

## Effect of Psychopathy, Abuse, and Ethnicity on Juvenile Probation Officers' Decision-Making and Supervision Strategies

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**Abstract** Probation officers exercise substantial discretion in their daily work with troubled and troubling juvenile offenders. In this experiment, we examine the effect of psychopathic features, child abuse, and ethnicity on 204 officers' expectancies of, recommendations for, and approach to supervising, juvenile offenders. The results indicate that officers (a) have decision-making and supervision approaches that are affected by a youth's psychopathic traits and history of child abuse—but not ethnicity; (b) view both abused youth and psychopathic youth as highly challenging cases on a path toward adult criminality; and (c) have greater hope and sympathy for abused youth than psychopathic youth. For abused youth, officers are likely to recommend psychological services and “go the extra mile” by providing greater support, referrals, and networking than is typical for their caseload. For psychopathic youth, officers expect poor treatment outcomes and are “extra strict,” enforcing rules that typically are not enforced for others on their caseload.

**Keywords** Juvenile offenders · Probation · Probation Officers · Psychopathy · Child abuse · Ethnicity

Juvenile probation is founded on the premise that youthful offenders may, through intervention, become prosocial and productive members of the community. Since its establishment during the first half of the nineteenth century, probation has grown to become the most commonly used community-based treatment program for delinquent youth (Siegel, Welsh & Senna, 2003), and the most common disposition for juvenile offenders: of the 1.6 million juvenile cases processed in the U.S. in 2002, 38% were placed on probation (Stahl, Finnegan, & Kang, 2005). Given these figures, juvenile probation officers may be viewed as the workhorse of the juvenile justice system. These officers inform specific dispositional decisions about youth, given their responsibility to screen cases for formal or informal processing, make detention decisions, and prepare pre-sentence investigation reports (Bilchik, 1999). Once probation has begun, officers

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work directly with youth, establishing an ongoing relationship that ideally combines care (in the interest of probationer rehabilitation) with control (in the interest of community safety). Officers exercise substantial discretion in processing and handling youthful offenders. Indeed, they have the authority to significantly affect “decision-making and service delivery” at every stage of juvenile justice processing (Bilchik, 1999).

#### Influences on officers’ decision-making and strategies

Although juvenile probation officers are the workhorse of the juvenile justice system, little is known about their decision-making and supervision strategies. The little research available suggests that officers’ strategies are associated with the rehabilitation philosophy of the juvenile justice system, caseload size, and officer characteristics. First, juvenile officers go beyond protecting community safety to emphasize offender care and casework. In a survey of the work ideologies of 206 juvenile and adult probation officers, Sluder and Reddington (1993) found that juvenile officers endorsed strategies that emphasized rehabilitation more strongly than adult officers. Here, officers act as therapeutic agents whose main goal is to help offenders solve social and psychological problems. Second, caseload size affects officers’ supervision strategies. Officers who work in larger agencies and supervise more probationers are more likely than their counterparts to narrowly adhere to offender control-type strategies (Sluder & Reddington, 1993; Skeem, Emke-Francis, & Eno Loudon, 2006). Third, officers’ strategies vary with their work experience. As officers’ age and experience increases, they become more likely to recommend treatment for offenders (Reese, Curtis, and Whitworth, 1988).

The mechanism that links officers’ strategies with work experience, organizational philosophies, and other factors is unclear. However, it is likely that officers, like laypeople, have experience-based “knowledge structures” that guide their judgments about, and handling of, offenders. These include attitudes about, and prototypes of, offenders. Attitudes, or positive and negative views about persons, behaviors, and events, have been shown to bias “every step of the information processing sequence” (Olson & Zanna, 1993, p. 129). Prototypes also affect information processing. According to prototype theory, people’s knowledge about social groups, personality types, and other categories is structured around and represented in memory by a prototype, or quintessential member (for a review, see Skeem & Golding, 2001). This prototype is defined by a set of abstract features commonly associated with the category that captures the category’s meaning.

#### The role of offender prototypes

There is some support for the notion that such knowledge structures as prototypes guide probation officers’ handling of cases. In an interview-based study of 40 probation officers, Lurigio and Carroll (1985) found that officers had at least ten prototypes of offenders that were differentiated by features like offense type, offenders’ physical characteristics, drug use, gang affiliation, and living environment (suburban/urban/rural). For example, officers described a prototypic career criminal as a “Black, well dressed, street-smart, manipulative, bad person [who was] unreachable, [showed] no concern for others, [and had an] extensive, diverse criminal history” (p. 1115). Experienced officers exhibited more detailed prototypes than newer officers. These prototypes were associated with officer behavior: probationers that officers could easily classify into certain prototype groups were evaluated more easily, consistently, distinctively and confidently. This finding suggests that prototypes may affect supervision strategies. It also is consistent with research on “typifications,” or prototypes of typical or routine cases. Typifications are used in professional contexts to conduct work more smoothly (Sudnow, 1965). In a focus group study

of 52 probationers with mental disorder and their probation officers, Skeem, Encandela, and Eno Louden (2003) found that when a new probationer matches a prototypical probationer that the officer handles routinely, he or she understands what actions are in order, and can process the case efficiently. When this is not the case, the probationer may be viewed and handled as a difficult case, or problem to the efficient operation of the system.

#### Psychopathy as a difficult case prototype

Juvenile probation officers estimate that a significant minority (11–20%) of cases they supervise are “psychopathic” (Cruise, Colwell, Lyons, and Baker, 2003). Youth who fit a psychopathic prototype are likely to be identified and handled as difficult cases by officers, particularly given recent changes in juvenile justice policy. First, media portrayals have created a class of violent, impulsive, callous, and untreatable juvenile offenders, or “superpredators” (e.g., Dilulio, 1995a; Innes, 1997). “Superpredator” may be understood as a lay term for “psychopath.” Although juvenile arrests for violent crime recently reached their lowest rate in nearly two decades (see Snyder, 2005), these media portrayals have fostered public fear of a new, qualitatively different, and dangerous generation of youth. Given their exposure to these media portrayals, officers, like laypeople, may have conceptions or prototypes of superpredators. Second, based largely on misplaced public fear (Steinberg, 2002), the juvenile justice system has become increasingly “tough” in its approach to youth, and more difficult to distinguish from the adult criminal justice system. In this system, youth who are viewed as chronically dangerous and untreatable are appropriate candidates for harsh treatment, including transfer to adult criminal courts (*Kent v. U.S.*, 1966). Like others, officers might assume that youth with psychopathy are “chronically dangerous” and “untreatable.”

These assumptions enjoy only partial empirical support. First, measures of juvenile psychopathy have been linked with moderate risk of future violence (Edens, Skeem, Cruise, & Cauffman, 2001; Gretton, Hare, & Catchpole, 2004; Frick, Kimonis, Dandreaux, & Farell, 2003; Salekin, Neumann, Laistico, DiCicco, & Duros, 2004). Second, however, the three available studies on juvenile psychopathy and treatment suggest that it is premature to conclude that youth with psychopathy are untreatable. In a retrospective study of 85 youth, Spain, Douglas, Poythress, and Epstein (2004) found that measures of youth psychopathy postdicted misbehavior during the treatment program and slower progress in treatment. This indicates that youth with these features are difficult to treat (a point few would contest); it does not indicate that these youth do not respond to treatment. In a retrospective study of 64 adolescents treated in a substance abuse setting, O’Neill, Lidz, and Heilbrun (2003) found that PCL:YV scores were moderately associated with ratings of program participation and outcome, and postdicted recidivism the year after discharge from the program. Because the study included no control group, however, it cannot address the question of whether treatment reduces recidivism risk for those with psychopathic traits. In a prospective study of 141 youth with pronounced PCL:YV scores and histories of violence and institutional infractions, Caldwell, Skeem, Salekin, and Van Ryoboek (2006) found that those who participated in an intensive treatment program were 2.4 times *less* likely to recidivate violently the year after release, compared with those who participated in treatment as usual. Third, it also is premature to conclude that most youth with apparent psychopathic traits will mature into adult psychopaths. We are aware of only one study that has followed youth over the transition from adolescence to adulthood. In this study of 271 youth, Lynam, Caspi, Moffitt, Loeber, & Stouthamer-Loeber (in press) found that less than one third (29%) of adolescents who obtained extremely high scores (i.e., top 5%) on a measure of psychopathy at age 13 were classified as psychopathic at age 24. No data are available yet to indicate whether psychopathy is as stable over time during adolescence as it is during adulthood.

Setting aside these data, to the extent that juvenile probation officers may make the usual assumptions that youth with psychopathic traits are “chronically dangerous” and “untreatable,” they may approach these atypical cases with dim expectations. This may affect their dispositional recommendations and supervision strategies.

There is some support for the notion that probation officers have conceptions or prototypes of psychopathy that affect their decision-making about cases. Based on a sample of juvenile detention ( $N = 218$ ) and juvenile probation ( $N = 205$ ) officers, Cruise, et al., (2003) studied officers’ prototypical conceptions of psychopathy. Specifically, they asked officers to imagine a prototypical psychopathic case and then indicate how well each of 61 items drawn from various measures of conduct disorder, antisocial behavior, and psychopathy described the case. The results suggest that officers’ prototypes of boys with psychopathy overlap with classic clinical conceptions, in that they rated interpersonal (e.g., lies, cons), affective (e.g., uncaring, shallow emotions, unremorseful), and behavioral (e.g., poor behavior controls, impulsivity) traits as important. Perhaps given the juvenile justice setting in which they encounter these youth, officers also viewed violence and antisocial behavior as characteristic of psychopathy. The majority of these officers (60%) would recommend that rehabilitation efforts be tried with the imagined prototypical case, even though most officers believed that only a minority (30–40%) of psychopathic offenders, as a group, benefited from treatment.

More recently, Murrie, Cornell, and McCoy (2005) conducted an experiment to examine the effect of psychopathic traits and diagnoses on juvenile probation officers’ decision-making. These authors provided 260 officers with a series of eight vignettes in which they manipulated the juvenile offenders’ traits (conduct disordered behavior vs. interpersonal and affective traits of psychopathy) and diagnosis (conduct disorder, psychopathy, vs. no disorder). They asked officers to rate the likelihood that (a) the offender would engage in future violent and antisocial behavior and benefit from mental health services, and (b) they would recommend various dispositions (e.g., psychological services, transfer to adult court). The results indicated that past antisocial behavior had the most powerful effect on officers’ likelihood ratings and recommendations, followed by descriptive traits of psychopathy. In contrast, diagnostic labels had little effect on officers’ ratings. Controlling for the effect of past antisocial behavior, officers believed youth with psychopathic traits were at greater risk for violence, were more likely to become criminals as adults, and should be provided with more psychological services. Nevertheless, psychopathic traits did not lead officers to recommend that youth be transferred to the adult court.

The results of this study are somewhat consistent with those found in another expert group. Specifically, in a vignette study of 83 judges, Chauhan, Repucci, and Burnette (2005) found that judges perceive juvenile offenders with psychopathic traits as more dangerous than offenders without such traits. Although judges recommend longer sentences for offenders with these psychopathic traits, they perceive them as no less amenable to treatment and no more appropriate for transfer to adult court than those without such traits. Relative to probation officers and judges, laypeople are more explicitly punitive with juvenile offenders with psychopathic traits. In a mock jury study of 360 undergraduates, Edens, Guy and Fernandez (2003) found that psychopathic traits led to harsher sentences based on a capital case vignette.

In summary, the two studies conducted to date suggest that probation officers have conceptions or prototypes of psychopathy that affect their case decision-making. Officers perceive psychopathic offenders as at high risk for future violence and chronic criminal behavior. Although the relation between psychopathic traits and perceived treatment amenability is unclear, the one study in which officers’ decision-making has been explored suggests that officers do not recommend transfer to adult court for psychopathic offenders. There is reason to believe, then, that officers perceive this group as difficult and chronically dangerous, but may not endorse a punitive approach toward them.

## Present study

Although these two studies outline officers' prototypes of psychopathy and their relation to case decision-making, much about the relation between psychopathy and how officers handle difficult cases remains unknown. First, it is unclear how psychopathy and other offender characteristics affect an officer's expectancies, supervision approach, and relationship with the offender. The present study goes beyond the past emphasis on officers' perceptions and recommendations to assess these factors related to supervision. Second, it is unclear whether and how psychopathic traits interact with other offender characteristics that may be key components of offender prototypes. In this study, we assess whether psychopathy INTERACT with abuse and ethnicity to affect officers' decision-making. This assessment may clarify somewhat conflicting results from past studies. Specifically, it may be the case that officers' perceptions of treatment amenability for psychopathic youth vary as a function of abuse history.

## *Role of child abuse*

Ample research suggests that abused individuals are at relatively high risk for involvement in antisocial and violent incidents (Kelley, Thornberry, Smith, 1997, Horwitz, Widom, McLaughlin, White, 2001). According to Smith, Ireland, & Thornberry (2005), abused youths have higher rates of arrests for general, violent, and substance abuse offenses than their nonabused counterparts. Moreover, childhood abuse and neglect is linked with higher PCL-R scores (Poythress, Skeem, & Lilienfeld, 2006 Weiler & Widom, 1996). To the extent that probation officers are aware of these links, they may perceive abused youth as high risk cases.

According to classic theories and recent research, there are primary and secondary subtypes of psychopathy (Hicks, Markon, Patrick, Krueger, Newman, 2004; Skeem, Johansson, Andershed, Kerr, & Eno Loudon, *in press*; for a review, see Skeem, Poythress, Edens, Lilienfeld, & Cale, 2003). Although the two subtypes are virtually indistinguishable in their violent and antisocial behavior, the reasons for such behavior are "entirely different" (Karpman, 1941). Secondary psychopaths' behavior is viewed as an emotionally conditioned (mal)adaptation to such factors as parental rejection and harsh punishment, whereas the primary psychopaths' behavior is viewed as the product of a constitutionally based affective deficit. Relative to primary psychopathy, secondary psychopathy is viewed as more hostile and reactive, but also more amenable to psychosocial treatment.

Officers' attributions about the cause of a youth's delinquent behavior have been shown to influence their recommendations about disposition (Reese et al., 1988). When delinquent behavior is attributed to emotional instability, for example, officers recommend intervention. Given that child maltreatment is linked with future delinquent and violent behavior (Kelley et al., 1997), officers are likely to encounter probationers who have been abused. Child abuse as an attribution for delinquent behavior has been shown to mitigate punitive legal-decision making about youth (Bridges & Steen, 1998; Horwitz et al., 2001).

Just as officers make attributions about delinquent behavior, so too may they make attributions about psychopathic traits. It is possible that psychopathic traits interact with abuse histories to affect officers' decision-making and supervision strategies. Psychopathic youth with a history of severe abuse may be perceived as exponentially more likely to become violent and (at the same time) more likely to respond to treatment than psychopathic youth without such a history.

### *Role of ethnicity*

Ethnicity is a second factor that may interact with psychopathic traits to affect officers' decision-making and strategies. Despite evidence to the contrary (Skeem, Edens, Camp, & Colwell, 2004), some (Lynn, 2002) have advanced the argument that African Americans are more psychopathic than Caucasians. Similarly, there are suggestions that the "superpredator" concept may be applied more readily to African American offenders. In a series of experiments, Gilliam and Iyengar (1998, 2000) showed community residents a brief videotaped newscast of an investigation of a local murder in which the ethnicity of the suspect was experimentally manipulated. Clips where the alleged perpetrator was African American resulted in significantly increased levels of fear among viewers, and, for Caucasian viewers, promoted racial stereotyping and increased support for "get tough on crime" policies. To the extent that such findings generalize to probation officers, psychopathic traits may interact with ethnicity to affect their decision-making and supervision strategies.

Ethnicity may also affect officers' decision-making and supervision strategies directly. First, research on racial stereotyping shows that ethnicity influences legal decision-making (see, e.g. Weich & Angulo, 2001). Second, in a study that involved priming racial stereotypes, Graham and Lowery (2004) found that officers recommended relatively harsh punishment for offenders from ethnic minorities. Such biases are important to explore and address, given that minority juvenile offenders, particularly African Americans, are disproportionately represented in the juvenile justice system (Poe-Yamagata & Noya, 2005).

### *Study aims*

The present study is designed to examine the effects of psychopathy, ethnicity, and child abuse history of a juvenile offender on juvenile probation officers' (1) expectancies of the offender (e.g., dangerousness, treatment adherence and amenability, and probation outcomes), (2) recommendations for the offender (e.g., deferred prosecution, treatment services, intensive supervision, secure placement, transfer to adult court), and (3) approach to supervising the offender (e.g., expectations of supervision and relationship difficulties, emphasis on care vs. control in supervision). We hypothesize that psychopathy is linked with dim expectations of the offender (greater dangerousness, less treatment amenability, and less likelihood of probation success), recommendations for intensive supervision and secure placement (but not transfer), and emphasis on control in the supervision approach. We expected abuse to manifest similar effects, with the exceptions that abuse would relate to greater perceived treatment amenability and a more care oriented approach to supervision. We expected psychopathic traits and abuse to interact, such that officers perceived psychopathic offenders with histories of abuse as more amenable to treatment than those without such histories. Finally, we hypothesized that psychopathy would interact with ethnicity, such that officers perceived African American psychopathic offenders as more dangerous than their Caucasian counterparts.

### **Method**

To address these study aims, we administered one of eight vignettes in which psychopathy, abuse, and ethnicity were manipulated to a sample of 204 juvenile probation officers. Then, we asked officers to answer a series of questions to describe their construal of the case, their case recommendations, and their likely approach to supervising the offender. Questions that permitted a manipulation check also were included.

## Participants

Participants were 204 juvenile probation officers recruited from two urban counties in Southern California. Of participants who were eligible for the study, 6 (2.8%) were absent from the meeting in which the study was presented and did not return the materials at a later date. None of the officers directly refused to participate. Because the counties had different systems of probation, we conducted analyses to determine whether it was appropriate to pool data across sites. Specifically, a stepwise logistic regression (forward stepping, LR) was performed to determine whether officers at the sites differed in their gender, ethnicity, years of experience, caseload size, and emphasis on community protection versus rehabilitation in supervision. Because the results indicated that there were no significant differences between the sites across these variables, the data across sites were pooled to achieve the power needed (.80) to detect a medium effect of the independent variables on each dependent variable. We refer to a single sample in the remainder of this paper.

To be eligible for the study, officers had to be actively involved in handling juvenile cases either through supervision or case evaluations. The majority of officers were female (67%) and half were Caucasian (50%; 32% Hispanic; 7% African American; 8% Asian; 3% Other). Their average age was 36 years ( $sd = 7.21$ , Range = 25–61), and the majority had attained a Bachelor's degree level of education (75%; 12% Master's degree; 12% two years of college, high school diploma, or other).

Participants had been employed a median of 3 years ( $M = 3.79$ ,  $sd = 4.46$ ) in their current position and a median of 5 years ( $M = 6.04$ ,  $sd = 5.44$ ) as a juvenile probation officer. Three-quarters of participants actively supervised a caseload at the time of the study, and their median caseload size was 46 offenders ( $M = 54$ ,  $sd = 37$ , Range = 4–260). The remaining officers worked at intake and investigations units, placement units (aftercare, foster home), case planning units, or specialty units (e.g., gang suppression, drug court).

## Measures

### *Independent variables*

A case vignette was used to manipulate the three independent variables (psychopathy, ethnicity, and abuse). The vignette was presented as an excerpt from a juvenile predisposition investigation report, which officers are accustomed to reviewing. Eight vignettes were written to represent three fully-crossed, dichotomous conditions ( $2 \times 2 \times 2$ ): (a) psychopathic/not psychopathic, (b) African American/Caucasian, and (c) severe abuse/no abuse. Each condition is explained below. A master version of the vignette that depicts the manipulations is provided in Appendix A. The vignettes were adapted from those used in prior research (Edens, Guy, & Fernandez, 2003; Murrie et al., 2005; Chauhan et al., 2005). They describe a 15 year old male offender's present offense, offense history, family background, and mental health information. With the exception of the independent variables, all factors were held constant across the vignettes.

### *Psychopathy*

Psychopathy was manipulated by presenting the offender as either (a) a diagnosed "psychopath" with interpersonal and affective features of psychopathy (see Forth, Kosson, & Hare, 2003) that included being manipulative, lacking empathy, and lacking remorse, or (b) a young man with no diagnosis who exhibited a "troubling pattern of antisocial behavior," but was genuinely remorseful and accepted full responsibility for his actions. Two things should be noted about

this manipulation. First, we created the psychopathy condition by combining the diagnosis of “psychopath” with a description of psychopathic traits (rather than presenting them separately) because (a) past research indicates that a description of psychopathic traits, but not the diagnosis of “psychopathy” alone, affects decision-making (Edens, Desforjes, Fernandez, & Palac, 2004; Murrie, Boccacini, McCoy, & Cornell, *in press*; Murrie et al., 2005), and (b) the diagnosis and trait descriptors typically accompany one another in assessments, sentencing reports, and general practice; the label ‘psychopathy’ rarely appears in a vacuum. For the sake of clarity, we use the term ‘psychopathy’ in this manuscript to refer to the diagnosis and traits manipulated, and ‘psychopathic’ to describe youth who manifest psychopathy. Given that there is little evidence that a taxon underlies psychopathy (Marcus, John, & Edens, 2004), we avoid using the term “psychopath.”

Second, the psychopathy manipulation involved describing the psychopathic youth as manifesting a lack of remorse (in addition to several other psychopathic features), and the nonpsychopathic youth as genuinely remorseful. It is unlikely that the manipulation of remorse alone unduly affected the results, given that remorse shows an inconsistent effect on decision-making (compare Kleinke, Wallis, & Stalder, 1992; Pipes & Alessi, 1999 with Crosby, Britner, Jodl, & Portwood, 1995; Proeve & Howells, 2006; and Hogue & Peebes, 1997).

### *Ethnicity*

Ethnicity was manipulated by describing the offender as either “Jake,” a Caucasian young man, or “DeShawn,” an African American young man. The offenders’ name was repeated throughout the vignette and questionnaire to remind participants of ethnicity (i.e. How difficult would it be to supervise [*Jake vs. DeShawn*]?).

### *Abuse*

To assess the impact of abuse, the offender was described either as having a stable upbringing, with a caring mother and family, or having an unstable upbringing, with frequent emotional and physical abuse.

### *Dependent variables*

#### *Expectancies for the offender*

Using a Likert-type scale, ranging from 1 to 6 (1 = very unlikely and 6 = very likely), officers were asked to rate nine items describing the likelihood that the offender depicted would (a) participate meaningfully in treatment services, (b) benefit from treatment services, (c) adhere to the conditions of probation, (d) fail to complete probation successfully, (e) qualify for early release on probation, (f) commit future criminal acts, (g) commit future violent acts, (h) pose a danger to society, and (i) become a criminal as an adult.

To preserve statistical power and increase the interpretability of results, principal component analyses (PCA) were conducted to condense these nine variables on officers’ perceptions on juvenile offender into a set of four variables. Specifically, PCA was used to derive two composite variables: (a) *dangerousness* (i.e., likelihood of future criminal acts, future violent acts, posing a danger to society, and becoming a criminal as an adult), and (b) *program adherence and amenability* (i.e. likelihood of adhering to the conditions of probation; participating meaningfully in treatment services; and benefiting from treatment services). In addition to these two composite

variables, two variables that assessed the predicted probation outcome were used in their original form: the likelihood of probation failure and of qualification for early release on probation.

#### Recommendations for the offender

Using the same 6-point Likert scale, officers also rated the likelihood that they would recommend for the depicted offender (a) psychological or counseling services, (b) substance abuse treatment services, (c) deferred prosecution, (d) intensive supervision/probation, (e) secure residential placement, (f) commitment to a juvenile correctional facility, and (g) transfer to adult court. Because these eight variables were not highly correlated, PCA was not applied to condense them into a smaller subset.

#### *Approach to supervising the offender*

Officers were also asked about the supervision philosophies and approach they would use with the offender depicted. Using a Likert-type scale, ranging from 1 to 5 (1 = not at all and 5 = extremely), officers rated the likelihood that, for the case depicted, (a) supervision would be difficult, (b) establishing an effective professional relationship would be difficult, (c) one would emphasize community protection more heavily than usual, (d) one would emphasize probationer rehabilitation more heavily than usual, (e) one would go the extra mile by providing support, referrals, networking, and other “extras” not usually provided to other offenders on the caseload, and (f) one would be extra strict by monitoring the offender more closely and enforcing rules one normally would not enforce with other offenders on the caseload.

PCA analysis was conducted to condense these six variables on supervision philosophies and approach into three composite variables: (a) *supervision-relationship difficulty* (i.e., difficulty of supervision and establishing an effective professional relationship), (b) *control-oriented approach* (i.e., emphasis on community protection and strictness), and (c) *care-oriented approach* (i.e., emphasis on probationer rehabilitation and going the extra mile).

#### Manipulation check variables

##### *Psychopathy*

To facilitate a manipulation check for psychopathy, officers rated the likelihood that the offender exhibited the following psychopathic traits: superficial style of interacting with others, grandiosity, deceitfulness, lack of remorse, lack of empathy, and does not accept responsibility, using a scale of 0 to 2 (0 = not present, 1 = maybe present, 2 = likely present). Five of the six psychopathic traits we used to assess officers' perception of psychopathy were adapted from the interpersonal and affective factors of PCL-YV (Forth et al., 2003). A brief description of each trait was also provided for a better understanding of the concepts (i.e. deceitful – lies, deceives, manipulate; grandiose sense of self-worth – braggart).

##### *Abuse*

To facilitate a manipulation check for abuse, officers rated the likelihood that the behavior of the offender depicted was based on child abuse or neglect using the same 6-point Likert scale.

### *Ethnicity*

Given the obviousness of our manipulation of the offender's ethnicity and the preferences of the probation agencies that participated in this study, we did not include a manipulation check for ethnicity. As suggested by Edens et al. (2003), a manipulation check on ethnicity could increase participants' guardedness against any racial bias in their response to the vignettes. Although the manipulation check questions were placed after the primary study questionnaire, officers occasionally referred back to the vignette while answering questions.

### Procedure

Juvenile probation officers completed this study during time set aside from their regular staff meetings. Researchers explained the goals and procedures of the study to officers using a consent form. After answering officers' questions, researchers provided officers with a randomly selected vignette (one of the eight created for the study), case questionnaire, and manipulation check questionnaire. Officers read the vignette, answered questions about the vignette, and then answered questions about the variables manipulated in the vignettes. Participants were asked not to share and discuss information until all officers were finished with the study.

### Results

Analyses were conducted in three steps. First, we tested whether our manipulation of psychopathy and abuse was effective. Second, we explored the effect of officer characteristics on our three dependent variables: expectancies of offenders, recommendations for offenders, and approaches to supervising offenders. Third, we addressed the study aims, which were to examine the effects of psychopathy, ethnicity, and child abuse on these dependent variables.

#### Manipulation check

To test the effectiveness of our manipulation of psychopathy, we conducted a logistic regression in which the six psychopathic traits rated to check the manipulation significantly predicted whether or not participants were assigned a vignette in which a psychopathic offender was depicted. The results indicate that officers who received vignettes in which the offender was portrayed as psychopathic were significantly more likely to construe that offender as having highly psychopathic traits,  $\chi^2(6, N = 204) = 123.47, p < .0001$ . The effect size was moderate, Nagelkerke  $R^2 = .59$ .

To assess the efficacy of abuse manipulation, we compared PARTICIPANTS in the "abused" and "not abused" conditions on their average ratings of the likelihood that the offender's behavior was based on child abuse or neglect. As expected, those in the abuse condition rated the likelihood of abuse ( $M = 5.34, sd = .78$ ), significantly more highly than those in the not abused condition ( $M = 3.59, sd = 1.57$ ),  $t(202) = -10.09, p < .001$ .

#### Relation of officer characteristics to the dependent variables

As noted earlier, some officer characteristics have been found to relate to decision-making and supervision approaches. In this study, we found that female officers were more likely to recommend psychological counseling than their male counterparts,  $X^2(4, N = 203) = 19.57, p < .001$ . Officers' years on the job were weakly associated with reduced perceptions of

offender dangerousness ( $r = -.17, p < .05$ ), greater emphasis on community protection ( $r = .14, p < .05$ ), and recommendations for both commitment to a juvenile correctional facility ( $r = .20, p < .01$ ) and psychological services ( $r = .17, p < .05$ ). Given that years on the job are associated with age ( $r = .45, p < .01$ ), we found similar pattern of relations for age.

#### Effect of psychopathy, abuse, ethnicity on the dependent variables

Next, we addressed the study aims, which were to examine the effects of psychopathy, ethnicity, and child abuse history of a juvenile offender on juvenile probation officers' (1) expectancies of the offender, (2) recommendations for the offender, and (3) approach to supervising the offender. We did so by conducting a series of MULTIVARIATE ANALYSIS of variance (MANOVAs) to determine whether and how the eight groups defined by various combinations of psychopathy, ethnicity, and child abuse differed across linear combinations of the dependent variables. We were interested both in the main effects of psychopathy, ethnicity, and child abuse, and in two specific interaction effects. A psychopathy by abuse interaction would suggest a psychopathy subtype effect, particularly in relation to treatment amenability. A psychopathy by ethnicity interaction would suggest a superpredator effect, particularly in relation to perceived dangerousness. In this section, we present each dependent variable set separately.

#### *Expectancies for offenders*

A MANOVA was performed to assess the effects of psychopathy, abuse, and ethnicity on officers' expectancies for offenders. The four dependent "expectancy" variables were –the likelihood of future dangerousness, program adherence and treatment amenability, qualification for early release, and failure to successfully complete probation. The results indicated that officers' expectancies were significantly affected by the offender's abuse history and psychopathy, but not by his ethnicity or by any interactions among the independent variables.

Specifically, officers' expectancies were weakly (partial  $\eta^2 = .13$ ) affected by the offender's abuse history,  $F(4,192) = 7.19, p < .001$ . Tests of the between subjects effects indicated that abuse meaningfully affected only one of the expectancy variables: the likelihood of future dangerousness,  $F(1,195) = 22.91, p < .001$  (partial  $\eta^2 = .11$ ). Officers perceived abused offenders as more dangerous than their non-abused counterparts. Recall that the dangerousness variable is a composite of four variables. To inform interpretation, the bivariate association between the abuse condition and these four variables was computed. As shown in Table 1, the results indicate that an abuse history moderately increases perceptions that offenders will be dangerous across all four spheres.

Officers' expectancies were moderately (partial  $\eta^2 = .45$ ) affected by the offender's psychopathy. Tests of the between subject effects indicated that this effect chiefly reflects the fact that psychopathy moderately reduces the perceived likelihood of program adherence and treatment amenability  $F(1,195) = 99.28, p < .001$  (partial  $\eta^2 = .34$ ) and weakly increases the perceived likelihood of future dangerousness,  $F(1,195) = 19.68, p < .001$  (partial  $\eta^2 = .09$ ). Because dangerousness and program adherence and treatment amenability were composite variables, the bivariate relations between the psychopathy condition and the elements of these composites were computed. As shown in Table 1, psychopathy moderately increase perceptions that offenders will be dangerous and non-adherent across all variables.

After conducting these main analyses, two additional analyses were conducted to test more directly our hypotheses about psychopathy subtypes and superpredators. Specifically, ANOVAs were conducted to determine (a) whether psychopathy interacted with abuse history to influence officers' expectancies that offenders would benefit from treatment, and (b) whether psychopathy

**Table 1** Bivariate relations ( $\eta$ ) among independent and dependent variables

	Psychopathy	Abuse	Ethnicity
Expectancies-Dangerousness	.28***	.31***	.01
Commit future violence acts	.29***	.27***	-.04
Commit future criminal acts	.41***	.28***	.03
Pose a danger to society	.39***	.26***	-.01
Become a criminal as an adult	.40***	.29***	-.01
Expectancies –Program Adherence and Amenability	-.58****	-.06	-.01
Participate meaningfully in treatment	-.63****	-.13	-.01
Benefit from treatment	-.47****	-.02	.05
Adhere to the conditions of probation	-.49****	-.22**	-.09
Expectancies – Probation Outcome			
Failure to complete probation	.05	.10	-.06
Qualify for early release	-.12	-.09	-.04
Recommendations			
Deferred prosecution	.01	.03	-.04
Psychological or counseling services	.09	.15*	-.08
Substance abuse treatment services	.05	-.01	-.03
Intensive supervision	.18**	.06	.07
Secure residential placement	.26***	.53****	.03
Commitment to juvenile correctional facility	.17*	.05	.06
Transfer to adult court	-.01	.10	-.04
Approach to Supervision- Difficulty	.32****	.29***	.09
Difficulty of supervision	.25***	.37***	.07
Difficulty of establishing effective relationship	.33***	.16*	.08
Approach to Supervision – Control-Oriented	.20**	-.05	-.10
Be extra strict	.14*	.05	-.03
Emphasize community protection	.20**	-.11	-.12
Approach to Supervision- Care-Oriented	-.07	.17*	-.01
Go the extra mile	.05	.17*	-.07
Emphasize probationer rehabilitation	-.11	.06	-.01

\* $p < .05$ ; \*\* $p < .01$ , \*\*\*\* $p < .001$ , \*\*\*\* $p < .0001$ .

interacted with ethnicity to influence officers' expectancies that offenders would be violent. The results indicated that, contrary to our hypotheses, there were no interaction effects.

#### *Recommendations for offenders*

The bivariate associations between the independent and dependent recommendation variables are shown in Table 1. A MANOVA was performed to assess the effects of psychopathy, abuse, and ethnicity on officers' recommendations for offenders. The seven dependent recommendation variables were psychological services, substance abuse treatment, deferred prosecution, intensive supervision, secure residential placement, correctional institution placement, and transfer to adult court. As with expectancies, the results indicated that officers' recommendations were significantly affected by the offender's abuse history and psychopathy, but not by his ethnicity or by any interactions among the independent variables.

Specifically, officers' recommendations were moderately (partial  $\eta^2 = .33$ ) affected by the offender's abuse history,  $F(7,189) = 13.46$ ,  $p < .0001$ . Tests of the between subjects effects

indicated that abuse meaningfully affected two of the recommendation variables. Officers were more likely to recommend secure residential placement  $F(1,189) = 90.63, p < .0001$  (partial  $\eta^2 = .32; \eta = .53, p < .01$ ) and psychological services  $F(1,189) = 3.08, p < .05$  (partial  $\eta^2 = .02; \eta = .16, p < .05$ ) for abused than nonabused offenders.

Officers' recommendations were weakly (partial  $\eta^2 = .12$ ) affected by the offender's psychopathy,  $F(7,189) = 3.63, p < .01$ . Tests of the between subjects effects indicated that psychopathy affected two recommendation variables: officers were more likely to recommend secure residential placement,  $F(1,189) = 21.38, p < .001$  (partial  $\eta^2 = .10, \eta = .26, p < .001$ ), and intensive supervision,  $F(1,189) = 3.89, p < .05$  (partial  $\eta^2 = .02, \eta = .18, p < .01$ ), for psychopathic than nonpsychopathic offenders.

#### *Approach to supervising the offender*

A MANOVA was performed to assess the effects of psychopathy, abuse, and ethnicity on officers' approach to supervising the offenders. The three dependent supervision variables were supervision-relationship difficulty, control-oriented approach, and care-oriented approach. As with expectancies and recommendations, the results indicated that officers' supervision approach was significantly affected by the offender's abuse history and psychopathy, but not by his ethnicity or by any interactions among the independent variables.

Specifically, officers' supervision approaches were weakly (partial  $\eta^2 = .13$ ) affected by the offender's abuse history,  $F(3,191) = 8.97, p < .001$ . Tests of the between subjects effects indicated that abuse meaningfully affected two of the supervision variables. Officers were more likely to expect supervision difficulties  $F(1,191) = 26.50, p < .0001$  (partial  $\eta^2 = .12$ ), and more likely to adopt a care-oriented approach  $F(1,191) = 3.80, p < .05$  (partial  $\eta^2 = .02$ ) for abused than nonabused offenders. As shown in Table 1, abuse influenced officers to expect a high likelihood of supervision difficulty, difficulty establishing an effective professional relationship, and going the extra mile in supervision.

Officers' supervision approaches were weakly (partial  $\eta^2 = .16$ ) affected by the offender's psychopathy,  $F(3,191) = 12.45, p < .001$ . Tests of the between subjects effects indicated that psychopathy meaningfully affected two of the supervision variables. Officers were more likely to expect supervision difficulties  $F(1,191) = 26.39, p < .0001$  (partial  $\eta^2 = .12$ ), and more likely to adopt a control-oriented approach  $F(1,191) = 8.41, p < .01$  (partial  $\eta^2 = .04$ ) for psychopathic than nonpsychopathic offenders. As shown in Table 1, psychopathy led officers to a high likelihood of supervision difficulty, difficulty establishing an effective professional relationship, adoption of an extra strict supervision approach, and a more heavy than usual emphasis on community protection in supervision.

## **Discussion**

Probation officers exercise substantial discretion in their daily work with hundreds of thousands of juvenile offenders, including very troubled and troubling youth. Prior research suggests that these officers have prototypes of psychopathy that may affect their work with these youth. In the present study, we examined this issue, focusing on psychopathy in the context of child abuse and African American ethnicity, both of which are overrepresented in probation populations. There are three chief findings. First, a youth's psychopathy and history of child abuse—but not ethnicity—affect officers' expectancies, dispositional recommendations, and approach to individual supervision. Psychopathy does not interact with abuse or ethnicity, suggesting that officers' conceptions of psychopathy are not differentiated into subtypes or consonant with the

‘superpredator.’ Second, officers expect both abused youth and psychopathic youth to be highly challenging cases. They perceive these youth as dangerous offenders who are on a path toward criminality in adulthood, recommend secure placement, and expect supervision to be difficult. Third, officers have greater hope and sympathy for abused youth than psychopathic youth. For abused youth, officers are likely to recommend psychological services and “go the extra mile” by providing more support, referrals, and networking than is typical for those on their caseload. For psychopathic youth, officers strongly expect poor treatment participation and outcomes, and are “extra strict” in protecting community safety, enforcing rules that typically are not enforced for others on their caseload. In this section, we discuss these findings and their implications for future research and practice.

#### Psychopathic youth as high risk and hopeless cases

Officers’ perceptions that abused youth and psychopathic youth are at high risk for violence and delinquency are consonant with research (Chauhan et al., 2005; Murrie et al., 2005; Horwitz et al., 2001; Kelley et al., 1997). Their perceptions of psychopathic youth as highly unlikely to benefit from treatment, however, are not. As noted earlier, the single controlled study conducted to date suggests that psychopathic youth who receive intensive treatment are substantially less likely to recidivate violently after discharge than those who receive juvenile justice “treatment as usual” (Caldwell et al., 2006). For officers, however, psychopathy strongly ( $\eta = -.58$ ) shapes dim expectations for program adherence and treatment amenability. This finding is consistent with the past observation that officers believe that only a minority of psychopathic youth benefit from treatment (Cruise et al., 2003). Although the finding seems inconsistent with the observation that psychopathy does not affect officers’ expectations that youth will benefit from *mental health* treatment (Murrie et al., 2005), psychiatric treatment is a narrow and unfamiliar class of treatment, relative to the general “treatment services” studied here and by Cruise et al. (2003). Given that dim expectations for treatment are not invoked for other high risk youth (e.g., abused offenders), psychopathy seems to have a stigmatizing effect on officers.

Research is beginning to define the contours of this stigma. On a positive note, the effects of the stigma seem tempered by juvenile probation officers’ subscription to a rehabilitation-oriented philosophy (Sluder and Reddington, 1993). These officers seem reluctant to deprive any youth, including psychopathic youth, of treatment services. In the present study, we found that officers were not more—or less—likely to recommend psychological or counseling services as a function of youth’s psychopathy. Regardless of the case they considered, virtually all (97%) officers were “slightly” to “very” likely to recommend psychological or counseling services. This is consistent with Cruise et al.’s (2003) finding that officers would refer the majority (60%) of psychopathic youth for treatment, despite their dim expectations for outcome. It is also consistent with Murrie et al.’s (2005) finding that psychopathic traits weakly increased officers’ recommendations for psychological services. It is possible that, for these offenders, rehabilitation efforts are motivated by a desire to protect the community. Similarly, juvenile probation officers seem reluctant to recommend such punitive sanctions as transfer to the adult court for any youth, including psychopathic youth. As has been the case in other research (Murrie et al., 2005), we found no relation between psychopathy and recommendations for transfer. Again, however, the vast majority of officers (81%) were “slightly” to “very” unlikely to recommend transfer for any case.

Despite officers’ reluctance to deprive youth of rehabilitative services within the juvenile system, there is evidence that psychopathy is stigmatizing. First, as noted earlier, officers hold out little hope that rehabilitative efforts will be successful for psychopathic youth. They perceive these youth as strongly unlikely to adhere to the conditions of probation, participate meaningfully

in treatment, and benefit from treatment (see Table 1). In their view, psychopathic youth are likely to mature into adult criminals (see also Murrie et al., 2005). There is no solid empirical foundation for the notions that psychopathic youth are untreatable or that they will mature into adult psychopaths. Second, for psychopathic youth, officers endorse a strict supervision approach that particularly emphasizes community protection. They are likely to recommend intensive supervision and residential or institutional placement for these youth (see Table 1). Officers' supervision approach with psychopathic youth may be viewed as punitive, given that it involves enforcing rules for these youth that typically are not enforced for other offenders on their caseload.

Ideally, officers would construe psychopathic youth, like abused youth, as high risk, but not hopeless cases. Their dim expectations for rehabilitation, intensive monitoring efforts, and strict supervision approach for psychopathic youth seem unlikely to foster these youths' success. First, an officer's expectations that a youth will be difficult to relate to, and will not participate meaningfully in—or benefit from—treatment could become a self-fulfilling prophecy (see, e.g., Lorion & Parron, 1987; Madon, Jussim, & Eccles, 1997; Maruna, LeBel, Mitchell, & Naples, 2004). Second, programs that emphasize intensive monitoring and strict control over community supervisees have adverse (Turner & Petersilia, 1992) or negligible effects (see Paparozzi & Gendreau, 2005) on recidivism. If intensive supervision is not combined with genuine rehabilitative efforts, it may merely lead to increased discovery of technical violations and increased risk of probation failure.

For these reasons, it may be important to provide training to probation officers that (a) challenges the commonly held assumption that “there is nothing the behavioral sciences have to offer for treating those with psychopathy” (Gacono et al., 1997, p. 17), and (b) emphasizes the use of problem-solving and other cognitive behavioral approaches for effectively supervising difficult probationers and parolees (Skeem et al., 2006, Goodman, Getzel, & Ford, 1996).

#### Abused youth as high risk cases to target with services

Relative to psychopathic youth, officers had greater therapeutic optimism about youth with a history of serious child abuse. For abused youth, officers were likely to recommend psychological services, adopt a care-oriented supervision approach, and personally “go the extra mile.” This is consistent with past findings that abuse serves as a mitigating factor in decision-making about juveniles (Bridges & Steen, 1998; Horwitz et al., 2001). Nevertheless, this finding is remarkable, given that officers perceived abused youth and psychopathic youth as equally dangerous and difficult to supervise: there were no significant differences in the strength of relationships between these conditions and the dangerousness or supervision difficulty factors. Their perception of abused youth as dangerous is consistent with research on the robust, positive association between child abuse and antisocial behavior (Kelley et al., 1997; Horwitz et al., 2001; Widom, 1998).

Notably, officers were highly likely to recommend secure residential placement for abused offenders (see Table 1). However, this seems to be a function of officers' concern about the youth's safety as much as concern about community protection. When a youth is seriously threatened at home, a residential placement may be viewed as a safe haven. This interpretation is consistent with findings that officers were likely to recommend that psychopathic (but not abused) youth for placement not only in a secure residence, but also in a correctional facility. Relative to correctional institutions, residential placements are less secure and may offer more intervention (i.e. more extensive psychological counseling, educational opportunities). Thus, officers consistently seem to emphasize rehabilitation as well as community safety when it comes to supervising abused youth.

Officers' perception of abused youth as high risk cases that are worthy of intensified rehabilitative efforts could be used as a model for conceptualizing psychopathic youth. Research consistently indicates that the most effective correctional programs provide intensive supervision and rehabilitation services to the highest risk offenders (Andrews, Bonta, & Hoge, 1990).

#### The negligible role of ethnicity and subtypes

In this study, high risk cases seemed to be defined in officers' minds by psychopathy or a history of severe child abuse. African-American ethnicity was unrelated to officers' expectancies, recommendations, and supervision approach. Perhaps even more encouraging is the fact that we found no significant interactions between psychopathy and ethnicity. Thus, there is little evidence that probation officers share laypeople's conception of the minority 'superpredator' (Gilliam & Iyengar, 1998). Despite the promise of these findings, they contradict Graham and Lowery's (2004) observation that priming of racial stereotypes caused officers to recommend harsher punishment for juvenile offenders from ethnic minority groups. This discrepancy in findings may be attributable to the fact ethnicity was manipulated more overtly (with "Jake" and "DeShawn") in the present study than in the priming study. In future research, it will be important to use more subtle methods of manipulating ethnicity to ensure that the present results are not a function of officers' guardedness about potential racial biases.

We also found no significant interaction between psychopathy and abuse. There is little evidence, then, that probation officers' prototypes of psychopathy are differentiated into a more "constitutionally-based" primary type and a more "environmentally" or maltreatment-based secondary subtype (see Porter, 1996). Nevertheless, the effects of psychopathy and abuse are additive (not interactive). Thus, a psychopathic youth with a history of severe abuse is likely to be supervised with more care than a psychopathic youth without such a history.

#### Limitations and implications

This study is limited in the sense that a manipulation check was not completed for ethnicity to avoid the possibility of alerting officers to the manipulation and increasing their guardedness in responding. In future research, it will be important to devise and include a subtle manipulation check to ensure that similar results obtain when the investigator is certain that the manipulation was impactful.

More importantly, it will be important in future research to determine whether these experimental findings generalize to other populations and to the field. For example, given that the present study focused on male offenders, it will be important in future research to determine whether the results generalize to females. More broadly, although case vignettes permit manipulation of key variables to achieve a high level of internal validity, they can do so at the expense of external validity. Brief vignettes cannot capture the infinite number of variables that define "real" cases, supervision relationships, and organizational influences. In a longitudinal study, investigators could follow youth from the predisposition stage through the completion or termination of probation to determine how psychopathy, abuse, and ethnicity affect officers' recommendations and supervision in the real world. Such research is necessary to determine whether officers do, in fact, use more control-oriented supervision strategies with psychopathic youth, and more care-oriented strategies with abused youth. This research could also assess the relation between officers' expectancies of program adherence and treatment amenability, and probationers' outcomes.

Such research may have crucial implications for a large group of youth at high risk for poor outcomes. Probation is the workhorse of the juvenile justice system. Psychopathic and

abused youth are among the highest risk youth handled in this system. An understanding of current practices with these youth is necessary to move toward practices that are informed by contemporary research.

## Appendix

### Juvenile Predisposition Investigation Report

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*Jake/DeShawn* experienced an unstable upbringing. He was raised by a single mother and had little contact with his father. His mother often disappeared, leaving him at her brother's home for long periods.

*Jake/DeShawn* was emotionally and physically abused in that home. At age 8, he was hospitalized for a concussion, a broken arm, and severe cigarette burns on his arms, chest and back. He was also severely malnourished. Authorities found evidence of ongoing abuse and neglect, and *Jake/DeShawn* was removed from his uncle's home. After alternately living with his mother and grandmother for several years, *Jake/DeShawn* began living largely on the streets last year.

Or

*Jake/DeShawn* experienced a stable upbringing. He was raised by a single mother and had little contact with his father. During periods of financial hardship, his mother had to leave him at her brother's home. Nevertheless, *Jake/DeShawn* describes a happy childhood with multiple caretakers who obviously loved him. His mother, uncle, and grandmother often made sacrifices to meet his needs and wishes (e.g., for toys, baseball participation). They were consistent in their discipline and interest in his schoolwork. Even over recent years, *Jake/DeShawn's* family members have attempted to provide guidance and support. His records indicate no child abuse of any form.

In interviews, *Jake/DeShawn* was superficial and insincere. When confronted with inconsistencies, he quickly changed his story to adapt to a new series of facts. *Jake/DeShawn* persistently tries to charm, con, and manipulate others to obtain what he wants. At his core, he is cold-hearted. He has no empathy for the convenience store clerk or anyone else he has harmed. He will not accept responsibility for his actions, instead blaming other people or external circumstances. In my opinion, *Jake/DeShawn* is a psychopath with a troubling pattern of antisocial behavior.

Or

In interviews, *Jake/DeShawn* presented as an unsophisticated, but earnest young man. He was forthright and candid, providing careful and thorough answers to questions. He was visibly upset about disappointing his grandmother and causing her "heartache." He clearly has empathy for the convenience store clerk, accepts full responsibility for his actions, and is genuinely remorseful. In my opinion, *Jake/DeShawn* does not meet the criteria for any formal mental disorder, but exhibits a troubling pattern of antisocial behavior.

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