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# Delinquent Careers Behind Bars

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## Abstract

There is an increasing recognition that incarceration time, instead of a period characterized by intermittency or lulls in offending, is for many a period of continued involvement in misconduct and other problematic behaviors. Yet, despite mounting evidence on the offending patterns of incarcerated adults, little research attention has been paid to the institutional behavior of incarcerated delinquents. The current research explored the institutional misconduct careers of 2,520 serious and violent delinquent offenders incarcerated in a large southern juvenile correctional system. Analyses revealed that the study cohort engaged in more than 200,000 instances of minor misconduct behaviors and nearly 19,000 instances of major misconduct behaviors during their incarceration. Multivariate analyses examining the incidence of major, minor, and assaultive institutional misconduct revealed that offenders with more extensive delinquent backgrounds had an increased expected rate of misconduct, net the effects of a number of variables. Implications for research and practice are explored.

## Keywords

institutional misconduct, incarcerated delinquents, serious and violent offenders, prison violence, rule infractions

## Introduction

The last several years have witnessed an increasing amount of evidence on the recidivism outcomes of state incarcerated delinquent offenders (e.g., Benda, Corwyn, & Toombs, 2001a, 2001b; Cottle, Lee, & Heilbrun, 2001; Heilbrun et al., 2000; Lattimore, MacDonald, Piquero, Linster, & Visser, 2004; Parker, Morton, Lingefelt, & Johnson, 2005; Ryan, Davis, & Yang, 2001; Trulson, Marquart, Mullings, & Caeti, 2005; Wiebush, Wagner, McNulty, Wang, & Le, 2005), including evidence on their long-term offending outcomes in the transition from adolescence to young adulthood (e.g., Ezell & Cohen, 2005; Haapanen, Britton, & Croisdale, 2007; Piquero, Brame, & Lynam, 2004; Piquero, Brame, Mazerolle, & Haapanen,

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2002; Sampson & Laub, 2003; Trulson, Marquart, Mullings, et al., 2005). Yet, despite a growing body of evidence on delinquent offending outside of institutions, scant empirical attention has been paid to the behavior of state delinquents while they are incarcerated (Trulson, 2007).

The lack of inquiry into the conduct of institutionalized delinquents is not altogether surprising considering that only recently has institutional misconduct caught the attention of criminal career researchers (DeLisi, 2003). This is evidenced by a growing empirical literature on the offending or misconduct careers of adults behind prison walls (e.g., Cao, Zhao, & Van Dine, 1997; DeLisi, 2003; DeLisi, Berg, & Hochstetler, 2004; Drury & DeLisi, in press; Gaes, Wallace, Gilman, Klein-Saffran, & Suppa, 2002; Huebner, Varano, & Bynum, 2007; Jiang, 2004; Jiang & Fisher-Giorlando, 2002; Sorensen, Wrinkle, & Gutierrez, 1998; Steiner & Wooldredge, 2008; Wooldredge, 1991, 1994; Wooldredge, Griffin, & Pratt, 2001). This surge in the literature on adult offending during periods of institutionalization was spurred by the recognition that incarceration time itself can be viewed as a distinct offending period, rather than a period characterized by intermittency or lulls in offending. As DeLisi (2003, p. 655) noted, for some offenders "... prison is not an exceptional event but instead a normal and episodic occurrence during a lengthy offending career." This research attention was also prompted by obvious consequences that institutional misconduct has for inmates, staff, and institutions (Daggett & Camp, 2009) and the deleterious link that institutional misconduct has been found to have on post-release recidivism outcomes for adult offenders (French & Gendreau, 2006; Harer, 1994; Spivak & Damphousse, 2006).

Despite a growing understanding of the causes and consequences of misconduct among adult prison inmates, there exists a large gap in the literature on the misconduct of state committed juvenile offenders. The gap is particularly notable given the recognition that juveniles may have a greater potential for rehabilitation than adults (Moffitt, 1993; Zimring, 2005). This gap is also significant considering that involvement in institutional misconduct restricts rehabilitation efforts and can lead to a number of other negative and far reaching consequences for institutionalized delinquent offenders: longer lengths of confinement, heightened security housing such as administrative segregation, decreased access to institutional rehabilitation programs, disruption of continuity in the offender's rehabilitation program, and prosecution for offenses committed while institutionalized which can lead to escalating delinquent or criminal sanctions even before release from juvenile confinement (see, generally, Daggett & Camp, 2009). Increasingly, it is also the case for certain institutionalized populations, such as blended sentenced offenders, that involvement in institutional misconduct may lead to adult prison transfer to continue what would have otherwise been a suspended and lengthy adult prison sentence under some states' blended sentencing schemes (Trulson, Marquart, Haerle, & DeLisi, 2008).

Beyond these consequences, a burgeoning body of empirical research has revealed that involvement in misconduct while incarcerated has important ramifications on postrelease recidivism for delinquent commitments. This line of research has indicated, with few exceptions, that involvement in institutional misconduct is associated with heightened chances of recidivism upon release (Huebner et al., 2007; Lattimore et al., 2004; Trulson, 2007; Trulson, DeLisi, & Marquart, in press; Trulson, Marquart, Haerle, et al., 2008; Trulson, Marquart, Mullings, et al., 2005). For example, Huebner and colleagues (2007) found that commitments rated "high" on misconduct frequency while incarcerated were reconvicted significantly sooner than those with "low" misconduct frequency. Trulson, Marquart, Mullings, et al. (2005) found that state delinquents considered "institutional dangers" had significantly higher odds of rearrest for any offense and a felony offense in their postrelease follow-up of more than 2,000 state committed delinquent offenders. Lattimore and colleagues (2004) revealed that California Youth Authority (CYA) wards who engaged in gang-related activity and institutional violence while confined, and those with a greater rate of total misconduct infractions, were significantly more likely to experience a heightened rearrest rate postrelease.

These and other research efforts have revealed that involvement in institutional misconduct, particularly serious and/or chronic misconduct behavior, may be an important early warning sign

of the need for further or different or more focused intervention and programming efforts during the institutionalization period so as to promote positive institutional adjustment, postrelease success, and ultimately, public safety. In short, a greater understanding of the determinants of misconduct behavior while institutionalized, including those offenders most likely to engage in misconduct behavior, has important practical implications for the management and treatment of state committed delinquent offenders. Such knowledge also has important implications that affect directly on public safety as these offenders make the transition from incarceration to freedom.

## **The Current Study**

The current study fills some of the gap in knowledge on the misconduct careers of state committed delinquent offenders during their institutionalization. It examines the incidence and prevalence of major and minor misconduct behaviors perpetrated by a population of 2,520 serious and violent male delinquents. All the offenders of focus in this study were sentenced as serious and violent offenders under a unique blended sentencing statute and incarcerated in a large southern state juvenile correctional system between the years of 1987 and 2004. Therefore, we explore the misconduct careers of the cohort during their entire juvenile incarceration period.

This study then explores determinants of the frequency of various forms of institutional misconduct, accounting for a battery of demographic, delinquent history, and social history variables. Importantly, uncovering the factors related to the frequency of institutional offending among the most serious and violent institutionalized delinquents may provide important practical information related to potential areas of intervention and prevention of delinquent offending behind bars. Such information might also be useful in crafting reentry initiatives for such risky delinquent offenders to improve their chances of success upon release from juvenile institutionalization (Kuanliang, Sorensen, & Cunningham, 2008; Lattimore et al., 2004; Trulson et al., in press).

## **Review of Relevant Literature**

The empirical literature on delinquent offending or misconduct during institutionalization is limited to a handful of studies focused primarily on the determinants of institutional misconduct. In the most recent study, Trulson (2007) explored the correlates of institutional misconduct among a sample of 4,684 state incarcerated delinquent offenders. Among other analyses, Trulson used one serious measure of institutional misconduct and this measure examined whether offenders were involved in "institutional danger" misconduct while confined. Institutional danger was a composite dichotomous measure indicating whether the youthful offenders had assaulted staff, other wards, or were found in possession of a weapon while incarcerated.

Logistic regression analyses controlling for a number of delinquent history and demographic variables revealed several correlates of dangerous misconduct. Non-white juveniles, those younger at their first referral to the juvenile justice system, those on probation at their state commitment, those with a higher risk score at system intake, those with less education, gang members, those with a higher number of previous placements, those violent toward their family, those who did not receive specialized treatment (e.g., chemical dependency treatment), and males had significantly higher odds of engaging in dangerous institutional misconduct. In short, the "worst of the worst" of the sample was significantly more likely to be involved in dangerous misconduct while confined than those with less serious and/or lengthy delinquent careers up to the point of institutionalization (Trulson, 2007).

Outside of the Trulson study, only two other studies have empirically explored misconduct among state committed delinquents. MacDonald (1999) examined institutional violence (measured dichotomously as assaults against staff and/or inmates) and institutional drug use among a sample of CYA

wards incarcerated in the mid-1980s. Controlling for a number of variables, MacDonald revealed that wards with a lower drug history score, a shorter length of time between first arrest and institutionalization, those with a prior history of violence, and those with a prior history of gang involvement were significantly more likely to be involved in violent misconduct during their institutionalization. Alternatively, no individual level variables were predictive of drug-related misconduct.

Poole and Regoli (1983) also examined the correlates of “institutional violence” among a sample of state committed delinquents. Based on data collected from four juvenile correctional institutions in four different states, the authors revealed that evidence of preinstitutional violence (measured as involvement in a fist fight or a fight with a weapon in the month preceding incarceration) was the strongest and most consistent predictor of institutional violence, net the effects of other variables. As in the studies by Trulson (2007) and MacDonald (1999), those wards with more serious and extensive delinquent histories were significantly more likely to be involved in institutional misconduct.

In addition to studies focused on the determinants of juvenile misconduct during periods of state juvenile institutionalization, one recent research effort explored misconduct among juvenile offenders admitted to the Florida adult prison system between 1998 and 2002 (Kuanliang et al., 2008). Although the dynamics of being a juvenile in an adult prison are different from being a juvenile in a juvenile institution, this study has relevance to the focus of this manuscript. This study focused primarily on the incidence and prevalence of misconduct among juvenile inmates (i.e., offenders 17 and younger at commitment to the adult prison system) compared to young adult and adult prisoners. Kuanliang and colleagues revealed that young age was the strongest predictor of an assortment of individual measures of misconduct, net the effects of other variables. In fact, juvenile prison inmates demonstrated the highest frequency of all forms of institutional misconduct compared to young adult and adult prison inmates.

Despite these important studies, researchers have generally avoided exploring institutionalization as a distinct period of opportunity in the offending careers of state committed delinquent offenders—a period that provides an opportunity to generate a significant amount of offending. Furthermore, studies focused solely on the determinants of institutional misconduct have generally neglected to provide further substantive information on the offending careers of institutionalized delinquents, including but not limited to the incidence and prevalence of the full range of misconduct behaviors while they are incarcerated. As a result, several questions remain unanswered regarding delinquent careers during periods of juvenile institutionalization. For example, at what level are state delinquents involved in misconduct violations in general? At what level are state delinquents involved in violations that might be considered crimes if perpetrated outside of institutions? Furthermore, multivariate models in previous research assessing the correlates misconduct have addressed only participation, not the full frequency of misconduct behaviors. Moreover, many have been limited to cross-sections of incarceration time, not the full incarceration period. Because institutionalized delinquent offenders have abundant opportunity to incur at least one misconduct violation during their incarceration, of perhaps greater significance are nondichotomous models that examine correlates relative to the full frequency of various misconduct behaviors during the entire incarceration period. This study seeks to address some of the above issues and others and add to the small literature on the institutional behavior of state committed delinquent offenders.

## Method

### *Population and Data*

The current research explores the institutional offending careers of a population of 2,520 serious and violent male delinquent offenders who were prosecuted and eventually committed to state juvenile incarceration under a unique blended sentencing statute in a large southern state.<sup>1</sup> The population does not include all offenders sentenced to the Youth Correctional System (YCS), but rather a subset

of the most serious delinquent offenders exclusively sentenced as serious and violent offenders under the state's blended sentencing scheme. Adopted in 1987, the blended sentencing statute in the state under study provides authority to juvenile court judges to sentence delinquents adjudicated of certain serious and/or violent crimes up to a 40-year determinate sentence, starting in the YCS and potentially ending in an adult penitentiary.<sup>2</sup>

Upon adjudication under the blended sentencing statute, the juvenile offender is first incarcerated in YCS. Prior to the offender's 18th birthday, the original commitment court conducts a hearing to determine whether the offender will continue to be incarcerated under the jurisdiction of YCS until a maximum age of 21 at which time the adult portion of the sentence is suspended or, rather, be administratively transferred to the adult prison system to continue the remaining portion of the blended sentence.<sup>3</sup> To be included in the current study, all offenders had to have been incarcerated after 1987 under the authority of the blended sentencing statute and released from YCS or transferred from YCS to the adult prison system by 2004. We therefore examine the institutional offending careers of the cohort during their entire YCS incarceration, regardless of whether they were ultimately released from YCS by age 21 or rather transitioned on to adult prison under the blended sentencing statute.<sup>4</sup>

YCS provided electronic data for the current study detailing demographic characteristics and delinquent and social histories of the cohort. YCS also provided full frequency counts of all forms of officially recorded institutional misconduct for the cohort during their entire period of state juvenile incarceration. All the variables retrieved were originally compiled by YCS staff members at intake and/or throughout the offender's YCS incarceration from official records, offender self-reports, observations, and on-site diagnostic procedures.

## Measures

*Dependent variables.* Four dependent variables were used to explore a range of misconduct behaviors committed by the cohort. The first two dependent variables are omnibus measures of misconduct. The first is major rule violations ( $M = 7.64$ ,  $SD = 12.08$ , skewness = 4.10), which is a sum of the frequency of all major rule violations as categorized by YCS and committed by the cohort members during their incarceration (see Table 1 for descriptive information on all variables). This measure includes such behaviors as staff assaults, ward assaults, rioting, extortion, escape, and chunking bodily fluids (see Appendix A for a listing of all separate major rule violation categories).<sup>5</sup> The second dependent variable measures all minor rule violations committed by the cohort during their incarceration ( $M = 78.69$ ,  $SD = 127.38$ , skewness = 4.05). This measure includes but is not limited to such behaviors as refusing to follow staff instructions, gambling, dress code violations, and disrupting the institutional program (see Appendix A for a listing of all minor rule violations).<sup>6</sup>

Two additional individual measures of misconduct were used to account for serious and assaultive major institutional violations. These measures include assaults on wards ( $M = 3.64$ ,  $SD = 5.41$ , skewness = 3.62) and assaults on staff ( $M = 0.56$ ,  $SD = 1.57$ , skewness = 5.29). These stand-alone measures of misconduct were used because they represent two of the most frequent, and serious, of the major misconduct violations collected by YCS. Additionally, these person-related misconduct offenses tend to have a higher probability of detection and documentation compared to other forms of major rule violations. Moreover, recent scholarship has revealed that comparing omnibus or summed measures of misconduct versus singular measures of misconduct has resulted in different estimates of effect sizes (Steiner & Wooldredge, in press). For example, Steiner and Wooldredge (in press) compared misconduct models using omnibus measures to those using singular measures of misconduct and revealed that larger differences in the magnitude and significance of effects were found for singular measures using the same predictor variables. Interestingly, the largest differences in magnitude were found specifically among staff and inmate assault variables. According to Steiner

**Table 1.** Cohort Descriptives ( $n = 2,520$ )

	M	SD
Independent variables		
Demographic		
African American	.35	–
Hispanic	.38	–
White	.25	–
Other	.02	–
Delinquent history		
Age at YCS commitment	15.29	1.14
Total previous adjudications	1.60	.95
Out-of-home placements	.45	1.12
Homicide commitment	.27	–
Serious person/property commitment	.20	–
Sexual-related commitment	.37	–
Other commitment	.16	–
Gang affiliated	.36	–
Time served in YCS	1,305	371.49
Social history		
Substance abuser	.44	–
Suicidal	.05	–
Mentally challenged	.08	–
Mentally ill	.06	–
Physical abuse	.13	–
Sexual abuse	.11	–
Emotional abuse	.23	–
Poverty	.56	–
Chaotic home environment	.69	–
Family gang affiliation	.09	–
Violent toward family	.25	–
Dependent variables		
Major misconduct violations	7.63	12.08
Minor misconduct violations	78.69	127.38
Staff assaults	.56	1.56
Ward assaults	3.64	5.41

NOTE: YCS = Youth Correctional System.

and Wooldredge (2008, p. 13), “. . . we concluded that physical assaults should be examined separately from other types of misconduct, although it does not matter whether physical assaults are measured as assaults on staff only, inmates only, or both staff and inmates combined.”

Based on the count nature of the dependent variables, we estimate four multivariate negative binomial regression models in STATA version 10.0 for each of the misconduct variables. Because misconduct counts are constrained to zero, demonstrate positive skew as indicated by the skewness statistics above, and demonstrate heteroskedastic errors, the normality assumptions of a linear regression model are violated and using this model would lead to biased estimates of statistical significance. Negative binomial models, as opposed to other count models (e.g., Poisson regression), are also more appropriate, based on the type of data used in this study. For example, misconduct or other count data (e.g., rearrests) tend to also to be overdispersed, meaning that the conditional variance exceeds the conditional mean and this leads to biased standard error estimates and ultimately misleading indications of statistical significance (Drury & DeLisi, in press; Lattimore et al., 2004; Long & Freese, 2006).<sup>7</sup> The negative binomial model is also preferred to the standard

Poisson model, because it does not retain the strict assumption that events such as future misconduct behaviors are independent of preceding misconduct behaviors (see, for example, Lattimore et al., 2004). Because of these conditions, negative binomial regression is preferred over a linear or a standard Poisson regression model.

*Independent variables.* Several independent variables were available in the data set and were used based on their relevance in juvenile (MacDonald, 1999; Poole & Regoli, 1983; Trulson, 2007) and adult misconduct research (e.g., DeLisi, 2003; Gaes et al., 2002; Kuanliang et al., 2008; Steiner & Wooldredge, 2008) as factors that may account for variation in misconduct frequency and/or participation. Table 1 provides descriptive information for all variables. One demographic variable, race, was used and this variable includes codes for White (24.80%,  $n = 625$ ), Hispanic (38.33%,  $n = 966$ ), African American (35.28%,  $n = 889$ , reference category), and "Other" (1.59%,  $n = 40$ ). Several delinquent history variables were also used: age at YCS commitment ( $M = 15.29$ ,  $SD = 1.14$ ); total number of previous adjudications (not counting the most recent adjudication leading to commitment;  $M = 1.60$ ,  $SD = 0.95$ ); previous out-of-home placements ( $M = 0.45$ ,  $SD = 1.12$ ); and a dichotomous measure regarding whether the youth was determined to be gang affiliated at state commitment (1 = *yes*; 36.00%,  $n = 904$ ).

Because of the large number of different serious and violent commitment offenses for the study cohort, we created dummy terms indicating the general category of offense for which offenders were committed to state juvenile incarceration. The separate commitment offenses were collapsed and coded into *homicide commitments* (this category includes capital murder, attempted capital murder, murder, attempted murder, criminally negligent homicide, and voluntary manslaughter; 27.02%,  $n = 681$ , reference category), *serious person/property commitments* (aggravated robbery and attempted aggravated robbery; 19.76%,  $n = 498$ ), *sexual-related commitments* (aggravated sexual assault, attempted aggravated sexual assault, attempted sexual assault, and sexual assault; 36.90%,  $n = 930$ ), and *other commitments* (felony injury to a child or elderly individual, felony indecency with a child, deadly conduct, aggravated kidnapping, aggravated assault, arson, conspiracy to commit murder, and solicitation to commit murder; 16.31%,  $n = 411$ ). Although all members of the study cohort were sentenced as serious and violent offenders, we believe it is important to account for commitment offense type variation. Including commitment type in the analyses appears especially important, based on a burgeoning body of literature that has specifically focused on the misconduct careers of adult homicide prison commitments (see, for example, Sorensen & Cunningham, 2007). Moreover, if commitment offense type is found related to the frequency of misconduct generally or assaultive misconduct specifically, this may provide important information to facility administrators relative to misconduct prevention and intervention.

In addition to the demographic and delinquent history covariates, 11 dichotomous social history variables (1 = *yes*) indicating a history of risky behaviors and/or situations were also used in the multivariate models. These measures are consistent with those found in previous juvenile and adult misconduct research and have been found related to variation in misconduct participation and/or its frequency (DeLisi, 2003; Jiang, 2004; Kuanliang et al., 2008; MacDonald, 1999; Steiner & Wooldredge, 2008, in press; Trulson, 2007). These variables include whether the offender was categorized as a substance abuser at their state commitment (44.00%,  $n = 1,113$ ), whether the offender had a history of suicidal behavior prior to commitment (5.00%,  $n = 127$ ), and whether the offender was considered mentally challenged (8.00%,  $n = 193$ ) or mentally ill (6.00%,  $n = 162$ ) at the time of commitment. Additional variables include whether the offender was moderately or severely physically abused prior to state commitment (13.06%,  $n = 329$ ), whether the offender was moderately or severely sexually abused prior to state commitment (11.27%,  $n = 284$ ), whether there was evidence of emotional abuse prior to commitment (23.33%,  $n = 588$ ), whether the offender's family environment prior to commitment was characterized as poverty-stricken (56.71%,  $n = 1,429$ ), whether the

offender experienced a chaotic home environment prior to commitment (69.48%,  $n = 1,751$ ), whether any of the offender's family members were gang affiliated (9.00%,  $n = 227$ ), and whether the offender had previously been violent toward his family (25.00%,  $n = 634$ ).<sup>8</sup>

Finally, to account for different lengths of time served for each offender and the effect this has on raw misconduct counts, we accounted for time served in YCS ( $M = 1,305$  days,  $SD = 371.49$ ) or exposure time. To accomplish this, we used the log of the number of days served in YCS and entered this measure into each multivariate negative binomial model. Using this measure in the negative binomial models converts the dependent variables to a rate of misconduct per period of incarcerated exposure time for each individual offender.<sup>9</sup> This has the effect of standardizing misconduct counts relative to varying incarceration periods for each individual offender.

## Findings

### *Incidence and Prevalence of Major and Minor Misconduct*

Appendix A presents the incidence and prevalence of all major rule violations accounted for by the study cohort during their incarceration. Incidence statistics measure the total frequency of each institutional violation and prevalence statistics measure the percentage of the study cohort that engaged in the specific violation behavior on at least one occasion. For example, the study cohort accounted for 9,050 ward assaults during their entire incarceration (incidence). In terms of prevalence, 70.8% of the study cohort was involved in at least one ward assault, or alternatively, 29.2% of the study cohort did not assault a ward during their incarceration.

In an overall view, members of the study cohort engaged in an average of 7.64 major misconduct violations during their incarceration—or nearly 19,000 major misconduct violations. Two important themes are worth considering from the information presented in Appendix A. First, the more serious major misconduct categories collected by YCS tended to have some of the highest incidence rates among the cohort. For example, two of the five most frequent major misconduct violations were assaultive offenses, compared to such nonperson violations as stealing or possession or use of a controlled substance. The second theme is that most types of major misconduct, despite their incidence, were perpetrated by typically less than one third of the cohort members. For example, with the exception of ward assaults in which 70.8% of the cohort engaged in this behavior on at least one occasion, the prevalence rates ranged from a low of 0.6% (extortion) to a high of 34.1% (destruction of property).

Further information on the frequency of major misconduct behaviors is presented in Appendix B. As shown, 17% ( $n = 423$ ) of state delinquents incurred no major misconduct violations during their incarceration, roughly 14% ( $n = 353$ ) incurred only 1 major misconduct infraction while incarcerated, and 26% ( $n = 647$ ) were cited for 2–4 major misconduct infractions. Thus, approximately 57% of the study cohort accumulated between 0 and 4 major violations. At higher levels of major misconduct frequency, approximately 21% ( $n = 521$ ) incurred 5–10 rule violations, 13% ( $n = 315$ ) incurred 11–20 violations, 4.7% ( $n = 116$ ) incurred 21–31 violations, and nearly 5% ( $n = 112$ ) of the cohort engaged in more than 30 instances of major misconduct or were “extreme chronic” offenders (Appendix B; see for example, DeLisi, 2003, pp. 661–662 for similar demarcation between frequency categories).

Appendix A also presents the incidence and prevalence of minor misconduct violations. Members of the study cohort engaged in nearly 200,000 instances of minor rule violations or an average of roughly 79 minor rule violations per cohort member. Not surprisingly, the minor misconduct behavior with the highest incidence and prevalence was those violations that are most closely linked to the monotonous and paternalistic routine of institutionalization: disruption of program, refusal to follow staff instructions, dangerous activity, and failure to comply with a reasonable request. For example, 98% of the entire cohort was cited for disrupting the program.

Prevalence rates were also generally higher involving minor misconduct than major misconduct, ranging from a low of 1.1% to a high of 98.0%. Examination of Appendix B shows that only 43 offenders (1.7%) avoided any minor rule violation, 2.7% of offenders incurred 1 minor misconduct violation, 9% ( $n = 223$ ) of the cohort engaged in 2–4 instances of minor misconduct, roughly 13% ( $n = 314$ ) engaged in 5–10 incidences of minor misconduct, 13% ( $n = 327$ ) incurred 11–20 violations, 10.4% ( $n = 259$ ) incurred 21–31 violations, and over 50% ( $n = 1,254$ ) of the cohort engaged in 32 or more instances of minor misconduct. In sum, a much larger percentage of the cohort were chronically engaged in minor misconduct than major misconduct.

The above findings show that members of the study cohort were extremely active in misconduct during their confinement, although the majority of misconduct was considered minor by YCS. To shed more light on misconduct by the study cohort, the next section explores the determinants of misconduct involvement.

### *Determinants of Misconduct Behavior*

The presentation of incidence and prevalence figures shows a continuation of many behaviors that, if perpetrated outside of institutions, would constitute a violation of the penal code. Even for the much more frequent minor misconduct, the study cohort engaged in a number of problematic behaviors considering their serious, violent, and generally dysfunctional pasts. The frequency of misconduct accounted for by the study cohort is particularly notable considering the potential for continued adult imprisonment for these offenders. Although the majority of offenders engaged in at least one form of misconduct on at least one occasion, there was considerable variation in misconduct frequency and prevalence, particularly depending on whether the type of institutional misconduct was major or minor. To shed additional light on the institutional offending careers of the cohort under study, the following analyses explore the determinants of the rate of misconduct. The first two models in Table 2 explore the determinants of the full frequency of major and minor misconduct.<sup>10</sup>

Results of the analyses in Table 2 show that delinquent history covariates provided the greatest explanation of the expected major misconduct rate relative to social history variables. For example, state delinquents who were younger at their state commitment evinced a higher expected major misconduct rate, as did those with a greater number of previous adjudications, a greater number of previous out-of-home placements, gang members, substance abusers, and those who resided in a chaotic home environment prior to state incarceration. The finding in Table 2 that young age was associated with a higher expected rate of misconduct is perhaps the most widely supported finding in both the juvenile and adult misconduct research (see, for example, DeLisi, 2003; Drury & DeLisi, in press; Gaes et al., 2002; Jiang, 2004; Kuanliang et al., 2008; Trulson, 2007). A one-unit increase in age resulted in a 26% decrease in the expected rate of major misconduct. Such a finding suggests that young institutional commitments should receive heightened attention at commitment to help protect from involvement in major misconduct behavior. This is especially the case if involvement in misconduct is in response to previous or potential victimization by older institutional wards. The findings suggest similar attention should be paid to those offenders categorized as gang affiliated upon commitment, as well as those who have experienced a higher number of previous adjudications and out-of-home placements relative to the rate of involvement in major misconduct.

Regarding race, all racial groups demonstrated a decreased expected major misconduct rate compared to African American commitments (reference category). Moreover, being committed for a homicide offense (reference category) was associated with a decreased expected major misconduct rate relative to other commitment offense types. For example, being a sexual-related offender increased the expected major misconduct rate by 87%, being a serious person/property commitment was associated with a 85.8% increase in the expected major misconduct rate, and being committed for an “other” offense type was associated with a 70.6% increase in the major misconduct rate,

**Table 2.** Negative Binomial Regression Model for Major and Minor Misconduct Violations (*n* = 2,487)

Variable	Major			Minor		
	b	Exp (b)	% Exp (b)	b	Exp (b)	% Exp (b)
<b>Demographic</b>						
Hispanic	-0.42	0.65	-34.60***	-0.50	0.60	-39.60***
White	-0.29	0.74	-25.60***	-0.41	0.66	-33.40***
Other	-0.68	0.51	-49.50***	-0.80	0.45	-55.00***
<b>Delinquent history</b>						
Age at YCS commitment	-0.31	0.73	-26.60***	-0.24	0.79	-21.30***
Total previous adjudications	0.08	1.08	8.80**	0.12	1.13	12.70***
Out-of-home placements	0.14	1.14	14.90***	0.10	1.09	9.70***
Serious person/property	0.62	1.85	85.80***	0.97	2.64	164.20***
Sexual related	0.63	1.87	87.40***	1.15	3.15	215.80***
Other	0.53	1.70	70.60***	0.90	2.44	145.00***
Gang affiliated	0.19	1.21	21.00**	0.11	1.11	11.70*
<b>Social history</b>						
Substance abuser	0.20	1.22	22.40***	0.22	1.24	24.20***
Suicidal	-0.22	0.81	-19.50	-0.36	0.77	-23.30*
Mentally challenged	0.12	1.13	13.00	0.21	1.23	22.80*
Mentally ill	0.21	1.23	22.80	0.23	1.26	25.60*
Physical abuse	0.08	1.09	8.60	0.06	1.06	6.60
Sexual abuse	-0.01	0.99	-1.00	0.02	1.02	2.10
Emotional abuse	0.03	1.03	3.20	0.03	1.02	2.90
Poverty	-0.04	0.96	-3.80	-0.08	0.92	-8.20
Chaotic home environment	0.13	1.14	13.90*	0.17	1.19	18.60*
Family gang affiliation	-0.02	0.98	-1.90	0.08	1.08	8.20
Violent toward family	0.05	1.05	5.30	0.04	1.04	4.50
Log likelihood			-7304.95			-12749.15
LR $\chi^2$			481.09***			691.23***

NOTE: LR $\chi^2$  = likelihood ratio chi-square; YCS = Youth Correctional System.

\* *p* < .05

\*\* *p* < .01

\*\*\* *p* < .001

relative to homicide commitments. Few of the social history variables were related to the rate of major misconduct. Residing in a chaotic home environment prior to incarceration increased the expected major misconduct rate by 13.9% and being categorized as a substance abuser by YCS increased the expected major misconduct rate by 22.4%. However, no other social history abuse, familial, or mental health variables were related to the major misconduct rate.

Table 2 also explored the correlates of minor misconduct. The results of the analysis are largely consistent with the major misconduct rate model, with some exceptions. In this model, being categorized as having a history of suicidal behavior by YCS was associated with a decrease in the expected rate of minor misconduct violations, whereas being characterized as mentally challenged or mentally ill at state commitment was related to an increased minor misconduct rate. Consistent with the major misconduct model, delinquent history variables appeared to offer the greatest insight into the rate of minor misconduct in an overall fashion. For example, every one-unit increase in the age at YCS commitment was associated with a 21% decrease in the rate of minor misconduct. In other words, being young was associated with significant increases in the expected rate of minor misconduct. Also consistent with the major misconduct model, African Americans, those with a greater number of previous adjudications and out-of-home placements, offenders committed for

**Table 3.** Negative Binomial Regression Model for Staff and Ward Assaults ( $n = 2,487$ )

Variable	Staff Assaults			Ward Assaults		
	b	Exp (b)	% Exp (b)	b	Exp (b)	% Exp (b)
<b>Demographic</b>						
Hispanic	-0.37	0.69	-31.10**	-0.29	0.75	-25.30***
White	-0.41	0.66	-33.80**	-0.37	0.69	-30.60***
Other	-1.05	0.34	-65.10*	-0.62	0.53	-46.10**
<b>Delinquent history</b>						
Age at YCS commitment	-0.36	0.70	-30.50***	-0.34	0.71	-28.70***
Total previous adjudications	0.10	1.10	10.40	-0.01	0.99	-0.70
Out-of-home placements	0.19	1.21	21.40***	0.15	1.16	15.90***
Serious person/property	1.00	2.74	173.90***	0.22	1.25	25.50**
Sexual related	0.82	2.28	128.10***	0.37	1.45	44.70***
Other	0.89	2.45	145.00***	0.21	1.23	23.20**
Gang affiliated	0.06	1.06	5.90	0.28	1.32	31.70***
<b>Social history</b>						
Substance abuser	0.27	1.31	31.10*	0.07	1.07	6.80
Suicidal	-0.09	0.91	-8.80	-0.18	0.84	-16.40
Mentally challenged	0.27	1.31	31.10	0.21	1.24	23.80*
Mentally ill	0.25	1.28	28.40	0.19	1.22	21.60
Physical abuse	0.03	1.03	2.80	0.07	1.07	7.00
Sexual abuse	0.02	1.02	2.20	0.01	1.01	0.70
Emotional abuse	-0.01	0.98	-1.40	0.02	1.02	1.60
Poverty	-0.07	0.93	-6.80	-0.00	0.99	-0.20
Chaotic home environment	0.33	1.40	39.80*	0.17	1.19	18.80**
Family gang affiliation	0.29	1.33	33.30	-0.17	0.84	-15.70
Violent toward family	0.04	1.04	3.80	-0.02	0.97	-2.20
Log likelihood			-2179.25			-5714.88
LR $\chi^2$			226.69***			403.89***

NOTE: LR $\chi^2$  = likelihood ratio chi-square; YCS = Youth Correctional System.

\*  $p < .05$

\*\*  $p < .01$

\*\*\*  $p < .001$

sexual offenses, serious person/property offenses, and “other” offenses, gang members, substance abusers, and those who resided in a chaotic home environment prior to commitment evinced an increased expected rate of minor misconduct. In general, these characteristics were associated with involvement in problematic behavior while institutionalized, regardless of whether the behavior was considered minor or major by YCS.

Table 3 presents the findings of the negative binomial regression models concerning both staff and ward physical assaults. In general, these are two of the most serious misconduct violations for which wards can be involved, typically have some of the highest rates of detection and documentation when perpetrated, and perhaps hold some of the greatest consequences for youth when they engage in this behavior. With some exceptions, the results examining these individual measures of misconduct are similar to those for major and minor misconduct. For example, African American race was associated with an increased rate of staff and ward assaults, relative to other races. In both assault models, younger commitments were significantly more likely to be involved in staff and ward assaults. Every one-unit increase in the age at YCS commitment was associated with a 30.5% and a 28.7% decrease in the staff and ward assault rates, respectively. Moreover, those with a greater number of out-of-home placements evinced an increased rate of staff and ward assaults. Every unit of increase in previous out-of-home placements led to a 21.4% increase in the staff assault

rate and a 15.9% increase in the ward assault rate. Being a homicide commitment was also associated with a decreased expected assault rate in both models. Interestingly, being categorized by YCS as a gang member was not significantly related to the staff assault rate; however, being a gang member was significantly and positively associated with the ward assault rate (% Exp [b], +31.7%). Furthermore, those categorized by YCS as substance abusers had an increased expected staff assault rate (% Exp [b], +31.1%) but not ward assault rate, and mentally challenged offenders had an increased expected rate of ward assaults (% Exp [b], +23.8%) but not staff assaults. Finally, living in a chaotic home environment prior to incarceration was associated with an increased staff (% Exp [b], +39.8%) and ward assault rate (% Exp [b], +18.8%). With few exceptions, the factors found determinative of the rate of major and minor misconduct were the same factors found determinative of the rate of staff and ward assaults.

## Discussion and Conclusions

This study focused on the institutional misconduct behaviors of a cohort of serious and violent state committed delinquent offenders. Three major themes emerged based on the findings of this study. The first theme is that the state delinquent cohort accounted for more than 200,000 instances of misconduct while incarcerated. Although the majority of violations were considered minor by YCS, and little comparative evidence exists to determine whether misconduct incidence and prevalence figures are “high” relative to other institutionalized delinquent populations, the incidence of behavior suggests that members of the study cohort continued to engage in negative behavior patterns (see, for example, DeLisi, 2003, for incidence and prevalence figures among a cohort of adult prison inmates and Trulson, 2007, for average number of total misconduct counts among a sample of institutionalized juvenile offenders). In short, institutionalization for extremely serious and violent offenses, with the real potential for adult prison transfer, did not appear to deter offending on the “inside” for certain members of the study cohort.

The second theme is that in most incident categories, either major or minor, prevalence figures were at or below one third of the study cohort. In some incident categories, however, prevalence rates were much higher. This finding was most pronounced for the major rule violation of ward assaults. Nearly 71% of the study cohort was involved in this major violation on at least one occasion while confined. The third theme is that those offenders with generally more problematic delinquent and social histories—younger commitments, those with more previous adjudications, gang members, nonhomicide offenders, substance abusers, those who lived in “chaotic” home environments, and those with a greater number of previous out-of-home placements—were consistently and significantly more likely to engage in a higher rate of misconduct behavior while incarcerated. This finding, with few exceptions, held across four models examining two omnibus measures of major and minor misconduct and two individual measures of assaultive misconduct.

Some specific findings merit further discussion. First, being a homicidal offender was associated with a decreased expected misconduct rate relative to all other offender types. This counterintuitive finding is widely supported in the adult misconduct literature (Cunningham, 2008; Cunningham & Sorensen, 2007; Drury & DeLisi, in press; Sorensen & Cunningham, in press) and, until now, has not been empirically examined in the literature on the misconduct behaviors of state delinquents. It may be that homicide offenders are less likely to participate in misconduct behavior due to the seriousness of their offense and a greater potential of adult system transfer for even minor transgressions while incarcerated. In short, juvenile killers may believe they will be given much less latitude for negative behavior than other serious and violent blended sentenced youth. Indeed, under the blended sentencing scheme, homicidal offenders face longer potential periods of adult incarceration compared to other serious and violent delinquent offenders committed under the blended sentencing statute for lesser felonies. For example, capital murder is the highest level felony in the state under study and can result in a maximum 40-year determinate sentence under the blended sentencing

scheme. Lower level delinquent felons might only face a potential 10- to 20-year determinate sentence depending on the level of felony offense. Although lesser felony offenders are still considered serious and violent, and committed under the blended sentencing statute, lower level felony offenders do not face potential determinate sentences as long as the most serious homicidal commitments. Combined, these realities may help to explain the decreased expected rate of all forms of misconduct for homicidal commitments.<sup>11</sup>

Second, being younger at state commitment was associated with an increased expected misconduct rate and this finding held across all models. This is perhaps one of the most consistent findings in both the juvenile (Trulson, 2007) and the adult misconduct literature (Berg & DeLisi, 2006; DeLisi, 2003; Drury & DeLisi, in press; Gaes et al., 2002; Kuanliang et al., 2008; Steiner & Wooldredge, 2008; Wooldredge, 1991, 1994; Wooldredge et al., 2001). Finally, the general finding that delinquent history indicators were the strongest and most consistent predictors of the expected misconduct rate, across all models, is also supported by previous misconduct research involving juvenile offenders (Trulson, 2007) and is also generally consistent with adult misconduct research examining the influence of equivalent criminal history variables.

Before addressing the implications of this study, it is important to mention certain limitations. First, this study was based on officially collected misconduct reports and we were not able to account for discretion in officer decision making, the ability of officers to detect all violations, or the relative rigor officers used in ferreting out misconduct (Daggett & Camp, 2009). This is not a new critique on the use of officially collected data, but it could have affected the results of this study in some unknown way. As a future research implication, initiatives that use both official and self-report methodologies would perhaps enhance the validity of misconduct counts. A perspective on officer decision making would also provide more insight into frontline data collection efforts. Despite this limitation, it is important to note that we examined the most serious forms of misconduct collected by the juvenile correctional system, including assaultive misconduct on staff and other wards in the negative binomial estimations. These and other forms of serious misconduct generally have a high probability of being both discovered and documented compared to less serious forms of misconduct, where discretion of officers perhaps plays a greater role.

Second, this study focused on a very serious and violent cohort of male delinquents based on their commitment offenses. As a whole, the offenders of focus in this study constituted an entire cohort of the most serious and violent delinquent incarcerated in the state under study. Although the results do appear to mesh well with one previous examination by Trulson (2007) who examined a more generalized or mixed sample of institutionalized delinquent offenders, it would have been beneficial to be able to compare the serious and violent offenders of this study to a general sample of state commitments to increase the reliability of findings. In short, not all state committed delinquents are the same relative to their offense of commitment and this additional point of comparison would have improved this study. One potential difference, for example, is that offenders not sentenced as serious and violent offenders under the blended sentencing statute do not face the potential for an administrative transfer to adult prison. Without the threat of adult transfer, it might be the case that a general cohort of state delinquents is even less deterred by the potential consequences of misconduct. This is unknown but would be an interesting research question to explore in future studies.

Finally, we were not able to account for additional variables and their potential contribution to an explanation of institutional misconduct. For example, variables measuring facility-level characteristics such as staff-to-inmate ratios, population counts, and racial population breakdowns would have provided greater insight into other factors that might protect or provoke involvement in institutional misconduct beyond the individual level. The addition of such variables would have also allowed for multilevel analyses to assess the relative effects of both individual and facility-level variables on misconduct frequency (see, for example, Steiner & Wooldredge, 2008). Other additional variables would have proved important. Motivation, for example, would have provided

greater context to involvement in misconduct behavior. It is possible that some instances of misconduct were perpetrated to avoid being victimized and this might help explain the consistent effect that young age had on the expected misconduct rate in all multivariate models. Injury level would have been another important variable and could have served as a proxy for the seriousness of the misconduct, beyond its level as major or minor. Actual punishments following confirmed misconduct behavior would also have provided another level of detail which would have been useful.

It would have also been useful to have greater specificity among existing variables to provide further context to the findings. Unfortunately, many of the variables included in the current study were collected at a juvenile's commitment to state incarceration only and are not updated throughout their incarceration. In other cases, we did not have additional information that would have provided more information to the specific meaning of certain variables beyond that provided by YCS. Although we did not have access to additional variables or further specificity among the variables for which we had access, models that could incorporate additional variables and further specificity would certainly provide more insight into the determinants of misconduct. As a result, it is possible that the lack of significance for many of the social history variables in the models, compared to delinquent history indicators, may relate to how they were measured and/or that many were measured at a delinquent's commitment and not updated throughout their state juvenile confinement. With this in mind, one benefit of this study is that the dependent variables were all count variables and this fact allowed us to examine the full frequency of misconduct behaviors during offenders' entire incarceration period. This is an improvement over dichotomous indicators in existing studies, which provide much less specificity to the actual behavior of state delinquents while confined. This study also improved upon those studies that have examined only a cross-section of the incarceration period.

These limitations aside, we believe the findings provide important implications for delinquent offenders as related to their behavior while incarcerated. First, this study adds to the very small literature on the institutionalized behavior of state committed delinquent offenders. At a broad level, the findings indicate that for some offenders, institutionalization is not a period of intermittent desistance, but rather, a period characterized by continuity in offending—and for some, quite frequent and sometimes serious offending. Although prevalence figures indicated significant variation between major and minor misconduct categories, a still consequential proportion of offenders engaged in troubling behaviors, considering their serious delinquent pasts. Indeed, many of the major misconduct behaviors would constitute new offending outside of institutionalization and more than 20% of offenders had in upward of 11 major violations, and more than 40% incurred at least 5 major violations during their confinement. Such findings suggest a very active group of offenders behind bars—and a group worthy of further attention.

Because of the potential negative consequences that follow involvement in serious institutional misconduct, special attention to those at most risk of misconduct involvement is important. Indeed, the findings of this study suggest that those with more extensive and dysfunctional backgrounds, beyond just commitment for a serious and violent offense, are at the greatest risk of involvement in misconduct. This group would include younger institutional commitments, nonhomicide offenders, substance abusers, gang members, and those who have experienced a lengthier history of out-of-home placements. Although we lacked variables allowing for a competing analysis on the influence of facility-level characteristics or deprivation variables to individual or importation variables, the findings herein seem to be consistent with the importation model of institutional violence—that institutional misconduct is a result of the propensities, experiences, and characteristics that inmates bring with them into the institutional environment, rather than the aspects of institutionalization itself (Poole & Regoli, 1983). Based on this perspective, institutional programs focused on the individual characteristics of risky institutional commitments may have the dual benefit of reducing institutional misbehavior while at the same time improving the long-term outlook of juvenile commitments. In as much as research suggests that institutional misconduct has important links to postrelease recidivism (Huebner et al., 2007; Lattimore et al., 2004; Trulson, 2007; Trulson,

Marquart, Haerle, et al., 2008; Trulson, Marquart, Mullings, et al., 2005; Trulson et al., in press) and other personal, social, and system consequences (Daggett & Camp, 2009), efforts to minimize misconduct participation seem useful.

Efforts by correctional systems to intervene in the institutional offending trajectories of state committed institutionalized delinquents are perhaps as important as specific treatment programs and other institutional initiatives seeking to change offending trajectories following institutionalization. This is particularly true of the cohort of offenders in this study. The offenders of focus in this study were sentenced to state juvenile incarceration with a significant determinate sentence looming—a sentence to be continued in adult prison for a potential maximum of 40 years—based on their institutionalized progress and behavior. Soon after the passage of the blended sentencing statute in the state under study in 1987, waivers to adult court dropped precipitously and resulted in a cohort of more than 2,000 serious, violent, and/or chronic delinquent offenders being retained in the juvenile system and housed in state juvenile institutions. The trend of giving such serious and violent delinquents one more last chance to change continues today in the state under study, although the potential of adult imprisonment still looms in the offing as a last resort. As a result, efforts to improve the institutional success chances of such risky offenders may lead to further benefits not only for the youthful offender but for the system and the public as well. Although it is beyond the findings of this study to specify exactly what those efforts by juvenile correctional systems might include, the findings of this study do provide insight into those offenders most likely to benefit from such additional efforts or, at the least, those offenders most at risk of continued offending behind bars. More attention to misconduct prevention and intervention for those most at risk of continued offending behind bars may lead to important dividends not only for institutional authorities and offenders but for the public as well upon the eventual release of these last chance offenders back into society.

## Notes

1. This study examines the entire population of serious and violent offenders sentenced under the blended sentencing statute since 1987 and released at the time of this writing. It does not examine the entire population of YCS. Rather, the population of serious and violent offenders sanctioned under the blended sentencing scheme and incarcerated between 1987 and 2004 are considered a subpopulation of YCS as a whole. YCS commitment offenses for the study population include aggravated assault ( $n = 248$ , 9.8%), aggravated kidnapping ( $n = 44$ , 1.7%), aggravated robbery ( $n = 492$ , 19.5%), aggravated sexual assault ( $n = 840$ , 33.3%), arson ( $n = 3$ , .1%), attempted aggravated robbery ( $n = 6$ , .4%), attempted aggravated sexual assault ( $n = 11$ , .4%), attempted capital murder ( $n = 106$ , 4.2%), attempted murder ( $n = 182$ , 7.2%), attempted sexual assault ( $n = 7$ , .3%), capital murder ( $n = 70$ , 2.8%), conspiracy to commit aggravated robbery ( $n = 1$ , < 1.0%), conspiracy to commit murder ( $n = 1$ , < 1.0%), criminally negligent homicide ( $n = 1$ , < 1.0%), deadly conduct ( $n = 36$ , 1.4%), indecency with a child ( $n = 58$ , 2.3%), injury to a child or elderly individual ( $n = 19$ , .8%), murder ( $n = 297$ , 11.8%), sexual assault ( $n = 72$ , 2.9%), solicitation to commit murder ( $n = 1$ , .0%), and voluntary manslaughter ( $n = 25$ , 1.0%).
2. A delinquent offender is eligible for prosecution under the blended sentencing statute upon the commission of a defined list of 22 serious and violent crimes. We have no information regarding the number of potential offenders, who instead of being prosecuted under the blended sentencing statute were rather retained exclusively in juvenile court or waived to adult court for criminal proceedings, thus not eligible for the potential blending of juvenile and adult institutionalization. This study examines all offenders sentenced under the blended sentencing statute since 1987 and released from YCS at the time of data retrieval in 2004. All offenders in this study had to have been released from juvenile confinement or transferred to the adult prison system under the blended sentencing statute so as to allow a full record of their juvenile institutionalization misconduct records. Under this state's blended sentencing scheme, the adult portion of the sentence can be suspended dependent on institutional progress such as rehabilitation progress and/or avoidance of institutional infractions, among other criteria.

3. Due to legislative changes, YCS, not the original commitment court, now determines whether the offender will be transferred to adult prison to continue his or her determinate sentence.
4. YCS, a pseudonym, is used because confidentiality was a condition of data retrieval. Of the entire population of blended sentenced offenders ( $N = 2,520$ ), 1,804 were released under YCS jurisdiction. However, 716 offenders transitioned to adult prison to continue the remainder of their determinate sentence. Regardless of release or prison transfer, we have information on the entire misconduct careers of the entire cohort while they were institutionalized in juvenile facilities. Additionally, a total of 2,520 cases were available but 33 cases had missing information on misconduct measures, resulting in a final sample of 2,487 for the multivariate analyses and classification tables.
5. Unless otherwise noted, all assault variables refer to nonsexual physical assaults. The major misconduct violation of "sexual contact" is inclusive of sexual assault behavior. We thank an anonymous reviewer for this perspective.
6. Misconduct counts are based on confirmed and officially recorded and sanctioned rule violations. Unfortunately, no information was available in the data regarding punishment associated with a confirmed rule violation.
7. A diagnostic dispersion parameter confirmed that the negative binomial model was appropriate when compared to the Poisson model, another strategy for modeling count data but one in which the presence of overdispersion can lead to biased estimates. The likelihood ratio chi-square ( $LR\chi^2$ ) for each model is as follows:  $LR\chi^2 = 481.09$ ,  $p < .0001$  (major misconduct violations),  $LR\chi^2 = 691.23$ ,  $p < .0001$  (minor misconduct violations),  $LR\chi^2 = 226.69$ ,  $p < .0001$  (staff assaults), and  $LR\chi^2 = 403.89$ ,  $p < .0001$  (ward assaults).
8. Unfortunately, additional information was not available from YCS regarding the specific construction of many of the variables, particularly social history variables. Many of the independent variables are dichotomized by YCS following more specific diagnostic procedures. For example, the dichotomous variable indicating whether a youth was considered mentally ill was based on a detailed psychiatric assessment at the offender's intake to YCS. We were allowed access only to those variables after they had been dichotomized by research staff. We were not allowed access to the full compliment of diagnostic test results for each individual offender.
9. No separate coefficient is produced for exposure time in the negative binomial models. The use of exposure time in the negative binomial estimations serves to convert a count-dependent variable to a rate, thus negating the need for a separate coefficient produced for time incarcerated.
10. We estimated collinearity diagnostic models for the variables used in the negative binomial models. An inspection of variance inflation factors (VIFs) revealed no evidence of multicollinearity. Indeed, VIFs ranged from a low of 1.041 to a high of 1.493, well under the most conservative estimates indicative of multicollinearity.
11. It should also be noted that homicide commitments do not receive special security housing or other suppressive treatment that may dampen their opportunity for misconduct relative to other serious and violent offenders committed for nonhomicide offenses.

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## Appendix A

### Incidence and Prevalence of Major and Minor Misconduct Violations

	Incidence	Prevalence
<b>Major misconduct violations</b>		
Assault on ward	9,050	70.8%
Destruction of property	1,793	34.1%
Gang-related activity	1,407	17.1%
Assault on staff	1,404	24.0%
Stealing	878	13.8%
Possession or use of a controlled substance	836	21.4%
Assault by threat of imminent bodily injury	797	7.4%
Vandalism	570	9.4%
Attempted escape	393	10.6%
Aiding or abetting a major rule violation	363	9.6%
Possession of a weapon	324	10.1%
Escape	234	6.0%
Sexual contact	212	5.4%
Participation in a riot	210	5.3%
Indecent exposure	164	2.2%
Tampering with communication equipment (e.g., fire alarm)	137	3.7%
Chunking bodily fluids	116	3.2%
Tattooing or body piercing	46	1.4%
Refusing a drug screen	38	1.3%
Extortion	18	0.6%
<b>Minor misconduct violations</b>		
Disruption of program	114,848	98.0%
Refusal to follow staff instructions	31,264	38.0%
Dangerous activity	17,221	78.6%
Failure to comply with a reasonable request	14,276	56.0%
In undesignated area	5,698	25.1%
Possession of contraband (not drugs or weapons)	3,911	30.3%
Failure to abide by dress code	3,220	23.8%
Lying/falsifying documents/cheating	2,177	21.7%
Aiding or abetting a minor rule violation	1,269	19.0%
Lending/borrowing/trading	933	17.9%
Threat of harm to self	383	4.9%
Improper use of telephone or letters	278	7.2%
Gambling	102	3.0%
Missed scheduled activity	79	1.1%
Breaching group confidentiality	39	1.4%

Note: Incidence reflects the total number of violation incidents committed by the cohort. Prevalence is the percentage of the cohort with at least one incident by violation category. For example, 70.8% of the entire cohort incurred at least one assault on a ward during their incarceration (prevalence), for a total of 9,050 ward assaults (incidence). Concerning ward assaults, 1,760 of the 2,487 wards with complete misconduct information committed at least one ward assault during their incarceration. Prevalence for ward assaults was calculated:  $1,760/2,487 = .7076\%$  or 70.8%.

## Appendix B

### Major and Minor Misconduct Frequency Classifications (N = 2,487)

Number of Violations	Major		Minor	
	Frequency	Percentage	Frequency	Percentage
0	423	17.0	43	1.7
1	353	14.2	67	2.7
2-4	647	26.0	223	9.0
5-10	521	20.9	314	12.6
11-20	315	12.7	327	13.1
21-31	116	4.7	259	10.4
32+	112	4.5	1,254	50.4

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