precisely the role of relational distance in processing outcomes.

A possible threat to this analysis that must be recognized at the outset is sample selection bias (Garber *et al.*, 1983). If

parents do not initiate actions against their children until the behavior has become quite serious, whereas strangers complain about less serious offenses, the relational resource hypothesis would be spuriously supported unless we have some way to assess the differential seriousness of similarly labeled offenses or the legal system is unaware of or insensitive to such differences. While the possibility that selection bias affects the results of the following analysis cannot be dismissed completely, the data set employed includes extensive supplementary information on juvenile characteristics that permits some testing of this confounding factor.

The possibility that parent-signed complaints reflect objectively more serious underlying behavior must be evaluated in light of the nature of the offending behavior and the social conditions under which status offenses occur. It is widely believed among professionals that status offenses are frequently symptomatic of parental or family problems. An important implication of this position is that the behavior that allegedly constitutes a status offense may be only a small part of the reason why the parents choose to take their children to court. Three kinds of family problems that may lead to a parent-signed complaint are identified by Mahoney (1977). First, parents may feel powerless to discipline and control teenage children. Deprived of both threat and reward, frustrated parents may come to see legal sanctions as their only remaining power to cope with relatively independent offspring. Second, some parents use the juvenile court as a "dumping ground" for children who are seen as bad influences within the family, or who are unwanted or simply an inconvenience. Efforts to dump children may reflect not just the child's characteristics but also interactional dynamics, as when an attractive daughter is seen as threatening the mother's sexual relationships (Andrews and Cohn, 1974: 1395). Third, a complaint may be a call for help by parents confronted with an immediate family crisis. Finally, one court official interviewed in connection with this study cited vengeance as a parental motivator. Thus, any assumption that parent-signed complaints are "more serious" in a legal sense must be qualified by a consideration of the role of problematic parental behavior or family patterns in producing legal complaints against young people.<sup>1</sup>

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<sup>1</sup> A family's situation may also affect the decisions of police or other agents in a position to charge status offense. If a youth's family is of high status or known stability, a charge that would otherwise be preferred may not issue (see, e.g., Cicourel, 1976).

## I. DATA

Systematic random samples of cases were obtained from the files of six county juvenile courts of an urban northeastern state and from six police juvenile bureaus located in two of the counties.<sup>2</sup> Both counties and municipalities were selected to represent variations in size and urbanization.<sup>3</sup> Samples were stratified in some agencies to maximize representativeness by sex; in the rural counties and small towns, all cases in the files were included. Data from all agencies were collected using the same procedures and the same time frame.

The samples provide information on four decision points at which sanctions can be assessed. First, a decision on whether to forward a case to court or to release the arrested juvenile to the custody of a parent or guardian must be made by the police juvenile bureau. Second, either a police or court official must decide whether or not the accused offender should be detained in custody pending the court hearing. Third, in two of the counties studied, official "intake units" systematically screen incoming cases and divert those not deemed serious enough to warrant court hearings to pre-judicial conferences—informal sessions that typically result in counseling, referral for services, or dispute settlement. However, some cases diverted by intake cannot be resolved at the pre-judicial conference and are returned to court. Fourth and finally, the courts decide whether and how severely to sanction juveniles whose cases eventuate in hearings. Since patterns of court disposition are contingent on the decisions made earlier in the juvenile justice process, it is, as has often been pointed out, important to look at decision-making at different points in the justice system (Farrell and Swigert, 1978; Cohen and Kluegel, 1978; Dannefer and Schutt, 1982). The data allow us to do this across agencies, as well as across decision points, but they do not include

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<sup>2</sup> The data are part of a larger data set that includes juvenile delinquency cases as well as status offenders at each decision point in the process. Delinquency cases were omitted because (a) almost no delinquency charges were filed by parents and (b) delinquency offenses (most of which are minor) overall are less likely to result in severe sanctions (probation or more) than are status offenses. Thus, to include delinquents would introduce a confound that would favor the "relational resource" hypothesis.

<sup>3</sup> Since the patterns reported here are consistent across all agency subsamples, the agency variable is not included in the analysis. Because the study for which the data were collected was designed to measure effects upon processing patterns attributable to a new juvenile code implemented in March 1974, the sampling frame required equal numbers of cases from 1973 and 1975. Since no meaningful variation by year was found in the patterns reported here, the year variable is also omitted from this presentation.

observations of the original situation that generated a call to the police.

Since the police complaint indicates the identity of the complainant, and the case files of all agencies contain copies of the original police complaint, it is possible to determine who has brought the complaint at each of these points in the juvenile justice process. Most status offender complaints are signed by either parents or police officers.<sup>4</sup> For the present analysis, those few complaints signed by citizens of the community—about 3 percent of the total—are combined with those signed by police. While police may sign complaints at the request or insistence of parents or other citizens of the community, parents do not sign complaints against their own children on behalf of police. Thus, the signer of the complaint does not perfectly identify the true complainant, but any errors should lead to an underestimate of the differences that may exist between cases that are brought by parents and those brought by police.

Additional controls used in this analysis include the potentially confounding variables of prior offense, family configuration, sex, and whether or not the juvenile is in school. Prior offense, school status, and family configuration have been previously shown to be associated with sanction severity (Cohen and Kluegel, 1978; Chused, 1973; Terry, 1967; Thornberry, 1973). Sex is included as a variable since several studies have indicated that female status offenders receive more severe sanctions than males (Lerman, 1970; Andrews and Cohn, 1977). Detention status is one of the best predictors of severity of court dispositions (see Cohen, 1975; Chused, 1973). Seriousness of offense is not a variable in this analysis since there is no logical or empirical basis for ordering of status offenses—principally “runaway,” “incorrigibility,” and “truancy”—in terms of seriousness. Table 1 presents distributions for all variables.

## II. ANALYSIS

Table 2 presents tabular data for each decision point. An inspection of the table shows that the zero-order association of

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<sup>4</sup> About 4% of status offense complaints are signed by representatives for welfare agencies and about 15% by school officials. Because of the problem in ordering such figures on the “relational distance” variable, and because of the special relation of these agencies to the juvenile court, such complaints are omitted from this analysis.

Table 1. Frequency Distributions of Variables Used in the Court and Detention Analysis

Police Juvenile Bureau (n = 603)		Court and Detention Analysis (n = 725) - Cont'd.	
Complainant		Prior Offenses	
Police/Other	56%	None	58%
Parent	44%	One or More	42%
Disposition		Sex	
Released	72%	Male	47%
Sent to Court	28%	Female	53%
Court Intake Unit (n = 292)		School Status	
Complainant		Enrolled in School	84%
Police/Other	46%	Not in School	16%
Parent	54%	Family Configuration	
Disposition		Two Parents at Home	59%
Released	92%	One Parent at Home	41%
Scheduled for Court Hearing	8%	Temporary Custody	
Court and Detention Analysis (n = 725)		Held in Detention	33%
Complainant		Not Held	67%
Police/Other	43%	Juvenile Court Disposition*	
Parent	57%	Release or Adjustment	51%
		Agency Referral	6%
		Probation	40%
		Placement in Treatment or Correctional Facility	3%

\*Disposition data were not available for 39 juveniles for whom custody data were available. Therefore, analyses of juvenile court disposition are based on 686 rather than 725 cases. These 39 cases do not appear to differ from the rest of the sample on outcome or background characteristics.

relational distance and severity of sanction is substantial, and that it is direct rather than inverse. In each case the closer relationship (parent complainant) produces a higher probability of a relatively serious sanction than the more distant one (police complainant).

Despite the consistent pattern of these findings, it is possible that the relationship they describe is to some degree spurious. If, for example, parent-originated cases were more likely to involve repeat offenders or children not in school than police-originated cases, results like these would be expected since these factors are known to be related to the severity of juvenile court sanctions. To test for such possible effects, as well as for interactions between such factors, log-linear analyses (Goodman, 1972a) were conducted for the detention and court data (see Cohen and Kluegel, 1978; Dannefer and Schutt, 1982). The court intake sample (N=292) does not contain sufficient cases to permit log-linear analysis. While no

Table 2. Sanction by Complainant in Police Juvenile Bureau, Custody Placement, and Court Intake

	Complainant	
	Police	Parent
Police Juvenile Bureau (% sent to court)	26% (n=335)	31% (n=268)
Court Intake Unit (% scheduled for court hearing)	4% (n=134)	12% (n=158)
Temporary Custody Placement (% held in detention for shelter custody)	25% (n=315)	44% (n=410)
Court Disposition by Complainant		
1. Release or Adjustment	61%	45%
2. Agency Referral	8%	5%
3. Probation or Placement in Treatment or Correctional Facility	31%	50%
	100% (n=297)	100% (n=389)

further analysis of police or intake data will be presented, the findings reported in Table 2 held when prior offense, family configuration, school status, and sex were controlled, in multivariate cross-tabulations.

#### *Analysis of Custody Placement*

The custody or detention analysis begins with the construction of a six-way contingency table, consisting of 64 cells, for the variables disposition (D), complainant (C), prior record (P), school status (E), family configuration (F), and sex (S). Since only the effects on (D), disposition, are of interest, all the models include the constant term (CPEFS), which controls for associations and interactions among independent variables that have no effect on temporary custody placement (see Goodman, 1972b; Dannefer and Schutt, 1982).

A combination of forward selection and backward elimination was used to determine the final models (Goodman, 1971). Relevant models are displayed in Table 3. Model H<sub>2</sub>, which contains all two-way interactions, is statistically not significantly different from the data, and so it is an acceptable description of the actual distribution of cases. Deleting two-way terms one at a time to assess their relative contributions reveals that the identity of the complainant (DC) has by far the strongest zero-order effect (Model H<sub>7</sub>). The effects of school (DE) and prior offense (DP) are, on the other hand, very weak, so these terms are dropped from the model.

The next step is to examine the three-, four-, and five-way interactions involving the DC term to determine whether



Table 3. Possible Models of the Decision to Place in Temporary Custody<sup>a</sup>

Model	Fitted Marginals	df	X <sup>2</sup>	sig.
H <sub>1</sub> (Independence model, controlling for the association between independent variables.)	(D) (CPEFS)	31	75.13	.000
H <sub>2</sub> (All two-way effects on D.)	(DC) (DP) (DE) (DF) (DS) (CPEFS)	26	35.24	.107
H <sub>3</sub>	(DC) (DP) (DE) (DF) (CPEFS)	27	40.90	.042
H <sub>4</sub>	(DC) (DP) (DE) (DS) (CPEFS)	27	38.25	.074
H <sub>5</sub>	(DC) (DP) (DF) (DS) (CPEFS)	27	35.55	.126
H <sub>6</sub>	(DC) (DE) (DF) (DS) (CPEFS)	27	36.05	.114
H <sub>7</sub>	(DP) (DE) (DF) (DS) (CPEFS)	27	60.32	.000
H <sub>8</sub>	(DCF) (DP) (DE) (DS) (CPEFS)	25	19.61	>.5
H <sub>9</sub>	(DCF) (DP) (DE) (CPEFS)	26	24.46	>.5
H <sub>10</sub>	(DCF) (DE) (DS) (CPEFS)	26	20.50	>.5
H <sub>11</sub>	(DCF) (DP) (DS) (CPEFS)	26	19.81	>.5
H <sub>12</sub>	(DCF) (DS) (CPEFS)	27	20.69	>.5
H <sub>13</sub>	(DCF) (CPEFS)	28	24.91	>.5

<sup>a</sup> The Decision (D) is to be explained. Complainant (C), Prior Offense (P), School Status (E), Family Configuration (F), and Sex (S) are the independent variables that figure in these models.

higher-order interactions might account for all or some of the strong complainant-detention relationship. We see from this that one three-way term (DCF) enhances the fit of H<sub>2</sub> dramatically. It is the only three-way term to do so. Once DCF is included in the model, further gains from four- or five-way terms do not enhance the fit sufficiently to justify the additional complexity.

Models H<sub>9</sub>-H<sub>11</sub> each delete one of the remaining two-way terms in H<sub>8</sub> in an attempt to simplify the model while maintaining its fit. Model 12 reveals that the contributions of both DE and DP are sufficiently small that both can be deleted without significantly affecting the fit. Finally, model H<sub>13</sub> shows that even sex can be deleted, for with only the DCF term (which includes, nested within it, DC and DF) the model still fits the data quite well.

Table 4 presents effect parameters for all two-way interactions and the DCF term (Model H<sub>8</sub>). Since all variables are dichotomous, the parameters do not vary by category. Thus, only one parameter is presented for each variable.

Table 4. Effect Parameters for Model H<sub>8</sub> in Table 3

Complainant	.237
Prior Offenses	.040
School Status	.014
Family Configuration	.123
Sex	.094
Complainant	
Two Parents	.175
One Parent	-.175

Complainant is the strongest factor, followed by the DCF interaction and then by family configuration. Table 5 presents in conventional cross-tabular form the DCF relation. This is of interest because it shows that the zero-order pattern is not reversed by the interaction. The pattern is very strong in the two-parent case and still present, though much weaker, in the one-parent case. The relationship has been specified, but it is not spurious.

Table 5. Temporary Custody Placement by Complainant by Family Configuration (3-way interaction represented in Model H<sub>8</sub>, Table 3)

	Complainant		
	Police	Parent	
One Parent	37% (n=132)	44% (n=242)	Gamma= .138
Two Parents	14% (n=158)	47% (n=150)	Gamma= .768

(cells show % held in custody)

(missing cases = 138; no data available on family configuration)

To the extent that prior record may be taken as an indicator of otherwise unmeasured seriousness, it appears that parent-signed complaints do not represent more serious offenses than police-signed complaints, since the effect of prior offenses does not alter the powerful effect of complainant. Moreover, neither having a prior record nor the number of recorded prior offenses is related to the identity of the complainant (57 percent of police-signed complaints involve youth with no prior record versus 59 percent of parent-signed complaints).

*Analysis of Court Disposition*

The analysis of juvenile court dispositions follows the same format. The disposition variable presented in Table 2 was dichotomized so as to include referrals to service agencies with releases. This was done because there are too few cases in the referral category to allow for separate treatment, and because referrals, since they do not entail a record of conviction, are a less serious outcome than probation. Initially a seven-way table consisting of 128 cells was constructed, treating court disposition as the dependent variable and adding placement in detention (temporary custody) to the independent variables of complainant, prior offense, family configuration, school status, and sex. Because there were too many cells for the number of cases, the first step in the analysis was to delete one variable. In the seven-way table, both sex and family configuration had no effect. Since family configuration had played a key interactive role in the detention analysis, it was retained and sex deleted in the six-way table with 64 cells that is the basis of the analysis presented here. A six-way table including sex

Table 6. Possible Models of the Court's Disposition Decision<sup>a</sup>

Model	Fitted Marginals	df	X <sup>2</sup>	sig.
H <sub>1</sub> (Independence model, controlling for the association between independent variables.)	(D) (CPEFT)	31	77.13	.000
H <sub>2</sub> (All two-way effects on D.)	(DC) (DP) (DE) (DF) (DT) (CPEFT)	26	25.62	.484
H <sub>3</sub>	(DC) (DP) (DE) (DF) (CPEFT)	27	42.49	.029
H <sub>4</sub>	(DC) (DP) (DE) (DT) (CPEFT)	27	26.49	.492
H <sub>5</sub>	(DC) (DP) (DF) (DT) (CPEFT)	27	30.78	.280
H <sub>6</sub>	(DC) (DE) (DF) (DT) (CPEFT)	27	32.67	.208
H <sub>7</sub>	(DP) (DE) (DF) (DT) (CPEFT)	27	38.01	.078
H <sub>8</sub>	(DCP) (DE) (DF) (DT) (CPEFT)	25	13.59	>.5
H <sub>9</sub>	(DCP) (DE) (DF) (CPEFT)	26	30.64	.242
H <sub>10</sub>	(DCP) (DF) (DT) (CPEFT)	26	17.15	>.5
H <sub>11</sub>	(DCP) (DE) (DT) (CPEFT)	26	14.66	>.5
H <sub>12</sub>	(DCP) (DT) (CPEFT)	27	18.30	>.5
H <sub>13</sub>	(DCP) (CPEFT)	28	36.08	.141

<sup>a</sup>The court's choice (D) between release, adjustment, or referral to an agency on the one hand and probation or placement in a treatment or correctional facility on the other is to be explained. The independent variables are Complainant (C), Prior Offense (P), School Status (E), Family Configuration (F), and Temporary Custody Placement (T).

rather than family did not yield any additional substantively important findings and is not presented.

Models based on the six-way table are presented in Table 6. Model H<sub>2</sub>, containing all two-way effects, does not differ significantly from the pattern in the data, and deleting terms one at a time (Models H<sub>3</sub>-H<sub>8</sub>) reveals that placement in temporary custody has the strongest zero-order effect, followed by the identity of the complainant (DC). Family configuration (DF) and school (DE) have weak effects and are eliminated from the model.

As in the detention analysis, all higher-order terms involving DC were then examined to discover any significant interactions with complainant. The DCP term, representing the interaction of disposition, complainant, and prior offense, is the only three-way term to reduce significantly the unexplained variation. Model H<sub>8</sub>, including this term and all two-way terms, fits the data very well, making any additional gains from four- and five-way interactions marginal.

The next step in the analysis, represented in models H<sub>8</sub>-H<sub>13</sub>, is the attempt to simplify the model without losing the goodness of fit. Model H<sub>12</sub>, which deletes both school status and family configuration, still fits the data quite well and is chosen as the most parsimonious model. H<sub>13</sub>, which deletes all two-way terms (except DC and DP, which are nested within DCP) shows that detention status is critical to the model.

Table 7 presents effect parameters for each two-way interaction and the DCP term (Model H<sub>8</sub>). These reveal that the two-way interaction with temporary detention has the strongest effect, followed by the three-way disposition-complainant-prior offense interaction. The effect of the interaction of complainant and prior offense is stronger than the effect of either of these variables considered alone, and the

Table 7. Effect Parameters for Model H<sub>8</sub> in Table 6

Disposition: 1 = Dismissal/Referral  
2 = Minimum of Probation

Complainant	.140
Prior Offenses	.144
School Status	.121
Family Configuration	.045
Temporary Detention	.181
Complainant	
No priors	.152
One or more priors	-.152

effect of prior record is slightly stronger than that of complainant.

Table 8 presents the disposition-complainant-prior offense relation in tabular form, showing that the DC relation is specified, but not reversed, by the interaction of complainant with prior offense. First offenders are much more likely to be placed on probation if a parent rather than a police officer brings the complaint. When the juvenile is a repeat offender, the association of complainant and disposition is weak. However, it is still in the predicted direction; probation is slightly more likely if the complaint is signed by a parent.

Table 8. Court Disposition by Complainant by Prior Offenses  
(3-way interaction represented in Model H<sub>8</sub>,  
Table 6)

	Complainant			
	Police	Parent		
Prior Offenses	None	18% (n=170)	47% (n=229)	Gamma= .610
	One or More	44% (n=127)	49% (n=161)	Gamma= .093

(cells show % placed on probation or in a treatment or correctional facility)

### III. THE ISSUE OF SELECTION BIAS

To the extent that having a prior record is a good measure of the seriousness of the juvenile's behavior, the results do not appear attributable to selection bias, as the effect of the complainant's identity is greatest when the juvenile has no prior record. However, as Garber *et al.* (1983) note, prior record is only one of a number of often unobservable legal and personal factors that may bear crucially upon legal outcomes. Fortunately, the data set includes information on other legal factors and offender characteristics that allows us to evaluate to some extent the threat of selection bias. These characteristics were not included in the log-linear analysis because their distributions are heavily skewed, and they become of central interest only after the effect of the complainant's identity, controlling for the other primary independent variables, has been established. This additional information includes: (1) legal variables that may reflect the

seriousness or perceived seriousness of the underlying problem behavior; (2) behavioral and psychological

Table 9. The Proportion of Juveniles with Problem-Related Characteristics

	Complainant	
	Police	Parent
<b>Legal Characteristics</b>		
Known to court for more than one year	31.4%	21.9%
Serious prior disposition (probation or more)	43.5%	55.1%
Charged with an additional offense while first complaint is pending	23.8%	19.9%
<b>Behavioral/Psychological Characteristics</b>		
Problem behavior at school (acting out or withdrawal)	9.8%	13.6%
Drug abuse	10.8%	12.1%
Alcohol abuse	6.7%	8.6%
Pregnancy	3.8%	4.9%
Destructiveness against:		
property	1.6%	1.0%
persons	2.6%	2.9%
self	3.5%	3.7%
Psychological problems:		
history of psychological depression	14.7%	22.1%
history of hostile behavior	20.8%	24.1%
hospitalization or outpatient treatment for mental disorder, or diagnosed psychosis	4.1%	3.6%
sexual deviance	4.1%	4.2%
Index of problem behavior		
0 (None)	62.4%	50.6%
1 (One)	15.0%	21.9%
2 (Two or three)	17.8%	20.4%
3 (Four or more)	4.8%	7.6%
<b>Problem Family Characteristics</b>		
History of child abuse or neglect by parents	4.2%	5.4%
Recent death/serious illness in family	4.8%	11.0%
Recent separation/divorce	6.7%	10.2%
Recent unemployment of head of household	2.9%	4.1%
Recent geographic move	6.4%	9.3%
	(n=314)	(n=411)

characteristics drawn from diagnostic evaluations and reports of caseworkers, probation officers, teachers, or counselors, where such data are available; and (3) family characteristics that would make problem behavior on the part of juveniles more likely. These data, controlling for the identity of the complainant, are presented in Table 9.

### *Legal Characteristics*

The implications of the legal characteristics are mixed. Juveniles accused by their parents are significantly more likely than those charged by police to have had a serious prior disposition, but those charged by the police are significantly more likely to have been known to the juvenile court for more than a year, and they are also more likely to be charged with another offense while the first complaint is pending in court. On balance, the configuration of legal variables offers little reason to believe that parental accusations reflect especially serious behavior. Indeed, the one relationship consistent with this proposition—the finding that youth accused by their parents are more likely to have had a severe prior disposition than those accused by the police—may, insofar as it suggests more serious current behavior, be artifactual. If juveniles charged by their parents receive more severe treatment, and if the identity of current complainants is correlated with the identity of past complainants, the historically more severe dispositions of juveniles charged by their parents may reflect the fact that they were disproportionately likely to have been charged by their parents on an earlier occasion. Unfortunately, no data are available on the identity of prior complainants.

It is also possible that judges who sentence offenders severely are responding not only to the seriousness of a youth's behavior but also to the youth's history of sanctioning. Juveniles who have been once placed on probation and are back before the court may be especially likely to be placed in temporary custody and receive at least probation. If so, the relationship between complainant and outcome could reflect a relationship between complainant and past probation, whether or not the latter variable relates to seriousness. Table 10 explores the possibility that a history of probation, in itself or as a proxy for seriousness, explains the relationships that have thus far been attributed to the complainant's identity.

Table 10. Legal Outcomes by Complainant, Controlling for Most Serious Prior Disposition\*

	Prior Disposition		
	No Prior Record	Less than Probation	Probation or Incarceration
A. Temporary Custody Placement (cells show proportion placed in detention for sampled offense)			
Police	25% (n=184)	22% (n=63)	29% (n=55)
Parent	43% (n=246)	40% (n=59)	48% (n=85)
B. Current disposition (cells show proportion whose current outcome is probation or incarceration)			
	No Prior Record	Less than Probation	Probation or Incarceration
Police	17% (n=184)	39% (n=63)	62% (n=55)
Parent	44% (n=246)	54% (n=59)	65% (n=85)

\* Analyses based on 686 cases for which full court data exist.

Part A of Table 10 shows that prior disposition does not affect the relationship between the complainant's identity and the probability of a placement in temporary custody. Table 10-B, which looks at final outcomes, reveals an interaction effect. Among those who have in the past received probation or been incarcerated, the identity of the complainant is essentially independent of the disposition, but among those who have not previously been subject to at least probation, those accused by their parents fare substantially less well than those accused by the police. This interaction effect, based on the subset of cases involving youth with prior records, parallels the interaction effect reported in Tables 7 and 8 among disposition, complainant, and the existence of a prior record. In each case, the complainant's identity has a strong effect for children who have been less involved in the juvenile justice system but little if any effect among those who have been more deeply involved.

### *Psychological and Behavioral Characteristics*

The data on the juvenile's psychological and behavioral characteristics suggest a possibility of selection bias, but one too slight to explain our observed results. A statistically significant association with the identity of the complainant is found for only one characteristic, history of psychological depression. However, the infrequency with which most of



these characteristics are reported produces highly skewed distributions which may in some cases be of substantive interest. In addition to history of depression, three other characteristics—school problems, alcohol abuse, and pregnancy—are at least 20 percent more likely to be reported for juveniles charged by parents than for those by police. Furthermore, in 9 of 11 categories juveniles charged by their parents appear more troubled than those charged by the police. These patterns are consistent with the possibility that youth charged by parents have engaged in more serious behavior. However, the differences are small enough that they may also be plausibly explained by the likelihood that the court will learn more about a youth's troubled history when the parents complain than when the police do so.

As a further check, an "index of problem behavior" was constructed for each juvenile based on the number of problem characteristics for which some evidence was found. Scores on this index, which are found at the bottom of Table 9, are significantly related to the identity of the complainant. However, the tendency of juveniles charged by their parents to receive more severe dispositions holds within each category of the index and, with one exception, within each problem category when these are examined separately.<sup>5</sup> For example, among juveniles with a "0" score on the index of problem behavior, 17 percent of those charged by the police receive a harsh disposition, compared to 36 percent of those charged by their parents, and 37 percent of juveniles with evidence of school problems in their record receive at least probation if they are charged by the police, as compared to 64 percent of those charged by their parents. The exception involves 135 juveniles with evidence of psychological depression in their files. Among these youth, 65 percent receive a harsh court disposition when charged by the police, compared with 63 percent of those charged by their parents.

### *Family Problem Characteristics*

It is widely recognized by human service practitioners and by an increasing number of court and law enforcement officials that status offenses are often symptomatic of serious problems within the family system rather than reflecting only on the juvenile. Mahoney (1977) and others, as I have noted, describe numerous underlying parental motives and family problems

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<sup>5</sup> A table reporting these results is available by request from the author.

that may lead parents to sign complaints. In some such cases, agency and court officials become convinced that the juvenile's misbehavior and the resulting parental complaint reflect family rather than individual problems (Andrews and Cohn, 1974; Mahoney, 1977). The limited data on problem family characteristics, presented in the third panel of Table 9, reveal that juveniles charged by their parents are consistently more likely than those charged by police to be from families experiencing serious short- or long-term problems. The differences are, however, too slight to explain the patterns we have observed. Furthermore, with respect to selection bias, it is unclear what these patterns mean. They may reflect a tendency for parents, under stress, to complain about relatively minor behavior problems rather than or in addition to a tendency of juveniles to engage in problem conduct. Furthermore, to the extent that the juvenile justice system traces parental complaints to family rather than individual problems, serious dispositions for the juvenile should be less likely. Thus, while we cannot entirely dismiss the possibility that parents tend to complain about more serious behavior than the police, these data together with the data discussed above suggest that it is very unlikely that selection bias can explain the apparently powerful effect of the complainant's identity. The relational resource hypothesis or some other hypothesis that turns directly on the complainant's identity appears well supported.

#### IV. DISCUSSION

The analysis in this paper has generated two sets of findings that require interpretation: (1) the direct relationship between relational distance and sanctioning and (2) interaction effects that involve family status and the complainant's identity when the detention decision is dependent and prior record and the complainant's identity when the court disposition is dependent.

##### *The Direct Relation of Sanction Severity and Relational Proximity*

At each decision point in the juvenile justice process, parent-signed complaints are significantly associated with greater sanction severity. However, the strength of the association is not constant. The complainant's identity does more than any other variable or interaction to explain the temporary detention outcome, and the interaction of this

variable with family status is the second most important explanatory factor. When court dispositions are at issue, the complainant's identity continues to have a significant direct effect, but it is relatively less important than the youth's detention status. However, the complainant's identity also has an indirect effect on court disposition through its strong influence on detention status.

The greater importance of the complainant's identity when temporary custody is in issue may be explained by a situational factor—the intensity of the complainant-offender dispute—and an organizational one—the greater formality that exists when final outcomes are in issue.

Intrafamilial conflicts that lead to the signing of complaints tend to be emotionally charged. This emotionality is likely to be most intense at the point of arrest, the point at which the detention decision is made. The court disposition is typically not made for weeks or even months after the arrest, allowing ample time for the intensity of intrafamilial conflict to moderate. Thus, it may be that less parental pressure is exerted for sanction severity at the point of court disposition.

This may be complemented by the tendency of the juvenile justice process, like the justice system generally, to take more account of legal variables (e.g., prior record) than extralegal ones (e.g., family status) as the process becomes more formalized (Wilson, 1968; Dannefer and Schutt, 1982; Pruitt and Wilson, 1983). Despite recent efforts to increase the formalization of the post-arrest detention decision, it is still a decision that is made with more discretion, with more speed, and with a less formal and complete record, than the ultimate court disposition. Thus, one might expect the decision on temporary custody to be more responsive to the complainant's preferences and to information the complainant provides than the later formal disposition. If police are less likely than parents to demand temporary custody—which seems likely both because the police are less likely than the parents to be emotionally antagonistic toward the juvenile and because the police can fob their trouble off on the parents while the parents have no place to turn—the pattern would be expected.

### *The Interaction Effects*

The pattern of interaction effects supports these general interpretations. They indicate that the complainant-sanction relationship is specified in the detention analysis by family configuration, a nonlegal variable, and in the court disposition

analysis by prior record, a legal variable. The relatively high rate of temporary custody when the police complain about youth from one-parent families may reflect the belief that remand to a broken family is unlikely to aid or control the youth sufficiently, or it may be that in such cases the youth's family circumstances are often regarded as part of the problem.

With respect to final dispositions, the anomalous situation is probably that in which the parents complain about youth without prior records. Youth in this category are about as likely to be treated severely as those who have prior records and are charged by either their parents or the police. The presumed domination of legal factors at this point and the general salience of prior records to sentencing decisions can explain the apparent unimportance of the complainant's identity when youth with records are sentenced. The fact that youths without records fare as poorly as those with records if their parents sign the complaint may be explained by the relational resource hypothesis. It may be that the delicts of these juveniles look more serious because their parents are not backing them up or aiding in their defense, or it may be that a parentally supervised informal disposition is not a live option in such cases, so the court has no choice but to invoke the formal sanction of probation. It may also be the case that the juvenile court as a family court is particularly responsive to the parents' wishes when the youth's behavior and history give it a choice about what to do. If so, the apparent irrelevance of past records in cases instituted by parents may reflect the fact that often such parents no longer wish severe dispositions by the time the case is finally resolved. This possibility is consistent with the temporary nature of the familial stresses that, as we saw in Table 9, are disproportionately associated with parent-signed complaints.

## V. CONCLUSIONS

Log-linear analysis allowed a systematic test of the "relational distance" proposition. Relational distance appears to be a generally substantial influence on both the temporary custody and ultimate sanctioning decisions. The available evidence suggests that this relationship is not an artifact of the selection bias that would be present if parents, unlike the police, were reluctant to press charges unless the underlying problem behavior was especially serious.

A consideration of the conditions surrounding the encounters of juvenile status offenders with the law suggests

some reasons why close relations between complainants and offenders are associated with more severe sanctions. The accused has lost a major resource which even those charged with major crimes can often call upon: a close relative who would normally be expected to serve as a supporter, defender, and ally. The lack of a parental ally is likely to be especially important in the case of children in the juvenile court because possible less serious dispositions may require a parent's promised cooperation. Moreover, parents may be not only lost allies but aggressive and formidable adversaries.

The analysis reported here is obviously only a first step toward an adequate understanding of how complainant-offender relations affect sanctioning outcomes. To begin with, the results I have found should be replicated. Although this study uses data from different sites and from several decision points, it is based on samples from one state over a relatively brief time period. Similar analyses of data from other sites are needed to establish more firmly the generality of the pattern reported. In addition, the issue of selection bias deserves a more direct test. The characteristics of filtering processes should be studied, and variations in the seriousness of behavior and the quality of evidence should be examined (Garber *et al.*, 1983).

In addition, the study raises questions of more general theoretical interest. Does the sanctioning pattern reported here fit intrafamilial conflict generally, or is it limited to parent-generated complaints against offspring? One analysis (Black, 1971) supports the "relational resource" hypothesis as a general intrafamilial pattern, applicable in conflicts between adults. Yet power differentials within the family may alter significantly the extent to which other family members count as resources and the extent to which they appear credible to police and other legal decision-makers. Black's proposition that "downward law is greater than upward law" (1976: 21-30), which essentially argues that a complainant can more easily mobilize the law to generate sanctions against an accused lower in status than against one equal or higher, predicts asymmetric relations between parents and children and, perhaps, between husbands and wives. The more general point is that in explaining legal sanctions it may be necessary to consider the different role configurations of complainant and accused.<sup>6</sup> Finally, we need more research into the dynamics of

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<sup>6</sup> Since both police and parents are adults, the relative status of complainant and offender does not vary in the analysis presented in this paper.

decision-making at different points in the juvenile justice process. Such characteristics as the formalization and visibility of the decision-making process and the kinds of case knowledge available at different stages are likely to be especially important.

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