

BOSTON UNIVERSITY

GRADUATE SCHOOL

DISSERTATION

X ORGANIZATIONAL RESPONSE TO PLANNED CHANGE: X  
THE POLITICAL ECONOMY OF JUVENILE JUSTICE REFORM IN ILLINOIS,  
1969-1975

by

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Submitted in partial fulfillment of the  
requirements for the degree of  
Doctor of Philosophy

61536

NCJRS

OCT 12 1979

ACKNOWLEDGEMENTS

ACQUISITIONS

The material in this project was prepared under the grant #76-NI-99-0066 from the Law Enforcement Assistance Administration, United States Department of Justice. Researchers undertaking such projects under government sponsorship are encouraged to express freely their professional judgment. Therefore, points of view or opinions stated in this document do not necessarily represent the official position or policy of the United States Department of Justice.

This project has been assisted by so many people who have aided and encouraged me that it would be impossible to mention all of them by name. I briefly want to extend my deep appreciation to these people who will remain anonymous but know how instrumental they have been in helping me to complete this dissertation.

I am grateful to Professor Anthony Leeds for his intellectual and personal guidance in this project. From the preparation of the original dissertation proposal during the summer of the "Thursday night sessions" to the editing of the final draft, his warm encouragement, timely suggestions, and insightful criticisms have been invaluable.

Professor Allen Hoben wisely directed me to study a "relevant" problem in the anthropology of complex society. I am particularly appreciative for his help in the initial formulation of the research topic. Professor John Walton extended much needed advice during the fieldwork and the initial phases of the writing. With his assistance I was able finally to wade through the morass of Chicago politics. Frances Fox Piven assumed the task of reading the thesis at the last moment under difficult circumstances but provided many stimulating suggestions from which I have greatly benefitted.

Words cannot express the depth of my gratitude to my wife Judy. She cheerfully lived through both the anxiety of the fieldwork and the agony of the writing. Without her understanding, insight, and labor this project would have been impossible.

I want to extend my sincere appreciation to my typist, Michelle Quick, who spent many thankless hours struggling through my chaotic drafts without complaint.

Special thanks are extended to my dear friend, Jeff Miripol, who served as messenger and as master of odds and ends during the last frantic weeks, and to Brother Marvin Gaye who helped me to make it through so many of those long, solitary nights.

Finally, I am most heavily indebted to the juvenile justice practitioners who were kind enough to spare time from busy schedules to share their thoughts and experiences with me. I want to thank especially J. Robert Weber and Waymond Addy whose help and patience can never be repaid.

ABSTRACT

Organizational Response To Planned Change: The Political Economy of  
Juvenile Justice Reform in Illinois, 1969-1975

(Order No. )

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This thesis examines the role of organizational and political self-interest in shaping the behavior of participants in a network of bureaucracy -- the juvenile justice system in Illinois -- during a period of major reform. This is an examination of the relationship between public bureaucracy and the wider political system in which it is embedded under conditions of externally-induced planned change. As part of a wider national phenomenon, the juvenile justice system in Illinois has undergone abrupt organizational and policy changes during the past decade. These changes have been largely stimulated by federal participation in efforts to reform state, county, and local government's administration of juvenile justice activities. Under conditions of federal stimulation of planned change, elected officials and administrators have adapted their planning to respond to the suggestions being made in the call for new programs, new goals, new procedures, and new structures. Incentives offered have included increased funding and expanded mandates. The responses have been characterized not only by a general growth in the number and size of organizations participating in the juvenile justice network but also by inter-organizational behavior ranging from cooperative competition to disruptive

conflict. Such behaviors are tied to the structure of self-interests in the system. These self-interests are concerned with electoral and bureaucratic advantage, the former having to do with the control of voting constituencies and the latter having to do with expanded service jurisdictions and increased funding. It is concluded that each of the two kinds of self-interest plays a role in shaping the behavior of public bureaucracies. Ultimately, the performance of these organizations is neither totally tied to nor entirely free from the particular concerns of those elected officials and political parties exercising control over them. Rather, behavioral responses reflect the complementarity of these forms of self-interest.

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Chapter I. Introduction: Research Focus, Theoretical Concepts, and Methodology

1. Introduction

This is a study of the response by bureaucracy and the wider political system in which it is embedded to externally-induced planned change. The central thesis is that an explanation of bureaucratic behavior during a period of major change must include an understanding of the role that the self-interests of bureaucratic agencies, their administrators, and concerned elected officials play in determining the performance of bureaucracy. Externally-induced planned change alters the flow of resources into the system in which bureaucracy is a participant and creates a situation in which the response to change varies from cooperative competition to intense conflict, depending upon events in the wider political system.

The central unit of analysis in the study is the state<sup>1</sup> juvenile correctional agency in Illinois, which in turn is linked into a set of juvenile justice agencies, each mandated to manage other aspects of delinquency prevention and control. These agencies constitute a network of bureaucracy which is jurisdictionally appendaged to municipal, county, and state government. In the late 1960s and early 1970s, the federal government prepared the grounds for significant transformations in the structure and goals of this system.

The purpose of the study is to demonstrate that concerns of self-interest play a critical part in shaping the behavior of bureaucracy under conditions of change. The study shows the necessity of organizational conflict because of patterns of bureaucratic self-interest and demonstrates that bureaucracies must be viewed as loci of power and influence in the wider political system. The exposition of this argument focuses on the

complex relationships between formal political structures and processes, public policy, and bureaucratic behavior -- in this instance -- in the administration of juvenile justice. Procedurally, this centers on describing and analyzing those strategies devised by administrative elites and elected officials to ensure the organizational success of bureaucratic structures.

This inquiry has been pursued from a theoretical framework of the political economy of bureaucratic organizations. This perspective is useful in explaining both why individuals, groups, and organizations behave as they do in that part of the political system which is labeled public administration and how this bureaucratic domain is indeed linked into the wider system. This exercise has required the mapping of the principal features of the political system, an account of the evolution of the juvenile justice system with its entailed mandates and organizational structures, and a detailed description of events related to juvenile justice during the two gubernatorial administrations on which the study focuses. Before addressing this wide range of issues, I will place the study in the context of recent endeavors in the anthropological investigation of complex society and relevant research by students from other disciplines on problems of politics, bureaucracy, and juvenile justice.

## 2. Anthropology and the Study of Complex Society<sup>2</sup>

Anthropologists studying complex societies have produced a wide range of published results marked by considerable variance in theory, in scope, and in quality of work. Most of this research is currently referred to under the rubrics of the anthropology of complex societies and/or urban anthropology. This burgeoning interest has generated a number of

comments suggesting what the appropriate subject matter of the new field should be and how it could best be studied (Despres 1968; Eisenstadt 1961; Kusher 1970; Weaver and White 1972).

Two of the earliest examples of anthropological field research in complex societies occurred in the late 1920s with Redfield's work (1930) in the Mexican village of Tepoztlan and Parsons' work (1936) in the Oaxacan village of Mitla. These were followed by a proliferation of studies over the next five decades centering not only on Latin America but also on the nation states of Europe, Asia, Africa, and the Caribbean. The scope and nature of this work have been reported in a number of review articles and collected essays, each with a useful bibliography (Banton 1966; Cole 1977; Despres 1968; Eisenstadt 1961; Fallers 1974; Friedt and Chrisman 1975; Kusher 1969; Mangin 1970; Southall 1973). Pioneering efforts to study contemporary societies in North America included the work of Powdermaker (1939, 1950), Warner (1941, 1942, 1953, 1963), and Whyte (1955). This work has been followed recently by the development of renewed interests in American society, commonly referred to as urban ethnography (Byrne 1974; Hannerz 1969; Keil 1966; Keiser 1969; Lewis 1966; Liebow 1967; Spradley 1970, 1972; Stack 1970, 1974; Valentine and Valentine 1970). This trend represents the final, logical extension of the growing fascination with urban society. In "bringing it all back home" these scholars have chosen to conduct a traditional form of anthropological research within the confines of their own society, the contemporary United States.

With rare exception, the recent commitment to doing this kind of anthropological research in one's own society has been characterized by the decision to narrow the range of inquiry by selecting some greatly delimited

phenomenon from the fabric of the wider socio-cultural system and providing a detailed description and analysis of the chosen isolate. Favored subjects have included streetcorner males, blues musicians, retirees, welfare families, street gangs, prostitutes, transvestites, and skidrow bums. The reluctance to address the inquiry to features of the larger system can be explained at least in part by a desire to avoid problems of scale. In trying to develop and apply new theories, methods, and techniques for the study of complex society, the field researcher can easily be overwhelmed by the sheer number of societal actors, the heterogeneity and complexity of social arrangements and interactions, and the presence of inscrutable, hierarchical structures, namely, modern bureaucracies.

In American studies, the predominant response in anthropology has been to steer away from serious attempts to provide theoretical or even descriptive accounts of the entire society or of substantial subsets of the whole, e.g., a national region or a total urban locality, in favor of focusing on some arbitrarily selected isolate. Although these microcosmic studies have provided rich descriptive data, the principal outcome of this strategy has been that, whenever theorizing has occurred, it has been characterized by a persistent but not surprising failure. The general character of this shortcoming has been pointed out by several scholars (Arensberg 1968; Fox 1972; Leeds 1964, 1967, 1968; Weaver and White 1972). Regarding the failures of this microcosmic approach to the study of cities, Leeds (1976: 448-449) has made the following comment:

It is striking that the anthropological literature on urban places, especially that produced by American anthropologists, has made no significant theoretical, methodological, or technical advance....No author confronts the city as a whole. For example, none conveys the idea that a city government might deeply

affect the microcosmic domains the anthropologists came "in" to the city to study. Many things any urbanite must contend with and which structure the whole city receive virtually no mention, e.g., the transportation system, the structures and locations of urban labor markets so important in determining individual and household strategies regarding work, housing, nor the city's overall social structure, hence the constraints possibly affecting the microdomains the authors studied.

This revealing criticism of the microcosmic approach, narrow in vision and without a sense of the features of the larger system, has provoked a call for alternative and more inclusive approaches to the study of large-scale, complex society (A. Cohen 1974; Fallers 1974; Fox 1977; Leeds 1968, 1973a; Wolf 1966).

A second criticism concerns the theoretical poverty that afflicts most of the anthropological studies of contemporary U.S. society. Despite the fact that students of the nation state and of urban localities in the third world have increasingly turned their attention to the formulation of theoretical concepts about phenomena such as brokerage (Adams 1970b; Betley 1971; Gonzalez 1972; Paine 1971; Wolf 1956), elitism (Jacobson 1968; Leeds 1973b; Nadel 1956; Vincent 1971), and power (Adams 1966, 1970a, 1975; A. Cohen 1969; Leeds 1964, 1973a, 1976, 1978), a continuing lack of interest has been displayed in the development and use of these analytic constructs by anthropologists studying U.S. society. Occasional exhortations for the ethnographic depiction and theoretical exploration of these issues in the study of U.S. society have appeared, but these have only begun to generate response (Erickson 1976; Morris 1976; Nader 1969; Sanday 1976; Wolf 1969).

The skewing of research away from a holistic and theoretically satisfying treatment of this industrialized, urban society and away from the

study of its rich and powerful undoubtedly has roots in an important practical consideration. All kinds of difficulties arise when one has to spar with suspicious informants who in part occupy positions in the upper levels of the social hierarchy by maintaining low profiles and revealing little about their activities or backgrounds.<sup>3</sup> In each case the goals of more limited and accessible research have much better chances of being fully realized. However, these difficulties, particularly those of access, provide no justification for the continued avoidance of carrying out research in elite sectors of U.S. society.

The present study represents a move away from the trend that has just been criticized. It seeks a major redirection both in subject matter and theoretical approach. Hopefully, it will serve as partial corrective to some of the limitations that have plagued many of the anthropological studies of contemporary U.S. society. This study seeks to achieve these ends by demonstrating how a problem-oriented focus using more inclusive conceptions of what constitutes the essential and predominant features of social organization in contemporary American society offers far better means for producing a more genuine depiction of the larger society.

In the search for forces involved in shaping the character of the total society one obvious choice is public policy. In all societies with vast State bureaucracies public policy decisions of various kinds have always played a role in shaping the social structures and value systems. As part of the executive branch of government -- where much of the final responsibility for decision-making concerning the public welfare resides, these formally constituted agencies -- the public bureaucracies<sup>4</sup> -- play a major role in shaping, dispensing, regulating, and enforcing public policy. It is

abundantly clear that bureaucracies are the dominant organizational form concerned with implementing public policy and exert an ever-increasing influence upon the lifeways of U.S. citizens.

Yet, in mapping out and describing extremely delimited aspects of social life, anthropologists have almost entirely ignored both public policy and bureaucracy. There has been much allusion to the influence of municipal, state, and federal agencies on the lifeways of various and sundry ethnic groups, subcultures, and socio-economic strata, but little attempt has been made to spell out the exact nature and extent of these relationships. In addition, the role of these bureaucratic structures as repositories and mediators of power, wealth, and public sanction passes hardly noticed in the formulations of anthropologists. Instead, these organizations and their policies are at best, simply treated as givens of the social, political, and economic landscape.

Much emphasis in the study of complex society by anthropologists has been on social organizational features that supplement formal structures such as bureaucracy. An example of the tendency to focus on this dimension of socio-cultural organization is found in Wolf's assertion (1966: 1-2) concerning the study of complex societies.

The anthropologist's study of complex society receives its major justification from the fact that such societies are not as well organized and tightly knit as their spokesmen would on occasion like to make people believe....the formal framework of economic and political power exists alongside or intermingled with various other kinds of informal structure which are interstitial, supplementary, parallel to it....The anthropologist has a professional license to study such interstitial, supplementary, and parallel structures in complex society.

His argument that the informal aspects of social organization are important in urban societies just as they have always been in small-scale, non-industrial societies is a point well made. Nevertheless, the tendency to treat hierarchical, bureaucratic organizations as static features in the social environment is a fundamental misconception of their nature and importance. These structures play a dynamic role in the affairs of everyday life at all levels of the society both in a formal and an informal manner. Instead of blinding ourselves to their existence and performance, it is the obligation of the anthropologist interested in any complex society with bureaucracies to study their roles in these societies.

The pervasive influence of large, bureaucratic structures in contemporary, urban society is connected with the tendency of branches of all levels of government (federal, state, county, and municipal) increasingly to involve themselves in managing an ever vaster range of affairs in the lives of their citizenry. The interrelated processes of population growth, specialization and urbanization in modern, western, industrialized societies have tended to bring about changes in the overall organization of institutional tasks assumed by the State, including those that deal with education, social welfare, mental and physical health, and criminal justice. The principal trend has been the growth of public bureaucracy and the extent to which it has supplanted traditional mechanisms such as family, friends, and voluntary associations for administering to the wants and needs of the population of any highly complex society.

This trend in contemporary societies has produced the Welfare State in which many important aspects of social life are being administratively subsumed under the jurisdiction of some unit of bureaucracy and have been

continually redefined jurally into smaller and smaller organizational subsystems. Through these carefully defined subsystems, the State, i.e., the various levels of governmental apparatus, has become involved, for example, in the training of youth, in the problems of unemployment and in the care of dependents: the blind, the mentally ill, the disabled, and the incarcerated. Establishing formal institutional structures to administer these activities represents an attempt to achieve certain ends that have been designated as either desirable or necessary by the legislatures, the courts, and/or the executive -- or more generally, the State.

An intriguing issue is the extent to which bureaucratic involvement in so many facets of social life qualifies these hierarchical organizations as important loci in the control, distribution, and exercise of power and influence in the larger political system of the State. In one sense this monograph is an exploration of this issue. By focusing on the behavior of certain administrative elites in their professional roles, on one hand, and on the behavior of their immediate superiors, the elected officials of government who are responsible for appointing top-level administrators and monitoring their activities, on the other hand, the study explores how policy is tied to the political self-interest of these decision-makers. As appendages of government, these bureaucracies reflect the concerns of these actors and can only be understood through an appreciation of the conflicting political constraints placed on their goals.

Traditionally, studies of bureaucracy and bureaucratic process in western, industrialized society have followed one of two principal modes of analysis; either students have focused on the role of large-scale organizations in the structuring of power relations in the total society

(Crozier 1967; Michels 1949; Selznick 1949; Weber 1946, 1947), or they have focused on the internal dynamics of the organizational form itself<sup>5</sup> (Bendix 1956; Gouldner 1954). The first approach comprised the "classic school." From this perspective bureaucracies are envisioned as that part of governmental structure mediating between elected officials with their attendant vested interests and the general mass of the population. In this role bureaucracies are often instruments for those holding governmental office to control and oppress or to manipulate and exploit vulnerable sectors of the population. This point of view basically derives from Weber's argument that legal domination has historically been associated with a bureaucratic form of administrative apparatus where the specificity of goals within the organizations arises out of and is justified by executive decisions.

In looking at bureaucracy in this fashion, students of the classic school interpreting bureaucratic structure and behavior have attempted to understand the ordering and distribution of power in society in terms of the roles played by large-scale bureaucracies in the total system. In this role these bureaucracies serve as instruments for those holding elective office to consolidate further their positions of power vis-a-vis political adversaries.

Although in some ways resembling the principal concerns of the present study, this body of work has always been severely limited by being part of an intellectual tradition which at that point in its history was dominated by an extremely positivistic version of social science (Barnes 1948; Crozier 1964: 145-150). The students of this tradition developed models which did not consider the members of an organization as sentient human beings capable of calculating, planning, and selecting from among

alternatives, but which viewed them only as cogs in a machine. This approach simply did not allow for a realistic appraisal of the strategizing behaviors of the occupants of these key positions. Only with the recent emergence of a decision-making perspective that employs a set of procedures for analyzing strategies (see Methodology below) has it been possible to go beyond these formulations to account for situations as complex as those in which power is an important consideration.

The second major approach to the study of bureaucracy has been referred to as the "management school" of bureaucracy (Mouzelis 1968) and is not so much concerned with the organizational problems of a society's structuring of power as it is concerned with the nature of intra-organizational dynamics. This emphasis on the internal mechanisms of bureaucracy has been the predominant mode of organizational research in the United States since early in the twentieth century with an accompanying tendency among organizational theorists to ignore the political and social implications of these hierarchical, over-arching structures. Important as questions of internal management may be, undue emphasis on this aspect of bureaucratic theory, more concerned with internal mechanisms of bureaucracies than with their relationships to their patrons and clients, fails to provide an adequate explanation for the complex behavior exhibited by these organizations. The primary justification has been that this emphasis allowed for a more "scientific" treatment of questions of management, communication, personnel, and efficiency. This positivistic presumption is highly questionable at best.

The present study is clearly in the spirit of the former tradition. One of the initial insights of the classic tradition was the realization that

questions about the power aspects of bureaucracy needed to be phrased in terms of relationship. A continuing interest in this relational emphasis has been one legacy of this tradition.

In the case of the United States, the tradition has tended to produce two distinctly opposing views of the role of governmental bureaucracy in the American political system and most students argue in favor of one or the other of the extremes. One pole is represented by de Tocqueville (1945), Laski (1919), and Mills (1956), who argue that the role of bureaucracy is one of total subordination to the dictates of government; the other pole is represented by Parsons (1968), Stanley, et al. (1967), and Suleiman (1974) who argue for a considerable degree of autonomy in decision-making on the part of bureaucracy where the bureaucratic elites are very much significant actors in the affairs they administer.

It should be noted that both positions have been characterized by a substantial body of a priori assumptions which have come to be accepted as basic truths even though they have, for the most part, never been tested empirically. The lack of empirical inquiry in regard to the entire question has been pointed out by a political scientist, Francis Rourke, who states (1969: 1), "The belief that power in the modern state has come increasingly to be centered in the corridors of bureaucracy is more often asserted or assumed than examined." The present study, in the context of subordination/autonomy issue, has empirically investigated this point of contention. It has also tried to phrase the issue of bureaucratic relationships in a more general form that permits examining the various ways in which these structures behave as actors in the political system.

As already noted, anthropologists have largely steered clear of these matters. Yet, there have been several notable exceptions, particularly when the field research has been conducted in a non-western society with a formal governmental structure possessing that essential accompanying feature, bureaucracy (Colson 1958; Murra 1958; Pelzel 1958; Quick 1977). Fallers' Bantu Bureaucracy (1965) has been perhaps the most outstanding example of this kind of inquiry to date. Goodenough (1965) and Hoebel (1958) have made brief, preliminary inquiries into the internal problems of mental health and academic bureaucracies in American society. But, only recently with the appearance of Nader's "Up the Anthropologist -- Perspectives Gained From Studying Up," (1969) has attention been squarely directed at the possibility and value of the anthropological investigation of bureaucratic structures and elite activity in American society. The study, though primarily programmatic, is pivotal because it calls for the examination of bureaucracies as loci of power and as focal points in the formulation of important social policy. At present, this preliminary excursion into the realm of elite behavior, public policy and bureaucratic organization in contemporary western societies is being followed by the appearance of more substantive inquiries into the same topical area (Britan and Chibnik ms.; Davis and Frederking 1976; Nader 1977, ms.; Selby and Hendrix 1976; Smith and Tepperman 1974; Schwartzman, ms.; Sanday 1976; Wong 1977). The present study represents another and, to date, perhaps the most ambitious effort in this challenging and largely unexplored area of research in the anthropology of complex society.

The point is that if bureaucracy is an important feature in the social organization of complex societies, then it is necessary to develop a

comprehensive theory of bureaucracy. Part of this task has already been undertaken by the other social science disciplines. But, one dimension of this endeavor that logically seems to be quite important, yet strangely neglected, is the study of how bureaucratic policy and behavior are influenced by the fact that bureaucracies are ideological and administrative actors, responding to events in the wider political system. This monograph is an attempt to fill this gap by expanding our empirical knowledge of the politics of bureaucratic performance.

### 3. Theory

The political economy of bureaucratic organizations is the primary theoretical focus for the present study. There has been a growing interest among political sociologists in the use of this perspective to study certain aspects of bureaucratic behavior (Benson 1973, 1977; Wamsley and Zald 1973a, 1973b; Zald 1970a, 1970b). In arguing the value of a political economic approach to the study of bureaucratic organizations, Wamsley and Zald have pointed out (1973a: 65) that in this framework

the term "political" refers to the matter of legitimacy and distribution of power as they affect the propriety of an agency's existence, its functional niche (in society, political system or policy sub-system), its collective institutional goals; the goals of the dominant elite faction (if they vary from institutional goals), major parameters of economy, and in some instances the means of task accomplishment...(while) the term "economic" refers to the arrangement of the division of labor and allocation of resources for task accomplishment and maximization of efficiency.

Together, these concepts provide a structure for analyzing self-interest as a fundamental aspect of bureaucratic behavior. The focus on politics and economics allows one to specify a series of central issues, namely, (1) the

interplay of power as a key factor in the decision-making process of administrative elites and elected officials, (2) the relationship between public policy and the goals and strategies of these power-wielders, and (3) the nature of linkage of bureaucracy to the wider political system.

Bureaucracies may be conceived from a political economic perspective as being concerned with the distribution of two scarce resources, mandates and funding. Here, mandates refer to the assignment of the right and responsibility to carry out programs of various kinds, all dealing with a specific social problem area (in this study, the administration of juvenile justice). Funding, or money, is of obvious importance in the mounting of programs, the recruitment and retention of personnel, and the purchase of buildings and equipment. In the bureaucratic sphere, mandates to conduct activities are generally assumed to imply a claim upon money adequate for performance in the prescribed jurisdictional area. In turn, the expenditure of money in public service activities requires official authorization for allocation to specified programs.

One can safely assume that both elected officials and bureaucrats are typically oriented to the acquisition and defense of resources. The focus upon funding and mandates, key to the success of these actors, permits a direct connection between the inter-organizational field and the realm of the political macrostructure. The inter-organizational network is linked to a larger environment consisting of publics, legislative bodies, authorities, and bureaus. The flow of resources into the network depends upon developments in this larger environment.

Behavior in the framing of public policy is clearly influenced by this concern for survival. and maximization. Patterns of bureaucratic self-

interest are directly linked to events in the wider political system. A political economic analysis provides an avenue for understanding how bureaucratic structures and decision-making are involved as active features of the political landscape. In this study I have chosen externally-induced planned change to be the principal independent variable. I have defined this variable as the total array of efforts by the federal government during the Kennedy, Johnson, and Nixon administrations to stimulate change in state and local-level juvenile justice activities in Illinois by providing reform-oriented guidelines and new, program funding. This perspective provides the means for explicating those factors involved in organizational growth, competition, and conflict. A range of relevant concepts such as jural mandates, authority, resources, conflict, cooptation, cooperation, coalition, administrative elites, planned change, jurisdictional boundaries, public policy, and power emerge as crucial when one tries to discover how political and bureaucratic self-interests affect the behavior of the system.

Primary among these is the omni-present concept of power. In a recent study of power and symbolism in complex society, Abner Cohen points out (1974: xi) that to speak of politics or political relationships in any way is to "refer to the processes involved in the distribution, maintenance, exercise and struggle for power." However, before it is possible to use the term meaningfully, a workable definition is needed.

The idea of power as the expression of certain processual and dynamic features in social, cultural, political, and social life has continued to be a troublesome concept for the social sciences. In many instances this troublesomeness has been met simply by an author's not defining what he means by the term. This way of dealing with the problem treats the concept

as if power were a constant. For example, in a recent study by a political scientist, Ezra Suleiman, the term "power" is employed as a key word in the title of the monograph; but the author never bothers either to define what he means by the term or to apply it as an analytic construct anywhere in the work (1974). On the other hand, the attempt to define the concept has produced a variety of phrasings, involving a wide range of ideas on the subject.

From definitions produced by students of power, two dimensions of the concept may be shown as germane for the purposes of the present study.<sup>6</sup> First, power is inherent in all social relationships. This suggests that the operation of power can only be seen as situation-specific since the infinite variety of possible relationships means that what is designated as power in any given relationship cannot be either uni-dimensional nor predictable in the way, for example, a stimulus-response relationship studied under controlled conditions in a laboratory by psychologists can be. This notion that all relationships are invested with power is a useful starting place for insightful socio-cultural analysis concerned with any form of political activity.

A second point is that, in the attempt to refine the concept, the literature on power has become filled with a number of finely drawn but often confusing distinctions. For example, debate continues on such issues as to whether power is synonymous with authority and influence (Banfield 1961; Polsby 1963), whether power is purely coercive or also persuasive (Bierstedt 1950), and whether power is ultimately exercised through actual use of force (Southall 1965). In all cases the essential idea contained within these semantic disputes is that power must ultimately be couched in terms of control. In this regard, Leeds says (1973a: 24)

The essential dimensions of the notion of power appear to be the exercise of some control, as individual or group, over one's own situation and the exercise of some effect on the situation of others.

For the purposes of this study where self-interests and access to authority and funding are key aspects of my inquiry into bureaucratic behavior, the term "power" will refer to all forms of control that can be exercised over resources, organizational actors, and events.

From the perspective of control, public bureaucracies serve as loci of power in the wider political system in several ways. First, as administrative units, they are mandated to exercise legislated authority over a specified service universe. In this context authority refers specifically to the legitimation of activities by virtue of assigned rights and responsibilities to carry out programs of a certain kind, dealing with a designated problem area. Bureaucracies possess money, information, property, and have access to important actors and networks throughout the total social system. As a result, bureaucracies act as loci of power in their routine performance of duty. In reference to the decision-making and implemental aspect of bureaucracy, Parsons has argued (1960: 41-43) that power must become the central problem of organizational theory.

Second, in the wider political system bureaucracies provide major resources of power which can be manipulated and coopted. Elected officials and administrative elites frequently attempt to utilize these structures in ways that will maximize their own interests. They use bureaucracies for ends of electoral gain, patronage, graft, and special benefits. The fact that public bureaucracies can be used for such purposes qualifies them as resources in the power game. As Leeds has suggested (1978: 3-4)

Any form of organization can be used as a resource of power even in the absence of control over or access to means of production; control over or access to information, control over key decision-making points in a social system, mass mobilization with or without formal organization, etc., are all sources of power.

In the present context, exactly how the network of juvenile justice bureaucracies serves both as loci and resources of power is an empirical question that is explored in detail in the case studies throughout the monograph.

The preceding comments about power and bureaucracy suggest an assertion that derives from definitions I have suggested. As an aspect of all social relations, power in some measure is available at all times to every actor in a social field, necessarily characterized by continually shifting alignments and concentrations of power. Here, emphasis is upon the inherent variability in the distribution of power across a multitude of "social organizational nodes" (Leeds 1967: 332-339). Basic to this position is the idea that nothing categorical can be assumed about the distributional aspects of power.

#### 4. Derived Model

An underlying theoretical concern with the political economy of bureaucratic behavior requires the development of a model containing those elements which exemplify the principal characteristics of the system under scrutiny. Although Barth has suggested the possibility of ultimately developing generative models that have explanatory power (1966), the proposed model will be more in line with the aims and goals of most non-quantitative model-building in the social sciences. My intentions in this procedure correspond closely to the definition offered by Mills (1963: 36).

A model is a more or less systematic inventory of the elements to which we must pay attention if we are to understand something. It is not true or false; it is useful and adequate to varying degrees.

The key elements designated for this model by the theoretical focus of the study fall into several domains of the social field under study: (1) its boundaries in time and social space, (2) its structural features, and (3) its processual features.

The first domain is that of the temporal and spatial dimensions of the activities of all actors (individuals, groups, sets, and organizations) who have participated in the events with which the monograph is concerned. The former dimension encompasses the time period of activities between 1969 and 1975 when major externally-induced planned change in juvenile justice administration was being introduced. The latter dimension specifies the geographical limits of the behaviors of all agencies, units of government, clienteles, bureaucrats, and publics in the study.

The second domain is that of key structural elements of the system such as (1) elected officials in the various levels of government throughout the state, (2) the personnel, policies, and legislated mandates of the network of bureaucracies in the state, (3) the various voting publics whose allegiances are contested for in local, county, and state elections, (4) the political parties, (5) the federal presence in the introduction of planned change, and (6) the special interest groups that serve as supporters and watchdogs for the state bureaucracy.

The third domain is composed of the key processual features of the social field and includes (1) maximizing behaviors, (2) procedures for alteration and/or maintenance of agency boundaries, (3) elite decision-making, (4) cooptative strategizing, (5) changing bureaucratic mandates,

(6) forming coalitional networks, and (7) the mechanisms of government at all levels in the state involved in the formulation of public policy.

The inventory of elements from these three domains constitute the content of the model derived from the theoretical focus of the study. These elements are critical for understanding the nature and range of behavioral choices available to the organizational actors I am concerned with and among whom strategies are constantly being devised in the struggle over control of resources necessary for bureaucratic survival and expansion.

#### 5. Problem Focus

The wider role of bureaucratic organizations actively involved in administering various sectors of the American welfare state suggests questions and problem areas whose ramifications are yet to be understood or explained fully. As suggested already, one of the most interesting but unexplored areas of inquiry concerns the extent to which bureaucratic implementation of public policy qualifies bureaucracies as active participants in the total political system. Such a broadly based inquiry even if it focused on exploring the relationships between the wider political system and any one set of bureaucracies created to administer a particular jurally defined societal domain would provide important insights.

To that end, I have focused on one discrete domain of activity with respect to which a network of bureaucracies exists. I selected the administration of juvenile justice<sup>7</sup> to examine in relation to the political structures, affairs, and machinations of the state of Illinois and its political actors. Within the domain of juvenile justice the research explores the possible range of political issues that adhere to the behavior of this set of interlocking bureaucracies.

The study examines the role of these bureaucracies in a political context where major externally-induced planned change encouraged widespread competition and was occasionally responsible for open conflict among the principal organizational actors. Since bureaucratic structures as legislated sources of authority constitute loci of power and influence, they exist both as active manipulators and as objects of manipulation. Consequently, one must spell out the complex set of relationships which exists between this network and the wider political system in which it is embedded. The latter involves all of the institutions, structures, processes, and behaviors which serve to transform societal needs and demands into governmental decisions, including the structure and behavior of executive and legislative governmental bodies, interest group activity, the political attitudes of both elites and masses, political customs and traditions, voting behavior, and the structure and behavior of the judiciary.

Observationally, the present study involves an examination of the administration of juvenile justice across the four levels of government. Traditionally, the problem of youth crime, its prevention and control, has been defined as a state and local, rather than as a federal responsibility. The involvement in the juvenile justice system of those youths labeled as delinquent is marked by a series of distinct stages, namely, apprehension, adjudication, disposition, incarceration, and rehabilitative aftercare. Administrative responsibility for the management of the different phases has become the responsibility of different levels of government. Differential responsibility resulted from historical circumstances where state, county, and municipal units of government were mandated to develop administrative

structures for the law enforcement, prosecutory, judicatory, and correctional aspects of the total process (Hurley 1907; Illinois Unified Code of Corrections 1972; Platt 1969). This differential assignment of jural responsibilities over the last century and a half will be discussed in Chapter III.

Within the Illinois system of juvenile justice, state government, as opposed to county and municipal government, has assumed the widest jurisdictional role in exercising control over youths in trouble and has organized procedures for this responsibility (Blue Book of the State of Illinois 1941-1942, 1969-1970). The state is primarily responsible for maintaining secure facilities where juveniles who have been adjudicated delinquent by the courts are committed. The state also administers the parole, or rehabilitative aftercare, program which serves as the last stage in the movement of delinquents through the juvenile justice system. Although state juvenile correctional agencies may vary slightly in structure and in interpretation of role from state to state, they still have similar responsibilities and are usually referred to under rubrics, such as "youth authority," "youth commission," or "department of juvenile corrections" (Cressey and Ward 1969; Levin and Sarri 1974; National Conference on Corrections 1971; Sarri and Vinter 1972; Vinter 1974).

The other aspects of the juvenile justice system, such as law enforcement, prosecution, and adjudication, are always attached to the other levels of government. In other words, there are no state juvenile police, only municipal juvenile police. There are not state juvenile courts, only county juvenile courts. Contrariwise, there are only state juvenile reformatories and state juvenile parole servies.

It is this state-wide bureaucratic structure in Illinois, the Juvenile Division of the State Department of Corrections, that is my central unit of description and analysis. However, in the exploration of the politics of juvenile justice at the state level one must describe the role of a large number of other juvenile justice agencies that interlock with this key bureaucracy but which fall under county or municipal jurisdictions. To understand fully how these agencies relate, one must understand when and how each unit assumed the role it is presently playing. The point is that the state juvenile correctional agency is dependent upon, supportive of, and occasionally in conflict with related juvenile justice agencies for the accomplishment of complementary goals. Clearly, these relationships have political implications. If the relationships are conflictive, they may yield important clues about the distribution of and struggle for power between blocs of rival agencies, each unit perhaps representing the interests of different political parties. If the relationships are friendly, however, they may yield important information about the structure of politically motivated factions and alliances within the juvenile justice system or with other bureaucratic structures.

The administration of juvenile justice has the unusual feature of inherently possessing a degree of ideological ambiguity that affects goals and relationships with other agencies in the child welfare sphere. Contingent upon time and place, youths labeled for exhibiting legally deviant behavior are viewed either as children who have committed crime-like acts or as criminals who happen to be children. From these alternative outlooks emerge two possible policy trends focusing either on a form of social control or a form of welfare. In the cluster of public bureaucracies

that administer the total range of legislated responsibilities for troubled children, alterations in the interpretation of the meaning of delinquent behavior affect the role of juvenile justice agencies in the wider cluster of child welfare bureaucracies. This continuing ambiguity will be shown to have important political and economic implications for the performance and survival of certain important bureaucracies in this study. The maintenance of jurisdictional boundaries and the control of clients and funding are subject to modification in a context where rapid planned change alters the rules and definitions that shape the structure of behavior within the juvenile justice system.

In probing the relationship between politics and juvenile justice in Illinois, it is apparent that one locality plays a disproportionate role in both state politics and the affairs of juvenile justice. Chicago, by virtue of its size, wealth, and scale of social problems, by virtue of the unprecedented bloc voting record of its representatives in the state legislature, by virtue of its interesting role in national politics since the 1930s, and by virtue of its machine form of local government, assumes a position of overwhelming importance in matters with which this study is concerned.<sup>8</sup> The only other urban locality of immediate importance is Springfield, which is the seat of state government and the headquarters of the state public bureaucracies. While these two places deserve special attention, the phenomena of the politics of juvenile justice in many ways are not localizable because many of its features are not necessarily tied to neighborhoods, communities, or population places of any size. Perhaps, the most useful notion with which to conceptualize this matrix of roles, relationships, and exchanges is that of social field.<sup>9</sup>

In spite of Easton's insistence (1953, 1959) on identifying political organization with government, there is good reason to define the former more inclusively than the latter and more in line with Mitchell's social field. Government is usefully looked at as a subset of a wider political system and usually refers to the administrative apparatus and to the elected officials, who hold positions of authority in this structure. In democratic societies political organizations have the additional aspect of political parties lying outside the formally defined state structures but continually contesting among themselves for popular support and for election to positions in government.

In Illinois the administrative organization of juvenile corrections is located in the state executive branch of government. It is here that the specified duties are orchestrated and from here that commands are transmitted down the hierarchy for implementation in branch offices throughout the state.

To describe the formal relationship between the wider political system and juvenile justice agencies, a number of important linkages that act to initiate, support, constrain, or nullify activities must be delineated. These public bureaucracies are the responsibility of those elected officials who, as prerogatives of their offices, have final authority over the behavior of these agencies. The key elected official in the hierarchy of authority studied here is the governor and is accountable for their performances.

There are a number of additional governmental actors including members of the legislative committees and subcommittees who are engaged in some way in exercising control over the activities of these bureaucracies. The power of the actors provides a set of legal constraints and controls

over the bureaucracies ranging from perfunctory review procedures to heated confirmation hearings for executive appointees, the investigation of scandals, changes in jurisdictional boundaries by rewriting statutes and laws, and the approval or rejection of budgetary requests. For example, the correctional component of the juvenile justice system falls directly under the auspices of the executive branch of state government in Illinois but is subject in various ways to the regulatory power of the state legislature. Due to the bicameral system of representation found in the federal and in all state legislatures, two bodies of elected officials, members of the Senate and members of the House of Representatives, are actively engaged with this governmental bureaucracy.

In addition to the formal structures and processes of political organization, a wide and less clearly ordered arena of political behavior and organization exists. This informal<sup>10</sup> matrix of structure, action, and relationship may be partly regulated by, but for the most part are independent of, the procedures of the formal political system. Although this arena is not identified as part of any official governmental transactions, it penetrates and plays a crucial part in daily political activities. One discerns a variety of individual and group strategies and tactics aimed at gaining advantage in competitive and conflictive situations through the exercise of guile, trickery, deceit, and bluff. Although unwritten, these procedures are culturally patterned, setting limits on permissible behavior. The rules have been known to be abrogated from time to time when the means can be justified. Such a drastic measure usually occurs when one of the competing parties believes that he or it can move into a position of dominance if he or it employed extraordinary and previously unacceptable

behavior in achieving his goals. Such steps are usually at least unethical, if not wholly illegal.

Though not acknowledged in the formal structures of government, such political behavior, both in its moderate and more extreme forms, can be just as effective as formal measures, if not more so, in the decision-making process that affects public policy and determines the allocation of authority and power throughout the entire political system. In fact, a number of these informal political considerations are usually arrayed behind any routine decision of government. Popular phrases frequently heard in connection with these behaviors are "arm twisting," "horse trading," "influence peddling," "pulling out all of the stops," and "closed door agreements." Bailey (1968: 281) refers to this arena of informal activity as being "para-political" in nature.

Omission of either the formal or informal dimension of political behavior would have caused the study to miss much of the complexity that characterizes the intersection of government, political party, voting public, and public policy in the political system of Illinois. Although separable in an analytic sense, ultimately this formal/informal dichotomy merges into a common, underlying concern with cooptation, maximization, manipulation, and power as instrumental aspects in this intersection. The assertion that public bureaucracies participate as loci of power in the political system requires an examination of the ways in which these agents behave as organizational and ideological actors in the total political system.

The theoretical framework and problem focus of this study have led me to pose a set of three questions exploring important dimensions of the role of public bureaucracies in the wider political system.

As planned change was fostered by the federal government

- (1) how has the articulation of the various components of the juvenile justice system with different levels of government affected their role in the political system of the state?
- (2) how did the political parties manipulate juvenile justice agencies for electoral gain and with what results?
- (3) how were inter-organizational conflicts within the juvenile justice system carried out and with what implications for the political parties?

## 6. Methodology

As a procedure, I have found it important to select and analyze a number of events which laid bare critical issues relating to my three key questions. These case studies, when considered together, provide an internally coherent and wide-ranging picture of the flow of events exemplifying the role of juvenile justice bureaucracies in the political life of the state. In this series of case studies the Department of Corrections Juvenile Division (DCJD) figures as the central unit of analysis -- a vantage point in the juvenile justice system from which to observe this whirl of events.

Entailed in the theoretical framework and problem focus of this study are a number of methodological considerations. One critical question is why arbitrarily select one organization (subset) as the principal focus for the research from the total range of bureaucratic domains available. Other than the readily apparent justification of my having easy access to several of the key bureaucracies because of prior employment, it is necessary to give a theoretical basis for the selection.

The basic commitment in this monograph is to develop a logically consistent and substantively rewarding exercise in the anthropology of complex society. It has often been said that the large, over-arching bureaucracies which play an increasingly important role in the lives of citizens of these societies are important to study. To understand the role of these organizations requires the development of a comprehensive theory of bureaucracy, and part of this task involves analyzing the relationship of bureaucracies to the wider political systems in which they are embedded.

Although a case can be made for the study of a great number of bureaucratic networks linking a variety of societal domains, certain attributes of juvenile justice agencies seem especially to favor their selection for studying the political dimensions of bureaucratic behavior. As links in a chain of administrative units that have mandates to act as legitimated users of force, these bureaucracies occupy a politically sensitive position in the overall administration of public policy.

Crime as an American preoccupation and as a behavior that has increasingly engaged the concern of elected officials makes these bureaucracies a center of attention in political disputation. The administration of criminal justice is a popular topic for debate, never failing to attract the interests of the major political parties. This is not to say that the other areas of public administration do not become the subjects of political debate from time to time, but only that the phenomenon of a marked increase in rates of serious juvenile crime, especially involving interpersonal violence (see Appendix B), has made criminal justice a prominent subject in the arena of party politics. This politicizing of the performance of the juvenile justice system has been fed by the growing suspicion that

with the upward spiraling of juvenile crime over the past fifteen years something must be amiss in our understanding and/or management of this serious social problem.

The other critical methodological consideration revolves around the issue of discovering the most effective way to unravel the underlying patterns of maximizing behavior that have structured the interactive processes within the sphere of bureaucracy, government, and electoral politics. In trying to decipher the purposes behind much of the behavior of administrative and elected actors in the pursuance of their official duties, I have been struck by the fact that in many cases an understanding of what had happened could best be reached by viewing the behaviors as examples of a form of game playing; decisions and goals were linked to efforts to maximize both individual and organizational self-interests. Much of what occurred on a day-to-day basis in respect to making decisions, planning policy, issuing commands, negotiating compromises, implementing programs, and simply presenting self grew from the conscious formulation of strategies with which to guarantee the survival and success of individuals, groups, and organizations (Whitten and Whitten 1972).

The realization of the value in this approach led to the employment throughout the research of what I call a strategic analysis. This approach illuminates much about the politics and economics of bureaucratic behavior. As Bailey has suggested in Strategems and Spoils (1969), an excellent way to envision what is going on in the struggle between rival political structures is to perceive the interactions as a competitive game. Yet, in talking about the game-like nature of certain processes of interaction, one should heed Barth's warning that the formal, quantitative methods of game

theory may be unproductively difficult in many cases and therefore not as useful for anthropological purposes as is the general value of the approach in serving to illuminate the nature of some kinds of interaction (1966). Barth had earlier demonstrated the value of these comments in his analysis of Norwegian fishing behavior (1963). In the present study the linkage of a theoretical framework of the political economy of bureaucratic organizations to this strategic analysis approach has allowed insights about underlying constraints and incentives under which individuals and organizations acted.

#### 7. Field Techniques

The fieldwork for this dissertation covered the period from September 1974 until June, 1976. As a preliminary to entering the field, I had written a number of lengthy research schedules, based partly on my past employment experiences, which outlined a multitude of participant-observation problems about the politics of juvenile justice. Once in Chicago I discovered that many events crucial for the study had already occurred. This fact required a far greater reliance on archival work and informant memories than I had anticipated. Most of the politics that accompanied the deliberate efforts of the federal government to reform the juvenile justice system in Illinois had already been contested prior to my arrival. In a sense, I was witnessing an afterglow from the principal struggles that had been waged over control of various parts of the system.

Interviewing was the central research technique for the problem area I investigated. Observational work proved to be less important than expected. First, as I have just suggested, the historical orientation of the study required much of the fieldwork emphasis to be placed on the

reconstruction of past events. Second, most of what was still occurring that could aid my understanding of the politics of juvenile justice happened behind closed doors. I was never invited to attend strategy sessions concerning inter-agency problems and was forced to reconstruct decisions and plans with the aid of participants who were willing to talk. The cultivation of key informants who would discuss such matters was absolutely necessary. However, this proved to be a slow and anguishing process.

I did not develop any formal instruments for conducting interviews in the field. I found interviews based on open-ended questions to be the best approach. Since many administrators were suspicious about the lines of inquiry I pursued, informality in interview sessions seemed to be helpful in putting fears to rest. In addition, I encountered so many surprising revelations about the reasons behind, and the results of, closed-door sessions that any attempt on my part to prepare a formal questionnaire for exploring such topics would have been counter-productive. Instead, informal questioning on topical themes served as the basis for the great majority of my interviews with administrators and other representatives of government. The principal exceptions were my several key informants who allowed me to present them with lists of written questions.

The success of the research finally depended upon two factors. First, I had worked as a parole officer for the Juvenile Division of the Illinois Department of Corrections in 1969 and 1970. I was an employee when the first signs of major planned change in the juvenile justice system were beginning to appear, but at that time I never thought about the possibility of studying the agency. However, my experiences there did develop a number of warm, personal contacts with members of the line staff (persons

directly involved with the delivery of services) who by the time I returned to initiate the dissertation research four years later had in many cases moved into positions of considerable influence in the agency. This was especially true of several Black administrators who, during the period of my absence, had experienced upward mobility in the agency, like so many other minority employees.

My background in the agency had given me ready, personal access to a small network of middle-level administrators who were willing to serve as informants in my research and who spread the message by word of mouth to their wider networks in the juvenile justice system that information should be shared with me. It is impossible to determine how long this process would have taken, if it would have occurred at all, if I had not had previous, personal ties with these individuals.

With rare exception my movement as a researcher up through the hierarchy of these bureaucracies depended upon personal recommendations and introductions from other administrators. Eventually, I was able to interview at length members of the administrative elite in every organization of importance in the juvenile justice network. These agencies ranged over all levels of government in the state and included the following:

State Government

1. The Illinois General Assembly
2. The Office of the Governor
3. The Department of Corrections, Juvenile Division
4. The Department of Children and Family Services
5. The Illinois Law Enforcement Commission

County Government

1. Cook County Juvenile Court

### Municipal Government

1. The Chicago City Council
2. The Office of the Mayor
3. The Chicago Police Department, Youth Division
4. The Department of Human Resources
5. The Department of Planning and Development
6. Chicago Commission on Urban Opportunity

The second factor that contributed to the success of the research involved the fortuitous circumstance of my having arrived in Chicago in the wake of the intense inter-agency struggle between the Department of Corrections and the Department of Children and Family Services. Many administrators were unhappy and disenchanted with the intensity and bitterness of this bureaucratic warfare. Some had resigned and were looking for new jobs. Others had been fired and were looking for someone with whom to vent their feelings. All were willing to talk. The research benefitted greatly from this emotional repercussion of the conflict. I was able to obtain information that otherwise would not have been available. For example, in two instances large confidential files of inter-office and inter-agency correspondence were given to me by important administrators who were angry and were leaving the state of Illinois.

In spite of my good fortune in obtaining substantively rewarding interviews and caches of revealing documents, I was not able to secure interviews with any of the three top elected officials of the study: Governors Ogilvie and Walker, and Mayor Daley. Although I was able to speak to members of each of their executive staffs, these key figures simply refused to talk with a curious outsider about anything that appeared to be as politically delicate as the topic I was researching. In fact, throughout the fieldwork I was constantly nagged by the fear that I might not be able to obtain the kinds of information necessary for demonstrating the central

thesis of the dissertation. In retrospect it is clear to me that the attempt to carry out politically sensitive research in an elite segment of one's own society is risky at best.

Chapter II: The Political Context for Organizational Behavior: Political Sentiments, Governmental Structures, and Party Interests

1. Introduction

As we have seen in the previous chapter, bureaucracies operate in a broader political context. In studying a bureaucratic network such as the juvenile justice system of Illinois, it is essential to describe the broader political system in which juvenile justice agencies achieves their goals. It is necessary to see the broader sphere in historical perspective because the juvenile justice system has changed in relation to changes in the political system. In this chapter I detail the formal and informal characteristics of Illinois's political system, including the power relationships among political parties or interests (rural vs. suburban, Catholic vs. Protestant, business vs. labor, etc.); electoral patterns; the statutory guidelines of the state's constitutional provisions; the policy aims of the legislative and executive; and the influence of committees, seniority, and patron-client relationships on the legislative process. Each of these aspects has a varying effect on the way in which juvenile justice activities are carried out in the state.

2. Migrations and Electoral Politics

An explanation of the vagaries of electoral politics requires, above all, a willingness to examine those elusive constituencies, the voting blocs, that are chiefly responsible for the success and failure of all political candidates and parties. The focus here on the complex relationships among political processes, organizational behavior, and public policy requires some understanding of how the voting population of Illinois has presented certain interests and has expressed these interests in the election of officials. The

electoral environment in which the Republican and the Democratic Parties sought support for their candidates and programs was largely shaped by the pattern of social and economic interests that grew out of the cultural pasts and adaptive behaviors of successive waves of immigrants into the state.

At the time Illinois entered the Union (1818), at least two-thirds of the state's residents were of southern origin.<sup>1</sup> Their dispersed pattern of settlement began to change in the 1830s as immigrants from northern European countries started to arrive in Illinois in large numbers. Of these early settlers the greater proportion came from Germany and Ireland.

Chicago contained only 350 residents when it was incorporated as a town in 1833. But, by 1837, the population had risen to over 4000, the vast majority of whom were foreign-born. This population jump marked the beginning of Chicago's march toward economic and political domination of the state, largely completed by the end of the 19th century (DeVise 1967: 4). By 1855, as transportation improved, Chicago's population had risen to 80,000 people of whom half were foreign-born.<sup>2</sup> This pattern of settlement was in striking contrast to the rest of the state where the vast majority of immigrants continued to be American-born settlers from the border states and the South. This ethnic disparity was further exaggerated from about 1880 to about 1930 when Chicago experienced its greatest population growth.

## Chicago's Population Growth: 1860-1930

1860	-	-	109,260	1900	-	-	1,698,575
1870	-	-	298,977	1910	-	-	2,185,283
1880	-	-	503,185	1920	-	-	2,701,705
1890	-	-	1,099,850	1930	-	-	3,376,438

The large-scale migration of Blacks began after 1914. The vast majority of these immigrants to Illinois also moved to urban centers, primarily to Chicago.<sup>3</sup> In Chicago, the percent of the Black population rose steadily each decade in the 20th century, and Blacks became the principal immigrants to Chicago after the First World War.

## Percentage of Blacks in Chicago in 20th Century

1900	-	2%	1940	-	8.2%
1910	-	2%	1950	-	13.6%
1920	-	4.1%	1960	-	22.9%
1930	-	6.9%	1970	-	32.7%

However, Chicago's foreign-born population was still quite large.<sup>4</sup> In addition, as had been the case with Black migrants to Illinois, only insubstantial numbers of all European immigrants continuing to arrive in the area settled outside Greater Metropolitan Chicago.<sup>5</sup> By 1950, 84.9% of all foreign-born residents of Illinois lived in this area.<sup>6</sup>

### 3. Regionalism and Political Consolidation

The pattern of geographical distribution of immigrants in Illinois gave rise to the bifurcate structuring of political allegiances that subsequently arose in the state. The regional antagonisms which have repeatedly characterized the give and take of state politics from the time of the ascendancy of Chicago as Illinois's major city by the end of the 19th century reflects the differing interests of this city/ethnic -- country/Anglo-Saxon dichotomy in the state's pattern of settlement. In contrast to Catholic, ethnic, Democratic and "liberal" Chicago, the rest of Illinois has traditionally been Protestant, Anglo-Saxon, small town, Republican, and conservative. Politically, the major problem for voters residing outside the Greater Chicago Metropolitan Area has been the steady growth of population and political and economic power in Cook County, in Chicago, and in its suburban ring. Cook County with over five million residents has a population equal to all the other 101 counties of Illinois and a disproportionate share of the state's industry and wealth.

The state-wide voting alignments that determined the electoral fortunes of the leading political personages during the two gubernatorial administrations -- the Ogilvie and Walker regimes -- with which this study is principally concerned began to coalesce around the time of the New Deal. Prior to 1930, both the Republican and the Democratic Parties in Chicago had intermittent success in capturing the loyalty of the various urban ethnic blocs. Only with the rise of the current Democratic Machine in Chicago in 1931 and its total domination of ethnic politics (see below) did the distribution of political power in the state assume a pattern that has persisted largely unchanged through the past four decades. The

Republicans came to dominate electoral politics in "downstate" Illinois while the Democratic Machine held sway in the Chicago Metropolitan Area. This regionalism has become the fundamental geographical and ideological cleavage in Illinois politics.

#### 4. Party Politics and the Patterning of Interests

In the development of political sentiments in Illinois the major cleavage in interests and influence which had emerged by the 1930s was reflected most clearly in the way the two major political parties sought to maximize control within their respective spheres of dominance. Banfield (1961: 244) delineates the basic structure of political strength in Illinois, stating that over the past seventy-five years the mayor of Chicago has almost always been a Democrat (see Appendix C) while the governor has usually been a Republican (see Appendix D). This important fact is rooted in the Democratic Party's strength being centered primarily in a few heavily populated urban centers such as Chicago, East St. Louis, and Cairo. In this distribution of party strength the Republicans have benefitted from the downstate Democrats' being frequently at odds with their Chicago brethren over slating candidates to run for state-wide office. This animosity is often expressed by Democrats outside Chicago switching over and voting for Republican candidates.

##### A. Machine Politics in Chicago

Machine politics has been a feature of the political landscape in Illinois since this phenomenon of machine politics first emerged as a successful organizational form in 19th century urban politics throughout the United

States. This organizational form appears to have been widespread in U.S. political history. It emerged around the time of the Civil War when the United States had virtually no restrictions on immigration, and vast waves of poverty-ridden and disenfranchised Europeans entered the country and sought a new way of life in American urban centers. It can be argued, given these preconditions, that machine politics was probably a developmental phase in the growth of most American cities and represented a special type of structural solution to problems of a new, dependent urban population. With the notable exception of Chicago, this form disappeared as a viable form of city government when the power of the middle class asserted itself in the reform movement in the 1920s and 1930s.

There are a number of diagnostic markers of political machines, by definition. Chief among these is a patronage apparatus which could satisfy the needs of diverse subgroups in the city while previous forms of city government had been totally unable to achieve these ends with legally devised and culturally approved methods.<sup>7</sup> As Merton says (1957: 33), "the structural context which allows for the emergence of machine politics is that the functional deficiencies of the official structure generate an alternative (unofficial) structure to fulfill existing needs somewhat more efficiently." Most important from the point of view of the machine itself, the provision of goods and services to a number of potential voting blocs, i.e., the whole range of economically and socially marginal immigrant groups, allows the machine to consolidate this voting power into a reliable majority which can always be called upon at the polls. Ultimately, any political party's survival and maintenance of power is dependent upon winning elections, winning them by a reliable margin, and winning them repeatedly.

The other critical factor in a machine system of political domination is the capitalist owners of industry and big business. For these economic leaders the machine provides opportunities such as tax breaks and cheap labor, which entail economic gains for industry and business, and, in turn, industry and business provide the machine with sufficient ready capital to satisfy the needs of those economically marginal ethnic groups which usually determine the outcome of most urban elections.

In Chicago this set of conditions contributed to the rise of that dominant political organization, the Democratic Machine, which for the past four decades has filled almost all elective positions in city government and has served as a patron for low-income groups and as a broker for business interests. However, the ascendancy of the Chicago Democratic Machine as a monolithic participant in local and state politics was stimulated by several factors not found in the rise of political machines in other urban areas. These factors were the wide-spread public sentiment for reform against collusion by City Hall with elements of organized crime -- the Al Capone mob -- and the disastrous effects of the economic collapse of 1929.

Reform sentiment in Chicago in the 1920's concentrated on the relationship between crime and politics. Prior to the consolidation of the Democratic Machine under the leadership of Anton Cermak, Chicago had experienced a series of urban machines following the Civil War. Many of these machines were creations of the Republican Party. In the late 1920s, one such machine, led by William Hale ("Big Bill") Thompson, who was a Republican Mayor from 1915 to 1923 and from 1927 to 1931, dominated Chicago's political life. Like all urban bosses, Thompson had depended upon ethnic support. When Bill Thompson won the mayoral election in 1915,

part of his success was the assiduous cultivation of the Black vote (Meyerson and Banfield 1955: 61). But, he had also aligned himself with notorious criminal elements in certain powerful wards throughout the city (Demaris 1970: 108-109). The regime of Bill Thompson had become so blatantly corrupt that reform activists in Chicago,<sup>9</sup> mostly of Republican persuasion, threw their electoral support to the Democrats to oust Thompson from office. The primary concern was the obvious ties between Thompson's regime in city hall and Al Capone and other local gangsters who were exercising influence in the public affairs of the city. In the 1931 mayoral election, the rising Democratic vote against this official corruption helped to usher in the era of Chicago's Democratic Machine.

An unusual factor in the 1930s consolidation of the Democratic Machine was the way in which the shift in voting allegiances following the economic collapse of 1929 aided the Democratic electoral efforts. The Great Depression appears to have produced political results in Chicago quite unlike those which occurred in any other large U.S. city at the same time. Throughout much of the U.S., the culmination of the reform movement in urban politics of the 1920s and 1930s occurred with the New Deal, which completely swept most existing machines out of office.<sup>9</sup> For example, at that time while New York City was losing its last machine and entering an era of fundamental organizational reform in urban government, the opposite was happening in Chicago. As Theodore Lowi has observed (1973: 19)

The period of the Great Depression was marked in Chicago by the beginning of the final consolidation of machine politics in that city....While New York was becoming a loose, multiparty system with wide-open processes of nomination, election, and participation, Chicago was becoming a tight, one-party system.

In contrast to the other great metropolitan centers of the United States where the world-wide economic crisis of 1929 destroyed the credibility and popularity of existing city government leadership which had practiced a spoils system of politics, Chicago simply substituted Democratic Machine candidates for Republican officials in practically all of the local offices. Electorally, in the late 1920s and early 1930s in Chicago, the principal ethnic groups, which had become well organized, were largely naturalized and thus were able to vote, determining the political fortunes of all candidates for city office. They had become accustomed to being recognized as specific groups, with interests of their own and the power to reciprocate by withholding their vote if their interests were not met. As Milton Rokove, a long-term observer of the Chicago political scene, has stated (1967: 80-81) in regard to the continuing success of the Democratic Machine

No rational discussion of politics in Chicago can take place except within the context of a recognition of the influence of nationality, religion, and race on the politics of the city. The ethnic, racial, and religious discussions among the polygot population of Chicago have remained fairly rigid and perpetuated themselves into the second and third generations of the children of original immigrants. Politics in Chicago, to a considerable extent, remains a bargaining process among the leaders of these fairly self-contained and directed ethnic groups.

With the financial crash, seven of the nine politically important ethnic groups which had on occasion voted for the Republican Party in Chicago -- Czechoslovakians, Polish, Lithuanians, Yugoslavians, Italians, Swedish, and Jewish -- switched allegiance and voted overwhelmingly for the Democratic candidate for mayor in 1931. Germans and Blacks remained in the Republican fold (Allswang 1969: 48). Finally, with the emergence of the New Deal coalition of President Roosevelt, all nine ethnic groups voted

for the Democratic ticket. In contrast, the Irish had been active in Democratic politics in Chicago from the time they first started to arrive in the city in great numbers (Levine 1966).

In the subsequent politics of Chicago and Illinois this shuffling of the political cards did not represent any change in philosophy of government. The powerful Democratic Machine was controlled by just another set of spoils politicians who replaced their like-minded Republican predecessors. The Democrats only differed by becoming much more efficient at manipulating the ethnic voting blocs in the city. Eventually, they even inherited the reputation of colluding with organized crime.

The Republicans as an important factor in Chicago politics disapproved when Cermak smashed the incumbent, Bill Thompson, by almost 200,000 votes in April, 1931. This consolidation of the machine was essentially complete by 1936 when the Democrats were in total control of all major elective offices in municipal government.<sup>10</sup> The political power structure of Chicago has probably changed less than any other major city in the U.S. in the last fifty years. Since its consolidation, the Machine has with few exceptions controlled the major city offices: mayor, city treasurer, city clerk, and more than half of the county commissioners (O'Connor: 1975).

As Mayor, Anton Cermak, who possessed the political genius to tie the ethnic and racial loose ends of the Democratic party into a cohesive organization, was responsible for developing perhaps the most significant local voting alignment that the machine has come to depend upon in election after election. He convinced William Dawson, one of two Black aldermen then serving on the City Council, to change his party affiliation from Republican to Democrat. Without exception, Dawson, the most powerful

Black ward boss in Chicago's history, returned the largest pluralities for all Machine candidates in every election until his death in November, 1970. An analysis of the election returns of Mayor Richard Daley's five successful campaigns for the mayor's office demonstrates that in several instances he would not have been reelected without the heavy vote that Dawson produced for him in the Black ghettos of the city (O'Connor 1975: 176).

Cermak's only early mistake was his failure immediately to see the importance of developing strong ties with the national Democratic leadership, i.e., the Roosevelt administration. This error has never been repeated by the Chicago Democratic Machine. Cermak's failure to support the nomination of FDR at the 1932 party convention caused strained relations between the White House and the Chicago city administration once Roosevelt was elected.<sup>11</sup> Quickly realizing the city's extreme dependence on federal aid during that period of national depression, Cermak made every effort to reach an accommodation with James A. Farley, Roosevelt's chief advisor on matters of federal patronage. Cermak's appeal to the White House was based on the argument that the Chicago Machine had been chiefly responsible for Roosevelt's having carried the state of Illinois in the 1932 election. This electoral theme has subsequently become a persistent feature of Chicago Machine/Democratic President relations over the next forty years. Cermak succeeded in making his point with Farley by December, 1932. As a result, the New Deal Democrats in Washington D.C. helped enormously to solve the fiscal problems which confronted the Chicago area during the worst of the Depression.

Following Cermak's assassination in 1932, there was a string of Democratic mayors (Edward Kelly -- 1933 until 1947; Martin Kennelly -- 1947

until 1955; Richard J. Daley -- 1955 until 1976), all of Irish extraction, all Catholic, and all of modest origins. None of them was a member of the "Chicago 400," and none of their names was ever found in the Social Register of that city. Two of the three Democratic bosses have been recruited from second-generation Irish immigrant families in Chicago. All had started at the bottom of the party organization and served in a variety of political posts. None had been top leaders in the industrial or business activities of the city, but they all demonstrated major political managerial abilities (Gosnell 1968: 221-238). The third, Martin Kennelly, had come from a more established background. By the time he was chosen by the Machine to run for mayor, he was an important leader in local business circles, despite his Irish extraction and his residence in the same Southside, ethnic neighborhood that Kelly and Daley came from.

The persistence of the Chicago Democratic Machine for the past forty-five years can be attributed to a number of factors in addition to its manipulation of ethnic voting blocs. Perhaps the single most important factor has been the structuring of the apparatus of city government which, once established, has readily lent itself to the maintenance of a machine-like system. Always a city of distinct and readily recognizable neighborhoods, Chicago has from its earliest immigrant days been organized into a large number of electoral wards. No other large city in the U.S. has been divided into so many electoral wards. While Chicago has fifty wards, most cities have not more than twenty. The Chicago wards assumed their present form in 1923 when a statute was enacted dividing the city into fifty voting districts, each represented by its own alderman in the city council. Once the Democrats assumed control of city government, this system suited their grassroot efforts perfectly.

The Chicago wards are relatively small, averaging 25,000 to 60,000 registered voters. Every ward has a Republican and a Democratic committeeman who are elected by the primary voters every four years. From the standpoint of the machine the advantage of the small wards is that the Democratic ward committeemen, or ward boss, can be close to the ethnic, religious, racial, and business interests in his own bailiwick. A vivid picture of the performance of a Democratic ward boss was presented by Banfield and Wilson in City Politics in which they describe (1963: 304-305) the activities of William Dawson in running his local machine in the Black wards of Chicago.

Dawson maintains his machine in the usual way by exchanging jobs, favors, and protection for votes. Almost every weekend he flies to Chicago to sit in a shabby ward office in the midst of the slums and to listen to all who come to him. Where the direct, material interests of his constituents are at stake, he and his organization are ready to help; they will get a sick man into the county hospital, find out why an old lady's welfare check has not arrived, defend a beleaguered homeowner against the urban renewal authority, and go to the police commissioner, and if necessary the mayor, to see to it that a case of alleged police brutality is properly investigated. [I doubt that one could find many examples of this last kind of act.] Matters involving Negro rights in the abstract do not interest them, however. These concern the militants, but they are not the base upon which the machine builds.

In turn, the ward committeeman depended upon the precinct captains who were the machine's representatives at the lowest grassroot level.

The influence of the ward committeeman ties directly into the behavior of the city council since each ward is responsible for electing an alderman every four years to represent its interests in the council. As the political representative of the machine in each ward, the ward committeeman, upon instruction from party leadership, determines who will be elected alderman.

Although the aldermanic election is technically non-partisan, only on rare occasion is an alderman elected who is not totally loyal to the Machine. Once elected, any alderman who hopes to remain in office must vote a strict party line. If he deviates, he is quickly reminded of his responsibilities by the ward committeeman and may even have some city service to his ward reduced or suspended. In the council's history over the past four decades, at least forty-five of the fifty aldermen have had Democratic Machine affiliations at any given moment.

This fusion of machine politics and governmental offices derives from the relationship between elected officials and the Cook County Democratic Central Committee (CCDDCC), the principal decision-making body in the Party. The committee itself is composed of the fifty ward committeemen from the city and the thirty ward committeemen from the other townships of Cook County. The committee determines the distribution of much of the Machine's patronage and also controls all party nominations in primary and general elections. It is impossible to be elected as a Democratic candidate in Cook County without the approval of this committee.

Another key factor in the persistence of the Chicago Machine has been religion. In the largest Roman Catholic diocese in U.S. (Rakove 1967: 80), no political decision can be made without due consideration for the feelings and concerns of the majority Catholic population of the city. Catholics have always controlled the Machine and also have held most of the major city offices. Approximately two-thirds of the aldermen have been Catholics since the emergence of the Machine. Among the Catholics it has been those of Irish extraction who have been dominant. Usually about one-third of the council is "Irish", and they always hold the key appointive positions in the

Council. The effectiveness of Irish politicians in ethnic brokerage far outweighs their numerical strength. Their ability to mediate inter-ethnic disputes and to represent the collective interests of various groups is legendary. As Meyerson and Banfield have pointed out (1955: 65)

The numerical importance of the Irish in the Council was to be accounted for not so much by their numbers in the electorate as by the fact that in wards where no one ethnic group had a clear majority they made the most acceptable compromise candidates. As one politician explained to an interviewer, "A Lithuanian won't vote for a Pole, and a Pole won't vote for a Lithuanian. A German won't vote for either of them -- but all three will vote for a 'Turkey' (Irishman)."

Finally, in the continuing success of the Machine the role played by the Machine in national politics has been crucial. With respect to the delivery of votes for presidential elections, the critical feature is that Chicago has the majority vote state-wide in general elections. Frequently, the way the city goes in a presidential election determines the way the state of Illinois and all of its thirty-six electoral college votes go.

The history of this kind of support extends back to FDR's first presidential victory in 1932. Although Roosevelt did not need a large Chicago voter turnout in order to carry Illinois in either the 1932 or the 1936 election, nevertheless the Machine delivered a substantial plurality in both elections. When Roosevelt did need all the help he could get from the Machine in the 1940 and the 1944 elections in order to carry the state, he received the needed margin through the efforts of the Machine. This support continued in the close presidential election of 1948 when Truman defeated his Republican opponent, Thomas Dewey of New York. The enormous plurality provided by the Chicago Machine was the key to Truman's obtaining his narrow majority in Illinois. Likewise, the elections

of John Kennedy in 1960 where Machine support was crucial and of Lyndon Johnson in 1964 where Machine support was less important were marked by all-out efforts on the part of the Machine to deliver the state for the Democratic candidate. Even in the losing presidential efforts of Hubert Humphrey in 1968 and George McGovern in 1972, the Machine ensured a large plurality for these candidates in Cook County.

In addition to producing crucial pluralities at the polls in presidential elections, the Chicago delegation to Congress has consistently brought disciplined support to Democratic administration programs. Although the most notable examples of Congressional bloc voting occurred in Democrat-sponsored measures, occasionally the Machine's support of legislation extended to measures sponsored on the Republican side of the aisle. For example, in 1969, the Chicago delegation provided the necessary votes for House passage of the surtax extension legislation and, in return, obtained from the less-than-friendly Nixon administration a \$38 million Model Cities grant, second in size only to that awarded to New York City (Rosenbaum ms.: 362).

As just indicated, the principal outcome of the voter pluralities and bloc Congressional voting has been spectacular success in the competition for federal funding for local programs. Chicago has obtained large sums of money from Washington to help pay for education, public welfare, public housing, health programs, urban renewal, expressway construction, and crime prevention.

An indication of the Machine's strength to capture federal dollars is shown by the fact that they got the money. They got such money despite the fact that throughout the second half of the 1960s and into the early

1970s -- in the successive presidential administrations of Johnson, Nixon, and Ford -- the city's political leaders have become enmeshed in bitter controversies with the principal federal bureaucracies mandated to provide aid to education, to anti-poverty programs, and to affirmative action programs. In all instances the conflict with officials from these agencies has centered on the city's resistance to conforming to program regulations. In each case the scenario of events has varied, but the end result has been the same. In the face of a unified and aroused city administration which received unwavering support from the Chicago congressional delegation, federal officials have found it expedient to back off from their demands. This refusal to follow faithfully federal guidelines in the deployment of funding has given the Machine a freer hand in employing this aid further to entrench their organization.

The adaptability of the Chicago Machine is shown in its modernizing itself piecemeal to accommodate the changing fiscal relationship between the federal and local government in the past twenty years. Although the Machine is essentially traditional in outlook -- as displayed in the tendency to preserve existing divisions in the social order -- and slow to initiate change at the local level, it has fully taken advantage of the national programs such as those developed during the New Deal, the Fair Deal, the New Frontier, and the Great Society. To qualify for the monies accompanying these programs a gradual professionalization of public service has occurred under the direction of a number of administrative experts. The personnel, recruited nationally by the Machine from among outstanding practitioners in various fields of public administration, have tended to lessen the influence of the traditional spoils system. The importance of the

precinct captain as community agent for the Machine has been reduced with the growth of such services as public health, social case work, parole, probation, and public employment. But, in contrast to a thoroughly "reformed" city such as New York where public service bureaucracies are politically independent of party interests and recruit administrators to top posts from the ranks of lifetime careerist in the agencies (Gordon 1973) the Chicago Machine continues to exercise tight reins over the selection and performance of top administrators to all important bureaucracies in city government. The end result of the growth of professional bureaucracies in Chicago is that these agencies operate under the control of the mayor and serve to perpetuate the Machine's ability to penetrate into local community and neighborhood affairs as did the old ward organizations in the past.

The Chicago Democratic Machine, which has persisted as a patron for ethnic groups and as a broker for both local business interests and Democratic politicians with national aspirations, reached its zenith during the tenure of Richard J. Daley as mayor. Daley, mayor during the two successive state administrations with which this study is most concerned, is undoubtedly the most powerful chief executive in the sequence of Democratic bosses who have run the city for the past forty-five years. Daley inherited a political machine which he strengthened by skillful use of patronage, careful cultivation of business interests, successfully attracting federal grant-in-aid for various programs, and the ability to reconcile the interests of labor, minorities, and other interest groups.

Anton Cermak and Richard Daley were the two most powerful mayors to have emerged during the dominance of the Democratic Machine. This is because Cermak and Daley are the only bosses who simultaneously controlled

the mayor's office and the chairmanship of the Cook County Democratic Central Committee. In holding the two positions as top party boss and as chief executive for the city, they controlled the principal mechanisms for decision-making in local affairs. In addition, this combination placed a vast amount of patronage at their disposal.

Ultimately, however, Daley's mastery over the machinery of party and government was more absolute than Cermak's since Daley had complete control over the third vital arena of local power, the City Council. Cermak's tenure as mayor was too brief to establish the vast and loyal Democratic majority in the City Council that Daley did. In this arena, there is no question that the mayor, not the members of the Council, exercises final authority. Although the Council has the statutory privilege to be a powerful check on the mayor, it never rebels against his wishes. As chairman of the CCDCC, Daley exerted this amazing degree of control over the Council by pulling the strings on the fifty ward committeemen. They were acutely aware that Daley could give or withhold hundreds of jobs without which they could not maintain their positions as the major lubricators in the spoils system at the grassroots level. Various estimates of the number of patronage jobs under the thumb of the mayor average around 35,000.<sup>12</sup> Since there are 3411 voting precincts in Chicago, Daley personally controled an average of ten workers per precinct, or 700 workers per ward. This degree of economic power constantly reminded both the ward committeeman and the ward alderman where the power truly lay (Wolfinger 1974: 91).

In addition, Daley succeeded as a powerbroker because he was able to place people he could trust and who could serve as a buffer between him

and his critics in charge of virtually all sensitive departments in city government. These persons included administrators who moved through the ranks of Chicago Democratic politics and professionals who had been recruited from outside but proved to be extremely loyal. At no time during Daley's five terms as mayor of Chicago did any of his top administrators leave an administrative post in anger or create a scandal regarding corruption or inefficiency in city government. Undoubtedly, this loyalty is rooted in Daley's unbroken record of providing generous local, state, and federal funding for running the public service programs that have been planned and implemented by these bureaucrats.

In the case of federal monies this consistency in capturing funds, of course, could be attributed to the continuing national political linkage with Democratic administrations. For Daley, the most important instance of his Machine's perpetuating this tie occurred with the Kennedy election in 1960. Daley, who was strongly committed to the election of the first Catholic president, scored his greatest national victory in delivering the necessary votes for Kennedy in Illinois. An amazingly high percentage of the eligible voters in Chicago, 89.3% cast ballots in the presidential election on November 8, 1960, compared to the mediocre 64.5% nationally (O'Connor 1975: 154-155). Daley managed to pile up a 456,312 vote plurality for Kennedy in Chicago; in this landslide, William Dawson's five ghetto wards produced a plurality for Kennedy of 81,554. This enormous margin allowed Kennedy to carry Illinois by a scant 6,000 votes. Winning this important state had been key in Kennedy's electoral strategy. In the "Epilogue" to Boss (1971: 215-216), Mike Royko, a columnist for a Chicago newspaper, relates an anecdote that goes directly to the heart of the significance of

Daley and Chicago's Democratic Machine for Democratic presidential hopefuls.

On April 6, 1971, Daley was elected to his fifth term as mayor...His opponent, Richard Friedman, a liberal Republican, tried to form a coalition of liberals, independents, disgruntled blacks, and ran under the Republican label...Daley received slightly more than seventy percent of the vote and carried forty-eight of the city's fifty wards, despite Friedman's having waged the most spirited, imaginative campaign of any of Daley's five opponents. Daley also maintained full control of his City Council...The morning after election, he met the press in City Hall. He was asked if he had heard from any of the presidential hopefuls. The reports rattled off the names Edward Kennedy, George McGovern, Hubert Humphrey, Edmund Muskie. "Have any of them telephoned with congratulations?" Daley smiled, "All of them did."

B. Republican Politics in Illinois

In the past several decades the most important change in Republican Party structure has been a geographical shift in its loci of power and support. Through the first half of the present century, the Republicans drew their main support from the small towns and rural areas of downstate. Although the old established townships and villages of Chicago's suburban hinterland produced a considerable number of Republican votes, the Democratic Machine had little difficulty in maintaining control over both the city itself and Cook County. To the extent that there was a noticeable centralization of power among the Republicans prior to the 1960s, it was to be found in a group of conservative oligarchs who had long dominated Republican politics in the General Assembly. These individuals without exception were drawn from small-town and rural areas outside Cook County. To these men, a Cook County-based politician, Republican or Democratic, was someone not to be trusted.

In the past twenty years, the dominance of downstate patriachs in the Republican Party began to change drastically. The Chicago suburbs had grown so much that they were a source of not only money and social influence but also huge numbers of votes as well. The Black migration into Chicago had stimulated a massive exodus of White middle class and working class residents who were moving in search of good schools, safe streets, and better housing. While the Black population of the city doubled between 1950 and 1960 (going from 400,000 to 800,000), Chicago's total population dropped 2%. At the same time the suburban population increased by 71% (Rokove 1967: 82). In moving to their new communities in Chicago's suburbs, many fleeing Democrats changed their party affiliation to Republican. This movement to the suburbs was indicative of certain changing values.

The importance of the new locus of Republican strength was demonstrated in 1968 when Richard Ogilvie, President of The Cook County Board of Commissioners, won a narrow victory in the gubernatorial election. Ogilvie was only the second Republican since the election of Cermak in 1931 to become President of the Cook County Board.

#### C. Recent Political Events

From 1969 through 1975, the governorship passed from the hands of a staunch ally of the Chicago Machine successively to Ogilvie, a Republican reformer, and to Walker, a non-Machine Democrat. Both were Daley's avowed enemies. This shift away from the Machine's control set the stage for repeated angry confrontations over the next six years between the governors, state legislators, and Chicago's political leaders. These

confrontations flared up most noticeably in struggles in the state legislature over the apportionment of the state legislature, construction of roads, aid to public schools, and even executive appointments.

Prior to these administrations the governor for two terms had been Otto Kerner. He was a loyal machine Democrat instrumental in protecting Chicago from the state government's hostility for nearly a decade. These close ties between the Chicago Machine and the Governor were first established in 1932 when a Chicago Democrat, Henry Horner, who was a supporter and ally of Anton Cermak was elected governor. This election meant that Cermak was not only boss of Chicago and Cook County but was also instrumental in shaping executive decision-making in state government. This relationship continued basically unchanged through all succeeding elections of Democratic governors up to Walker's election in November, 1972.<sup>13</sup> The dependence of Democratic governors on the Machine reflected the electoral reality that if a Democratic candidate for statewide office was to win, he had to roll up a substantial majority in Cook County to overcome the Republican vote downstate. To build this sizable Democratic majority in Cook County required the support of the Machine.

Following his election, Ogilvie dramatically announced that upon taking office, he would start to disassemble the Chicago Machine. Although this proved to be an empty vow, never before had so prominent a Republican politician issued so bold a challenge to Daley. This antagonism between the Chicago Machine and the Republicans had earlier come to a head during Ogilvie's campaign. Ogilvie ran for the governorship almost exclusively on two points. First, in being elected Cook County Sheriff in 1963 and Cook County Board President in 1967, he had twice beaten the Daley

organization. Second, as a federal attorney prosecuting noted underworld figures, he had beaten the crime syndicate which was reputedly tied to the Machine. Ogilvie's distinctly law-and-order rhetoric beat, frequently so intermingled the actors in these heroics that his campaign made the Machine and the mob almost indistinguishable to the casual listener.

Daniel Walker narrowly defeated Richard Ogilvie in his bid for reelection in November, 1972, following the stunning upset of Paul Simon, Daley's candidate, in the Democratic primary.<sup>14</sup> Despite the change in party control of the governorship with Walker's election, his tenure was characterized by the same kind of strong antagonisms between the Chicago Machine and the Governor that existed during the Ogilvie administration. Walker, who had wanted to run for Attorney General on the Democratic ticket in 1960, had been rebuffed by Daley and the CCDCC because of his ties to the independent wing of the Democratic Party in Illinois. This public rejection was the start of a continuing feud between Walker and the Chicago Machine. Once elected, Walker immediately challenged Daley and his legislative delegation by pledging executive resistance to any designs for Machine control of the General Assembly.

##### 5. Legislative Action, Public Policy, and Political Self-Interest

The large public service bureaucracies derive their basic legal mandates from laws enacted by legislative bodies and approved by the chief executives of state and municipal governments. Their tasks are to exercise regulatory authority, to provide services, and to advise citizens. After the elections and the swearing in of those elected, many decisions about the allocation of resources and services are made at the state level, principally

in the Illinois General Assembly and the governor's office and at the municipal level mainly in the Chicago City Council and in the mayor's office.

### The Legislative Branch of Government in Chicago

In Chicago the legislative branch of city government is the City Council. The Council's main function is to formulate/declare public policy within the framework of powers delegated to it under the state constitution<sup>15</sup> and to approve city plans placed before it by the city's chief executive, the mayor. The Council makes appropriations for all municipal purposes, awards franchises and regulates the rates of public utility companies, passes on appointments presented by the mayor, and creates new city departments when necessary. In common with most other legislative bodies, the Council makes extensive use of standing committees. Bills brought before the Council are customarily referred to the appropriate committees for study and recommendations.

From a formal standpoint the fifty aldermen who constitute the City Council govern Chicago. However, as was pointed out in the preceding discussion of the Machine, the mayor, who serves as presiding officer for the body, exercises final authority on all important decisions made by these aldermen. Meyerson and Banfield have pointed out (1955: 66-67) with respect to manipulation of the City Council that

One set of controls was the leadership of the Council itself. Half a dozen of the most powerful Democratic aldermen, working usually with the mayor, effectively controlled the whole Council when matters of interest to them or to the mayor were at stake. They did this in part by controlling committee assignments. Unless an alderman could get on an important committee, his power in the Council was small, and unless he cooperated with the chairman of the important committees and especially with the chairman of the

Finance Committee, he could not hope to get anything done for his ward. Any measure that required an appropriation had to go to the Finance Committee.

#### The Executive Branch of the Government in Chicago

As chief executive of city government, the mayor is empowered to appoint all heads of city departments and other municipal agencies. These appointments are subject to City Council confirmation if such a condition is imposed by the ordinances or statutes creating the new posts. Of course, this procedure is merely a formality since the Council is always a rubber stamp for the requests of the mayor. Administrative responsibilities for city government are also assumed by two other elective officials -- the city clerk and the city treasurer -- who, along with the mayor, are elected for four-year terms. Since the performance of city government in Chicago over the past forty-five years has been closely tied to the goals of the Machine, the Democratic Party has expended enormous energy in insuring the election of Democratic candidates to these three elective positions. Only rarely has a Republican city clerk or city treasurer been elected in Chicago since 1931. Without exception, the mayor has been a Democrat.

#### The Legislative and Executive Branches of Government in Cook County

As in all other counties of Illinois, the chief governing body of Cook County is the County Board of Commissioners. It consists of fifteen members elected at large, ten from the city of Chicago and five from the territory outside the city. The President of the Board of Commissioners is also a member of the Commission itself and at the same time acts as its President. In the voting for candidates for commissioner, each voter may

designate one of the candidates as his choice for the presidency. The candidate receiving the largest number of votes for president is automatically installed in that position when the commissioners assume office. The office of President of the County Board of Commissioners holds sway over a vast patronage roll in the county, causing it to be the third most important concentration of individual political power in the state after the Mayor of Chicago and the Governor. It has been estimated that this office gives the holder the right to appoint between 11,000 and 15,000 patronage workers to county jobs.<sup>16</sup>

Given its geographical location within the boundaries of Cook County, Chicago is statutorily involved as a participant in the governmental activities of the County. Usually, the county government is controlled by the Chicago Democratic Machine. Since 1931, over one-half of all commissioners have been Machine Democrats. Only twice in that time have the presidents of the Board been Republicans. Consequently, the President is usually a working associate and political subordinate of the Mayor of Chicago.

#### The General Assembly of the Illinois State Government

The legislative branch of state government in Illinois is the General Assembly, consisting of the Senate and the House of Representatives. It has a total of 236 members. The General Assembly establishes most of the administrative agencies of state government and prescribes their organization, duties, and procedures. It also enacts public policy. When the legislature is not itself initiating a change in public policy, it has power to delay, reject, or adopt the policy initiatives of the governor and his staff, or the Mayor of the City of Chicago.

### The State Senate

The membership of the senate is based on fifty-nine senatorial districts allocated on the basis of geography. There are thirty-five downstate districts and twenty-four districts in Cook County of which eighteen are in the city of Chicago. In this way downstate is assured of retaining numerical control of the upper chamber of the General Assembly regardless of shifts in population since each district elects one senator in an election every four years.

The state constitution gives to the Senate alone the power of advice and consent regarding gubernatorial appointments to a number of state administrative offices. This confirmation right provides the Senate with strong regulatory power over the policy aims of each governor. A majority vote of all elected senators is necessary for confirmation.

### The State House of Representatives

The membership of the House of Representatives is also based on fifty-nine electoral districts allocated on the basis of population. Each district elects three representatives for two years each. The twenty-nine downstate districts have a total of eighty-seven representatives while the twenty-three in the city of Chicago have a total of sixty-nine and the seven others in Cook County outside the city limits have a total of twenty-one.

The most interesting feature of the electoral system for the House of Representatives is that each district must elect at least one representative from each of the two major political parties. For example, if the three highest vote getters in a district are all Democratic, only the top two will be awarded seats in the House. The Republican fourth place finisher will be

automatically awarded the third House seat from that district. This electoral procedure prevents the total domination of any region of the state by one political party with respect to voting in the House. This rule ensures at least twenty-three Republican representatives from Chicago at any one time and at least twenty-nine Democratic representatives from downstate at any one time.

#### The Executive Branch of State Government

As chief executive for the entire state government, the governor is responsible for scores of departments, agencies, and commissions. Naturally, he is manager and chief custodian of a multi-billion dollar budget for whose handling a large staff is imperative. One of its primary tasks is to maintain liaison between administrative agencies and the governor's office.<sup>17</sup> The gubernatorial cabinet, composed of all directors of executive agencies, is the other important decision-making body within the executive branch of state government.

The Governor is required constitutionally to submit the state budget to the General Assembly once a year. Once prepared, the budget statement is translated into appropriation bills which spell out the purposes for which money may be used by specifying both the internal organization of the earmarked agency and the type of operating expenditure required. Upon passage appropriation bills become temporary parts of the body of statute law.

### Party Politics and the State Legislature

The legislature is an institution that intrinsically generates and sustains conflict. Ultimately, the aim of party leaders on both sides of the aisle is to control the decision-making processes within the two chambers. This objective is gained either by winning majority votes on key issues or by occupying the vital appointive positions within the legislative structure.

While political party competition is intense, it tends to manifest itself in only a comparatively small portion of the issues with which state policymakers deal. Historically, two issues seem to have produced the most frequent, open, and intense inter-party controversy -- tax policy and the reorganization of local government and electoral procedures (Key 1951: 307). Tax policy more than the latter issue seems to shape the electorate's attitude toward party performance. Legislators are keenly aware of this.

My study will attempt to show when, under what conditions, and with what effect the loci of conflict extend beyond these two issues into partisan and even intra-party controversy over juvenile justice policy and procedures. The contention is that this policy area has on occasion been a major focus of conflict in the machinations of the General Assembly, especially during the past two gubernatorial administrations.

The most obvious and at the same time the most elusive of all elements which influence legislative behavior is membership in a political party. It is impossible to predict absolutely the way in which legislators will line up on various pieces of legislation since these legislators are individuals who have personal values, goals, and interests and use strategies and approaches which are not solely the consequence of belonging to a particular political party. But, issues that involve a struggle for power between the Chicago

Democratic Machine and elements of the Republican Party are voted along party lines. The principal unpredictable factor is the position taken by independent Democrats from downstate (discussed below).

Not surprisingly, the most reliable voting on any legislative measure is the Chicago Machine bloc. For the Chicago Democratic legislators, election and reelection to the General Assembly are party rather than personal accomplishments -- rewards for loyalty to the Machine. Concerns of the Machine are likely to be crucial to such members of the General Assembly in formulating a broad range of legislative positions.

Following the consolidation of the Democratic Machine in Chicago in 1931, three voting blocs have persistently manifested themselves in the General Assembly: downstate (primarily Republican), Chicago (primarily Democratic), and Cook County exclusive of Chicago (primarily Republican). In the House of Representatives, where the voting system guarantees more political heterogeneity than in the Senate, the substantial number of Democratic representatives from downstate has led to the emergence of an independent Democratic coalition which constitutes an increasingly significant voting bloc. The Chicago Machine attempts to manipulate their party's decision-making and committee appointment processes has generated intense conflict between the independent Democratic coalition and themselves.

Since the Republican Party has no single monolithic urban-based organization like the Democratic Machine in Chicago, the Republican legislators from Chicago are rarely in such direct conflict with their downstate Republican colleagues as the Chicago Democrats with their colleagues. In the House the Republican membership tends to coalesce into

a single oppositional bloc when inter-party issues arise. This is especially true if Chicago Machine representatives are leading the Democratic fight.

In contrast to the House of Representatives, the Senate rarely has a Democratic member from downstate or a Republican member from Chicago. The result is that the Machine's domination of the Senate Democrats is considerably more complete. At least sixty percent and as many as eighty percent of the Democrats who have served during the last several General Assemblies have come from Chicago. In every session the Democratic floor leader of the Senate comes from Chicago in contrast to the House where the Democratic floor leader is frequently from downstate.

The traditional Republican majority that had ruled the Senate for over thirty years disappeared briefly following the 1970 election. Between 1920 and 1970, the Democrats controlled the Senate on only four occasions: 1933, 1935, 1937, and 1939 (Gove, Carlson, and Carlson 1976: 186). The Democrats regained control of the Senate in the 1971 session, but lost it again during the 1972, 1973, and 1974 sessions. Finally, in 1975, they regained a majority and, in addition, for the first time in nearly four decades controlled the House of Representatives, the governorship, and the Chicago mayoralty.

The inter-party struggles that regularly erupted in the General Assembly usually involved the active, behind-the-scenes participation of the mayor of Chicago and the governor of the State. Through 1975, the Democrats had held the governorship for only twenty-seven of the last seventy-three years while there had been a Democratic Machine mayor of Chicago for the past forty-five years. This fact meant that the political conflict between Chicago and downstate usually gravitated around the

state's two most powerful politicians, each the leader of one of the two opposing parties. To be an effective mayor of Chicago, it was necessary to have sufficient strength in both the House and the Senate to get bills approved because the state constitution had vested certain powers over all municipalities in the state legislature. This constraint had eased somewhat in recent years with the provision of home rule, but access to state funds is still a matter of critical concern for the Chicago Machine. It was usually the governor's opposition in the state legislature which was the mayor's chief obstacle to getting a disproportionate share of resources and services for his constituency. Consequently, the state legislature was the natural battleground in which the political war over public policy and funds was continuously waged.

This political environment provided the context for events that occurred in response to the federal stimulus of planned change and involved all actors active in delinquency prevention and control during the Ogilvie and Walker administrations. The self interests of bureaucratic agencies, their administrators, and concerned elected officials and their political parties were frequently expressed in the General Assembly where many of the decisions about the allocation of resources and the delegation of authority in the juvenile justice system were made. The political circumstances present during this important period (1969-1975) were responsible for the differential impact that reform had on the system during the Ogilvie and Walker regimes.

### Chapter III. The Legal Background to Organizational Behavior: Juridical Codes and the Bureaucratic Framework

#### 1. Introduction

The brief historical review and outline of the party and governmental structure of Illinois presented in the previous Chapter gives the context in which the evolution of organizational structures, agency policies, and legally enacted mandates of juvenile justice activities in Illinois took place. Here, I detail that evolution. This Chapter both details the decision-making processes that led to the emergence of this system and delineates how the various elements of this complex system interlock. An adequate description requires going back to when Illinois was admitted as a state of the Union although I will focus on events and activities of the recent past.

Only by showing how the differentiation of juvenile justice responsibilities occurred, how particular units of government came to inherit specific juvenile justice tasks, and how various agencies came eventually to be committed to carrying out particular policies can one gain an insight into the contemporary politics of juvenile justice policy and organization. The historical conditions of the growth of the system in part determine how the system reacts to externally-induced planned change and other stimuli from the wider political system. I will turn first to the evolution of legal codes and the development of bureaucratic functions.

#### 2. Origins of the Juvenile Justice System in Illinois

A central issue in the emergence of the system has been the persistent legal question of determining at what age a person may be considered criminally responsible. This criterion ultimately determines which and how

many persons are channeled into the system. The age of criminal responsibility usually represents a compromise between the age suggested by an appreciation of the mental limitations of children and that age which is in harmony with the traditions of criminal law.

English common law pertaining to criminal offenses recognized the rule that children under seven years of age were presumed incapable of distinguishing right from wrong and therefore lacked the capacity to formulate the intent necessary to constitute a crime. William Blackstone's Commentaries (1759) contained a systematic treatment of English criminal law. His summary of the criminal incapacity of children was incorporated into U.S. law. In this code, children from the ages of eight to fourteen were held responsible if it could be shown that they were sufficiently intelligent to understand the nature and consequences of their misdeeds and if they could distinguish between right and wrong. Such children were subjected to the same type of trial and punishment as adult criminals. Above the age of fourteen, they were simply considered to be adults. These guidelines were followed in Illinois when it was admitted to the Union in 1818.

The age of criminal responsibility in Illinois remained at seven years until 1827 when the state enacted its first criminal code; then the minimal age of responsibility was set at ten years. Yet, the fact of criminal responsibility for any accused person of ten years of age or older did not mean that no special provisions were made for the institutional treatment of children convicted of criminal offenses despite the equality before the law in terms of due process. The form of punishment for the juvenile criminal in Illinois differed from that of the adult offender as early as 1831. In that

year, an act was passed by the state legislature providing for the establishment of a state penitentiary with the qualification that persons under the age of eighteen years of age who were sentenced there should not be condemned to labor or solitary confinement. They were to be punished according to certain provisions of the original criminal code of 1827 which suggested, as more lenient methods of punishment, fines, imprisonment in local jails, and whipping (Hirsh ms.: 3). At this early date, legislators and penologists were beginning to recognize that children should be punished less severely than adult offenders. The result was a gradual amelioration of harsh, prison discipline for children. This trend continued in 1833 when the number of offenses for which juvenile offenders could be sent to the penitentiary was reduced by a legislative amendment to the criminal code of 1827.

The theme of differential treatment was a part of more extensive, penological theorizing in the early and mid-19th century which pointed out the inherent danger of housing youthful offenders with adult criminals (Platt 1969; Rosenheim 1962; Rothman 1971; Schlossman ms.). By 1850, this policy led to the emergence of the reformatory movement where special, correctional or training "schools" for juveniles were established for juvenile offenders throughout the country (Caven 1962: 411). The reformatory was distinguished from the traditional penitentiary by a policy of indeterminate sentencing and "organized persuasion" rather than "coercive restraint" (Platt 1969: 46). The reformatory system was based on the assumption that proper training would nullify the effects of a misguided family background, a corrupt social environment, or the general effects of poverty.

The first reform school in Illinois appeared when the Chicago City Council enacted an ordinance in 1855 establishing the Chicago Reform School for Boys (Platt 1969: 102). The School was intended for boys who had been "convicted before any justice of the peace or police magistrate of a misdemeanor or non-criminal offense" (quoted in White and McNulty 1974: 2). One outcome of this ruling was that the majority of the school's early clientele were petty offenders.

In 1857, a precedent was set that established the legal guidelines for subsequent state jurisdiction in the incarceration, control, and care of children in reformatory settings. The state legislature passed a law that superceded the existing municipal ordinances governing the Chicago Reform School for Boys and its sources of referral.<sup>1</sup> The long term significance of this statute of 1857 was that the state government had interceded in the affairs of the child reformatory movement in Illinois.

In the 1860s, the legislature had taken important steps to consolidate the reformatory movement under auspices of the state government. By the end of that decade, the Chicago Reform School for Boys was falling into disrepute and the local courts were starting to question its usefulness. Judges were committing children to this reformatory only as a last resort. In 1872, following an important Illinois Supreme Court decision of 1870 which questioned the attempt to instill goodness in wayward children,<sup>2</sup> the reform school was closed. In 1867, a legislative act was passed which called for the establishment of the first state reform school for the care and rehabilitation of boys convicted of criminal acts. This act provided for "the discipline, education, employment and reformation of juvenile offenders and vagrants in the State of Illinois between the ages of eight and eighteen years" (Hirsh

ms.: 3). With this step, the legal jurisdiction for incarcerated children convicted of any one of a number of offenses ceased to be a municipal or county responsibility and was shifted to the administrative branch of the state government.

Following the passage of the Reformatory Act in 1867, the state legislature appropriated the necessary land and money, and the first State Reform School was opened at Pontiac, Illinois in 1871. Pontiac, a small town located about 100 miles south of Chicago, was selected because it was equally accessible to Springfield, the state capital, and to Illinois's largest city, Chicago, from which the vast majority of the reformatory's population was to be drawn. It also provided a semi-rural setting which was thought to be best for achieving the goals of the new, enlightened penology. This move to separate youthful offenders from adult criminals in the jails was completed when, in 1874, an amendment to the Reformatory Act of 1867 was passed stating that "minors shall be kept separate from notorious offenders and those convicted of a felony or other infamous crimes" (quoted in Hirsh ms.: 4). These changes in the legal code led to a rapid increase in the youthful offender population at the State Reform School at Pontiac.<sup>3</sup>

The separate incarceration and treatment of youthful offenders was emerging in Illinois at the same time as a concerted movement for intervention in the lives of neglected and dependent children arose. Prior to the middle of the 19th century, the public care of destitute children was assigned to county almshouses. Between 1850 and 1870 the county almshouse system was supplemented by private organizations and rescue societies. For example, by 1880 there were twelve of these private organizations in Chicago, most of which were under sectarian auspices.

The state legislature hesitated to intercede in the affairs of these private, child welfare societies. At this point in American history, little precedence existed for state governments' involving themselves widely in matters of public welfare. This initial hesitancy had major ramifications later when the state did intercede with private agencies which had been supervising the institutional care of dependent and neglected children without state supervision for a number of years. The vast sums of money that gradually accrued to these private agencies made it quite difficult for state government to change its hands-off policy toward private, sectarian organizations administering the needs of these children. The principal result was that until the early 1970s the state government in Illinois essentially left these private agencies alone.

The first school in the state for dependent girls, the Chicago Industrial School, was opened in 1855 by a private, Catholic organization (Platt 1969: 109). In 1876, this was followed by the opening of another industrial school for dependent girls by another private agency, the Women's Centennial Association. The first school for dependent boys, the Illinois Industrial Training School for Boys, was opened by a sectarian group in 1887. Prior to this time, many of these dependent boys found their way into the State Reformatory at Pontiac on the finding of vagrancy.

New legislation marked the initial, important intervention of the state government into the affairs of dependent and neglected children. In the case of the schools for both boys and girls, financing proved to be a continuing problem for the small, sectarian organizations that sponsored them. Eventually, they were forced to turn to the state government for financial aid. In response to these pleas, the state legislature passed the

Industrial and Training School Act in 1883 (White and McNulty 1974: 5). The bill was passed specifically to provide financial aid to the girls' industrial school which had been opened some four years earlier. However, money continued to be a problem, so that in 1886 an effort was made by various private agencies to transform the girls' industrial school into a state-supervised facility. A bill to this effect was introduced into the legislature but failed to pass. The schools continued to be administered under the auspices of the private, sectarian agencies.

By the last decade of the 19th century, an established, legal and moral orthodoxy had emerged with respect to the labeling, processing, and treating of children in trouble. Two basic legal categories had been created to provide special statuses for these children. First, children convicted of illegal activities were designated and processed as young criminals and committed to the State Reform School at Pontiac, Illinois. Second, children shown to be either dependent or neglected were referred to one of the sectarian agencies that maintained schools or homes for this purpose. In both instances the legal dispositions were made in adult courts in the appropriate counties.

The legal precedent in the issue of criminal responsibility extended back to the drafting of the first, state criminal code in 1827, while in the issue of dependency and neglect the precedent was established by a legislative bill of 1879 that gave the private agencies the legal authority to retain children after a finding of dependency had been made by the county court. However, the original legislation pertained only to dependent girls and later had to be amended to include dependent boys. The revised legislation was passed in 1891 in a bill authorizing the private agencies to

"manage, care and provide for children who may be abandoned, neglected, destitute or subjected to perverted training" (quoted in Platt 1969: 123). In essence, this legislation directed the county courts throughout the state to commit to private, child-saving organizations any child who had been legally designated as dependent or neglected.

The organizational and policy implications of these early, legal precedents are fundamentally important for later developments in the juvenile justice and welfare systems in Illinois. The decision to create a separate, legal category for children convicted of criminal offenses as opposed to children who had been adjudicated dependent and neglected led to the evolution of separate, organizational systems that obviated the possibility of any combined effort under a single, organizational umbrella to administer the total range of problems of troubled children. Once set in motion, policies crystallized around the argument that some children need to be punished and other children need to be nurtured. Right or wrong, these ideological commitments lent themselves to the divergences in practices that created a wide gulf between the organizational units administering the two groups.

Another important repercussion of these precedents was that state government and its administrative appendages came to be increasingly responsible for the management and control of delinquent children while the private sectarian organizations held sway in the affairs of child welfare. Even as the state government eventually came to play a larger administrative role in child welfare, the basic moral and legal dichotomy between delinquency and dependency persisted.

The wisdom in this initial differentiation of responsibility was not challenged until over three-quarters of a century later in the 1970s. The appearance of efforts to restructure these traditional relationships both in evaluating and treating troubled children provoked a series of events which are important in several of the case studies to be explored later in the dissertation (see Chapter V).

The vested interests of the private agencies to control important sectors of the child welfare system gradually consolidated over a period of seventy-five years. When state officials attempted to transform the established role of these private agencies, elaborate political manipulations occurred to defend the traditional boundaries and mandates of the agencies. These manipulations were part of the struggle over efforts to impose planned change during the Walker administration. The legacy of private agency domination in child welfare practices proved to be a major stumbling block in the overall plan of his administrative team.

3. The Juvenile Court Movement, The Invention of Delinquency, and the Appearance of Juvenile Parole

If the processing of errant children seemed to require a special concept of responsibility and a distinct approach to rehabilitation, it followed that the decision-making procedures for determining innocence or guilt would have to be different. The catalyst necessary for demonstrating the shortcomings of the prevailing dispositional system was the failure of 19th century reform to prevent the incarceration of children with adult offenders. These issues led to the reexamination of important, prior steps in the overall criminal justice system, the dispositional procedures and legal mandates of the courts.

Concerned citizens began to scrutinize the role of the courts in delivering legal dispositions for children. This questioning, in addition to the continuing growth of the public commitment to the creation of a totally separate juvenile justice system using criteria to evaluate the deviant behavior of juveniles different from those of adults, was instrumental in the movement to the next organizational state. The debate over the failure of the courts became open controversy in 1893 when child welfare organizations aroused public interest about the plight of children who were being housed in Cook County Jail (Hirsh ms.: 5). This practice was revealed in a series of public meetings sponsored by various private, child welfare organizations.

Although the legislative record of the final quarter of the 19th century in Illinois is filled with efforts to provide separate housing and treatment for juvenile offenders, the tradition of dealing with all law breakers in the same way perpetuated the pattern of children's being placed in jails supposedly reserved for adult offenders. For example, in spite of the passage of the Reformatory Act in 1867, children were frequently committed both before and after trial to Cook County Jail and the Chicago House of Correction, both adult facilities (Platt 1969: 121). This practice seems to have had its origins in the fact that there was still a common set of court procedures for adults and juveniles. These procedures allowed juveniles either awaiting trial or upon sentencing to be shuffled in with adult criminals.

Private, child welfare organizations, populated with wealthy, socially prominent women, had been instrumental in lobbying for the passage of legislation to create juvenile reformatories. They now turned their attention

to the possibility of convincing the legislature to enact a law mandating the establishment of a separate juvenile court. This movement for institutional reform gained sufficient momentum, particularly in Chicago, to have a juvenile court bill introduced by legislators into both houses of the Illinois General Assembly in February of 1899.<sup>4</sup> This bill had originally been drafted by a judge of the Cook County Circuit Court in consultation with the Illinois Bar Association and was widely supported by a number of diverse interest groups. Central in the movement was the Juvenile Court Committee composed of state and private child-saving organizations, civic feminist groups, influential members of the judiciary, and the Chicago Bar Association. The bill passed in April of the same year and went into effect on July 1, 1899.

With the passage of the Juvenile Court Act in Illinois, juvenile delinquency as a behavioral category defined by a set of legal attributes was invented. Two scruples which had arisen in the criminology of the latter half of the 19th century merged to form the concept of delinquency. These were that children under a certain age were not responsible for criminal acts and some children were in need of protection and guidance provided by the courts. The significance of the Act soon became clear to child welfare agencies and practitioners throughout the U.S. Within a few years all other states established juvenile courts to adjudicate the crimes of delinquents. In Illinois, the age of non-responsibility was raised to sixteen years of age. Those adjudicated to be delinquent were placed in the same position of care by the new court as in the case of dependent and neglected children under the old court procedures.

Although the legislation of 1899 only provided a legal justification for controlling the behavior of children who had violated laws as opposed to simply violating social mores, this situation soon changed. As Caufield and Meyers have observed (1974: 140)

This initial definition of delinquency was straightforward and narrow, including only violations of state statutes and municipal ordinances, that is, conduct which, if performed by an adult, would be classified as criminal....in 1901, however, the Juvenile Court was granted jurisdiction over children accused of non-criminal, anti-social, troubled behavior, as the Legislature expanded the definition of delinquency to include "incorrigibles" and children who formed "undesirable associations."

This expanded intervention of the state into control over the behavior of children continued without objection until the 1960s when the reexamination of the principle behind this broad interpretation of juvenile jurisdiction was to generate conflict within the juvenile justice system itself. Moreover, in the 1960s, the wisdom behind incarcerating persons for acts judged illegal only because of the age of the defendants (truancy, curfew violation, ungovernability) began to be questioned. Calls for reform centered on the idea of deflecting such offenders away from further involvement in the system.

From the early 1900s until the 1960s, the self-interests of social agencies such as the state juvenile correctional authority (DCJD) depended upon the processing of large numbers of offenders including those just described. The process of determining which juveniles should be excluded from further involvement in the system and where those already involved should be directed created intense disagreements among some agencies participating in the treatment of delinquents. Inter-agency struggles which erupted in response to such questions and with the appearance of major

externally-induced planned change in the late 1960s and early 1970s will be explored fully in the case studies appearing later in this monograph.

The immediate repercussion of the Juvenile Court Act of 1899 was that throughout the state all county courts previously holding jurisdiction over criminal cases for both adult and youthful offenders developed separate organizations with new rules for adjudicating legal dispositions of children. A legal finding of delinquency in these new juvenile courts resulted in two possible outcomes. The child could either be retained under the direct control of the court as a probationer -- a gentler fate for a lesser offense -- or could be committed to one of the juvenile reformatories as a ward of the state. The latter possibility involved a change in custodial jurisdiction by which the state became the official custodian of the child. The former possibility involved no change in jurisdiction over the child and in addition represented one of the principal innovations of the juvenile court. Probation represented an attempt to introduce an intermediate step in the legal intervention of the justice system in the life of a wayward child and was characterized by an indeterminate period of supervision by an officer of the court, namely the probation officer.

Although the law of 1899 authorized the establishment of a probation service and staff to counsel those children who were retained under court supervision, initially no provision was made to encourage the county governments to raise funds to finance this new service or to pay the salaries of probation officers. Eventually, the county governments did assume the expenses of the ancillary activities of the juvenile court.

The other principal innovation of the court was the introduction of the detention center which was designed as the facility to house juveniles who

had been apprehended and were awaiting court appearances. This component of the court system was clearly intended to prevent the placement of children with adult offenders.

While the Juvenile Court Act recognized the need for detention centers, it was not until 1907 that the state legislature enacted a bill authorizing the appropriate county boards of commissioners throughout the state to "locate, purchase, erect, lease, or otherwise provide and establish, and also to support and maintain a detention home for the temporary care and custody of dependent, delinquent or truant children" (Millis ms.: 11). In 1919, the voters in Cook County approved a bond issue for the construction of a combined Juvenile Court and Detention Home to be located in Chicago; this building was opened in November, 1923, and has always been the largest such facility in the state. The detention home was staffed by women volunteers and served as a holding facility for children awaiting adjudication and disposition. Similar arrangements emerged in the other 101 counties of the state as the juvenile court, probation service, and detention home became part of the administrative apparatus of county government.

By its actions the juvenile court quickly revealed the extent to which a basic tenet of the movement was a commitment to institutional care. For example, in Cook County, approximately one-third of the children presented before the court with petitions of delinquency were indeed adjudicated delinquent and committed to reformatories (Platt 1969: 142). The immediate result was a flood of juvenile wards of the state who had to be housed in secure facilities. The limited reformatory housing for delinquent boys led to the demand for a new state school for boys. A few years previously in 1894 the first girls' state reformatory had been opened at Geneva, Illinois.

In 1901, a legislative bill was enacted which provided for the establishment of a new boys' state reformatory; any boy coming under the terms of the Juvenile Court Act of 1899 could be committed by the courts to this reformatory. However, due to insufficient funding, the State Home for Delinquent Boys in St. Charles, Illinois, was not opened until 1905. In 1915, a bill was passed by the legislature that directed the juvenile courts not to commit any boy under the age of sixteen to the old State Reformatory at Pontiac. This decision served further to enlarge the juvenile population at the St. Charles School. In response to ever-increasing numbers of delinquents a series of state-managed reformatories were opened over the following forty years. These facilities played an important role in shaping the juvenile correctional policies of the state government since they constituted the most extreme interpretation of juvenile correctional policy.

The administrators who managed these reformatories had vested interests -- the survival of reformatory and job -- in seeing that large numbers of juveniles were committed by the courts to these facilities. When disputes arose between the state's juvenile correctional agency and other agencies over changes in control of certain categories of juvenile offenders, the administrators of these reformatories argued strongly for a continuation of traditional practices in the treatment of offenders. These administrators were hard-liners against radical reform within the juvenile justice system.

From 1899 on, juvenile parole, in contrast to juvenile probation, was a state governmental responsibility simply because the reformatories and their staffs fell under the jurisdiction of the state. The Juvenile Court Act of 1899 directed the administrators of the State Reformatory in Pontiac and of the Training School for Girls in Geneva and the board of managers of any

other institutions to which juvenile delinquents might be committed by the courts, to maintain an agent whose duty was to examine the homes of children released from these facilities (Hurley 1907: 35). This section of the legislation laid the basis for the subsequent creation of the role of juvenile parole.

In summary, the principal event in the juvenile court movement was the passage of the Juvenile Court Act of 1899 which created a special framework for judging the behavior of errant children. The juvenile court was a landmark in the gradual evolution of policy and organization in the domain of juvenile justice in Illinois. Here, the process for the initial, legal evaluation and possible commitment of youthful offenders was finally placed in a separate, organizational framework that recognized the value of employing rules and procedures in dealing with children, different from those used in dealing with adults.

Legally, the juvenile court set several important precedents. First, in response to the findings of the social sciences, the legislation allowed a greatly broadened intervention by the state into the control of a wide range of youth behavior. Second, intervention included procedures established to produce civil dispositions in court. The findings of the court invoked the chancery jurisdiction of the state under which the child was regarded as a ward of the state and not as a criminal. The principal, legal justification for this kind of intervention was the concept of parens patriae by which the court was authorized to use wide discretion in resolving the problems of unfortunate youths -- delinquent, dependent, and neglected. As Platt points out (1969: 137-138)

The administration of juvenile justice differed in many important respects from the criminal court process. A child was not

accused of a crime but offered assistance and guidance; intervention in his life was not supposed to carry the stigma of a criminal record; judicial records were not generally available to the press or public, and hearings were conducted in relative privacy; proceedings were informal and due process safeguards were not applicable due to the court's civil jurisdiction.

The innovation of the juvenile court followed on the heels of the earlier legislation of 1867 which had realized the aims of the reformatory movement by providing a supportive environment for youthful offenders. The reformatory movement supposedly marked the advent of a therapeutic approach where emphasis was to be placed not on techniques of regimentation and punishment but on nurturance in hopes of promoting the development of acceptable, emotional qualities such as love, compassion, and empathy among these children. Although these affective goals of treatment were not necessarily reached -- the jail-like nature of incarceration persisting -- the state aims of reformatory policy clearly placed it at a distance ideologically from the treatment of adult offenders.

Together with the reformatory movement, the juvenile court represented the culmination of a legal vision of aberrant child behavior which stated that common law rulings on criminal responsibility were inappropriate and that the treatment of delinquents should emphasize a therapeutic approach. Organizationally, the juvenile court marked the appearance of a major new participant in the gradually emerging juvenile justice system. As a stage in the overall process, it included the court itself, a probation service, and a detention center, all legal appendages of county government. Each of these units was increasingly populated by a set of professional administrators who were committed to the use of therapeutic methods in the evaluation, control, and rehabilitation of delinquents.

#### 4. Delinquency Prevention

The Juvenile Court Act of 1899 had contained clauses about the need to prevent children from adopting delinquent behavior, but no discernable step was taken by any state or private agency to change conditions that contributed to delinquency<sup>5</sup> although a plea was made for the prevention of delinquency through the study of its causes. A small research agency, the Juvenile Psychopathic Institute, was opened in 1909. Although it was originally administered under the jurisdiction of the juvenile court and was funded by county government, it became a state agency in 1917. In 1920, after reorganization, its name was changed to the Institute for Juvenile Research (Millis ms.: 14). At that time, two juvenile justice agencies were being administered by the state government -- the juvenile reformatories and IJR. Both were units in the State Department of Public Welfare.

Most efforts at preventing delinquency in the early decades of this century were directed to consolidating the gains of the juvenile court movement and in providing adequate reformatory facilities for the ever-increasing stream of children who were being adjudicated delinquent and committed to the custody of the state. Part of the reluctance to attack factors underlying delinquency resulted from the continuing debate about the exact causes of this phenomenon. Gradually, scholars, in reaching a tentative consensus, advanced the argument that the etiology of delinquency could be found in the disorganized features of slum life in the large, industrialized cities that were absorbing large numbers of immigrants, predominantly displaced Europeans and Southern Blacks.

Prominent among the scholars who championed this new position were a number of academicians affiliated with several universities in Chicago. A

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group of these scholars worked under the leadership of Clifford Shaw, who headed the Department of Sociology at the Institute for Juvenile Research. Since IJR was affiliated with the state as its sole research agency mandated to study the causes and patterns of delinquency in Illinois, it naturally tried to link the first organizational endeavor in delinquency prevention into the state government's activities in juvenile justice. This group started the Chicago Area Project (CAP) as an experiment in three Chicago neighborhoods with high rates of juvenile delinquency (Shaw 1942). CAP was primarily a community-organizing effort attempting to involve the residents of low-income neighborhoods in local social problems, particularly problems of youth.

The immediate goal of these organizing efforts was to create a number of local community committees that would try to rectify the conditions leading to "deviant" behavior among children. This approach was predicated on the notion that delinquency was basically a product of social experience in the local community and that the most effective agents in re-establishing acceptable behavior among delinquents were the responsible residents of the same neighborhoods.

Once the decision was made to initiate the Chicago Area Project, Shaw and his associates at IJR decided to turn to prestigious and wealthy businessmen in the Chicago area for financial support. The prevention project represented a major escalation in the level and scope of activity and required additional funding and support. This undoubtedly exceeded the state's budgetary commitment to IJR, hence the decision was made to approach business leaders.

However, Shaw's initial effort to gain business support met with negligible results due to political pressures on these businessmen from the Chicago Democratic Machine under Mayor Cermak. The Machine, which was trying to consolidate its recent electoral gains, was extremely sensitive to the possibility of disruptions of any sort in those ethnic neighborhoods that had provided the bloc voting necessary for its recent victories. There was fear that the intrusion of the Chicago Area Project might change the structure of relationships and allegiances at the grassroots level.

Under these circumstances Shaw approached the governor, requesting that the funding to IJR be increased to a level that would support the Chicago Area Project. In 1933, the Republican governor agreed to support Shaw's request. This additional funding was simply channeled through the Department of Public Welfare, which held jurisdiction over IJR. Once CAP was guaranteed this state aid, a small, community-organizing staff was hired and placed in the three neighborhoods where the project was being launched in Chicago. In each of them local community committees were established and then largely manned by volunteers who resided there.

It is important to note that although CAP was initially viewed with considerable suspicion by the Democratic Machine in Chicago, politicians from both major parties eventually endorsed the activities and aims of the project enthusiastically. The organization was repeatedly lauded for its child-saving endeavors in the slums and ethnic neighborhoods of Chicago, and Shaw became a hero for all advocates and practitioners of delinquency prevention in Illinois. It became fashionable for elected officials to become active on either CAP's advisory board or volunteer community committees. This broad spectrum of political support was later to become an important

factor in the behavior of CAP as part of the state's comprehensive planning and participation in juvenile justice.

The public and professional acclaim garnered by the Chicago Area Project led the state legislature in 1939 to pass a bill creating a state-wide delinquency prevention service based on the CAP model. The new state-wide delinquency prevention service placed a number of small community-organizing staffs in offices in heavily populated areas that had high rates of delinquency. This expanded effort operated under the jurisdiction of the State Department of Public Welfare and simply represented an extension of the service previously provided by the Chicago Area Project in that city.

With the creation of this delinquency prevention service, the number of autonomous, juvenile justice activities being administered by the state government rose to three including the juvenile reformatories, the Institute for Juvenile Research, and the delinquency prevention service. All were administered by the State Department of Public Welfare, which had traditionally contained a number of the state's criminal justice agencies.

The trend toward a completely autonomous juvenile justice system received further stimulus when the decision was made to separate adult and juvenile parole functions. They had previously been a combined service and had been administered jointly by the State Department of Public Welfare. In 1941, a major reorganization of the state criminal justice activities led to the legislative creation of a new, state Department of Public Safety that consolidated a number of law enforcement agencies under one administrative structure. Although several of these agencies had been located in the Department of Public Welfare, others operated under the jurisdiction of various state departments, commissions, and bureaus (Blue Book of Illinois 1941-1942: 240-248).

In these organizational shifts of 1941, the juvenile parole activity remained in the Department of Public Welfare while adult parole was moved to the new Department of Public Safety. In the same manner that treatment facilities and adjudicatory mechanisms were separated, steps were now taken to see that the rehabilitative after-care process was also handled separately for juveniles. This realignment of activity was the final organizational step in producing the total array of separate, juvenile justice components necessary for the establishment of a fully autonomous juvenile justice system in which the state government was mandated to administer the entire set of correctional activities, i.e., the juvenile reformatories, the delinquency prevention service, the juvenile parole service and the Institute for Juvenile Research. In terms of the total system, every step in the movement of children into, through, and out of adjudication, incarceration, and after-care was being administered by agencies that provided no services to adult offenders.

In the splitting of juvenile from adult parole services, the additional decision was made to develop within the Department of Public Welfare a centralized unit to coordinate the juvenile justice activities being administered by that agency. The new administrative unit was called the Division of Juvenile Corrections. Here, finally, could be found the forerunner of the later, consolidated and autonomous juvenile correctional services administered by the state government and interlocking with other components of the juvenile justice system such as juvenile court and the juvenile probation services, both of which operated under the jurisdiction of county government.

5. The Illinois Youth Commission, Crisis in the Cities, and Municipal Participation in Juvenile Justice

In the mid-1940s, there was a growing awareness of the need for an autonomous youth authority or commission to expedite the affairs of juvenile corrections in the state. Strong support for this step was voiced by state legislators, local elected officials, and special interest groups concerned with various phases of the juvenile justice system. In the state legislature where the decision-making would take place, members of the house and the senate from both parties argued the virtues of establishing a comprehensive, juvenile correctional service. A legislative committee was set up to explore the possibilities. Shortly thereafter a recommendation was sent to the governor advocating that a youth commission bill be enacted. In this recommendation the suggestion was included that the commission be modeled after the California Youth Authority, which among all the states in the U.S. had a reputation as being the most professional, socially oriented, and progressive juvenile correctional agency. This reputation has persisted into the 1970s although several other states such as Massachusetts and Minnesota, are now thought to possess equally well-managed and innovative agencies.

The Youth Commission Act was introduced, debated, and passed by the Illinois General Assembly during the legislative session of 1953. It was signed into law by a Republican Governor, William Stratton, in June, 1953, and became effective on January 1, 1954. At that time, all existing state services for delinquency prevention, custodial care, and rehabilitative after-care were consolidated into a single administrative framework, the Illinois Youth Commission (IYC). It should be noted, however, that the basic jurisdictional boundaries, mandates and procedures established by the

enactment of the Juvenile Court Act of 1899 remained essentially unchanged. In the interim, jurisdiction over juvenile offenders committed to the custody of the Illinois Youth Commission could be exercised up to the age of twenty-one, and the agency could receive youths who had been adjudicated delinquent by the juvenile court between the ages of seven and eighteen.<sup>6</sup>

At its inception, the IYC was administered by three commissioners including a chairman; these officials were appointed by the governor and served five-year terms. The number was later raised to five due to the increased rate of court commitments.<sup>7</sup> This administrative arrangement meant that the commission functioned as an executive agency and was not subject to the kinds of legislative controls characterizing certain state bureaucracies whose directors required House and Senate confirmation. In effect, the governor could exercise total, personal discretion in appointing the chairman and the other members of the commission.

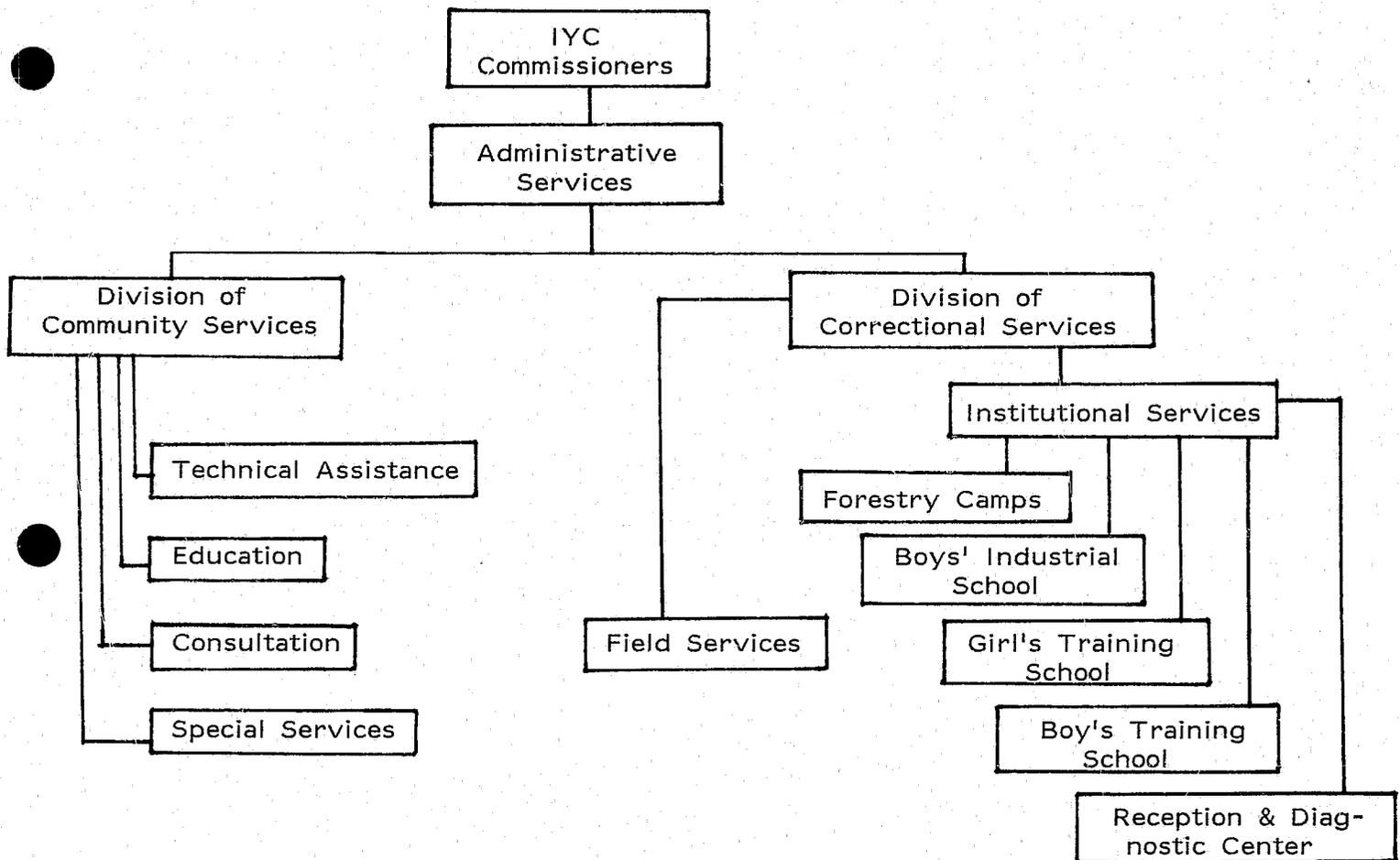
Without expanding on the implications of this pattern at this point, it is important to note that political background rather than past professional skills in juvenile justice administration determined recruitment of chairmen. In its sixteen years, all five IYC chairmen were recruited within-state and tended to be politically active in the appointing governor's party. For example, the Republican Governor Stratton appointed Lee Daniels, who had been active in downstate Republican politics, as first chairman of the commission. Democrat Kerner appointed John Troike, whose long chairmanship lasted from 1961 until 1968; he was very active in ethnic, Democratic politics in Chicago. Kerner had been elected largely through the efforts of the Chicago Democratic Machine. Troike was followed by Peter Bensinger, who served briefly in 1969 before a major reorganization

ended the IYC in 1970. Bensinger, active in Cook County Republican politics, was appointed by a Republican governor, Richard Ogilvie, whose political base was located in Cook County. The one major exception was Oliver Keller, chairman during 1959 and 1960, who had no ostensible political ties; he was a career administrator.

Organizationally, the IYC originally consisted of two service components, the Division of Community Services and the Division of Correctional Services.<sup>8</sup> With the addition of the Division of Administrative Services, the agency was expanded to contain three components. A twelve member advisory board was appointed by the governor to review the work of each division, recommend new programs, review procedures, and advise the staffs. The staff of Community Services supervised all delinquency prevention activities and was essentially a new version of the defunct Division of Delinquency Prevention of the Department of Public Welfare.

The Chicago Area Project and its sponsoring agency, the Institute for Juvenile Research, were not immediately moved to this new agency. Since CAP had been the focal, delinquency-prevention organization in Chicago prior to the reorganization of 1955, a legislative amendment of 1957 relocated CAP in IYC as the Cook County Unit of the Division of Community Services, thus rectifying this aberrance in the new, comprehensive correctional services. When transferred, CAP's community-organizing program which had begun in only three Chicago neighborhoods had expanded to twelve neighborhoods, each with its own community committee.

The Division of Correctional Services, supervised the state juvenile reformatories and the juvenile parole services. The former unit was called Institutional Services and the latter Field Services. By 1957, the table or organization for the Illinois Youth Commission appeared as follows.



The emergence of IYC was marked by two major innovations in treatment procedure: establishment of a reception and diagnostic center where youths were sent upon commitment by the court for intensive testing to determine the appropriate custodial setting, and creation of forestry camps as a minimum security facility. Originally established for pre-parole training, the camps proved to be so useful in handling certain youths that they came to be regarded as a distinctive type of rehabilitation facility, receiving boys assigned directly from the reception center.<sup>9</sup>

The impetus for the introduction of both the reception center and the camps into the system was a desire for a more therapeutic approach in

correctional work, stressing the detection of finer and finer distinctions in behavioral abnormalities of those youths being treated. But, regardless of the mode of treatment, an overriding commitment to the efficacy of incarceration and custodial control persisted.

Perhaps the most noticeable feature of the new agency was its growth. This growth was evidenced in the introduction of new programs, the increase of staff, the construction or expropriation of new facilities, and the number of children being committed as delinquents. For example, in the first three years of operation the parole staff of Field Services increased by nearly 40%.<sup>10</sup> This growth was a response to the accelerating rate of commitment of delinquents to the IYC.

#### Commitments to IYC

<u>Year</u>	<u>Number of Youths</u>
1954	1,026
1955	1,720
1956	2,111

A corresponding growth occurred in Institutional Services. By 1957, the IYC was also maintaining the Reception and Diagnostic Center at Joliet, the Illinois Industrial School for Boys at Sheridan, and a number of forestry camps (Biennial Report of the Illinois Youth Commission, 1957-1958: 32).

A comparable expansion in the number of programs and staff size occurred in Community Services. By 1955, this staff had nearly doubled in

size, and an entirely new component, the Special Services Unit, was established. This unit was to provide consultation in the areas of recreation, education and police training. Community Services also initiated a major public relations effort through its sponsorship of the Governor's Conference on Youth, which was annually attended by several thousand representatives of community groups throughout the state.

By 1960, the trends that had gradually emerged throughout the U.S., beginning with the reformatory movement of the second half of the 19th century and gaining momentum with the establishment of the juvenile court around the turn of the present century, reached their fullest expression. In Illinois, a fully autonomous juvenile justice system dominated by two principal elements, the county juvenile court and the state correctional service, had evolved. Comparable systems had appeared in other states at approximately the same time. A continuing ideological commitment to custodial treatment of large numbers of youths apprehended by law enforcement officials and then referred to the court for adjudication was a hallmark of the system. The Illinois Youth Commission had developed a set of elaborate programs for the prevention, control, and rehabilitation of delinquents such as the supportive community committee; the minimum security facility, the forestry camp; psychiatric treatment; and a variety of clinical techniques for ameliorating delinquent behavior. Yet, the primary mission of correctional services in Illinois and throughout the rest of the U.S. continued to be defined by its dependence on the reformatory and incarceration.

Through the first half of the present century, municipalities in Illinois and elsewhere had played only a minimal role as participants in juvenile

justice systems. Their sole, though important point of intersection with juvenile justice, was the apprehension of youthful offenders by local police departments. Since there were no county or state police units specifically designated to control delinquency, the vast majority of children who were referred to juvenile court for criminal acts were channeled there by municipal, juvenile police officers. However, in the late 1950s and early 1960s this limited role gradually began to change as municipal governments in all regions of the country became increasingly active participants in the juvenile justice system.

This change was a direct consequence of the growing federal concern for and intervention in the "crisis of the cities". This phrase refers to the period of major disruption and disturbance that plagued most U.S. cities during the 1960s. The majority opinion of elected officials and governmental experts at the national level was that the future welfare of the cities depended upon an increased intervention by the federal government in local affairs, notably, for our purposes, in crime and delinquency.

Although some federal agencies in the 1930s initiated action in child welfare and to some degree influenced state and local activities through establishing broad, federal directives and guaranteeing small sums of supportive federal funding, no agency or program was created for the specific purpose of preventing or controlling delinquency which, of course, occurred mainly in urban areas. It was argued that the limited federal intervention in child welfare activities might indirectly help to reduce delinquency. The principal reason behind this stance was that the problem of crime and its control had traditionally been defined as a state and local, rather than a federal responsibility. For many years, despite an

increasingly vocal urban lobby, Congress resisted efforts to fund crime prevention and crime control programs to assist the states and municipalities; the federal government only maintained a system of law enforcement, prosecution, judicatory and correctional services to deal with violation of federal laws.

The Eisenhower Administration (1953-1960) responded in only a token fashion to the urban lobby in Congress because the President advocated the principle that the federal government should not involve itself too deeply in the problems of local government. However, Richard Daley of Chicago realized that with the eventual election of a Democratic president the federal government would probably intervene in the management of local social problems. In anticipation of the creation of new federal bureaucracies and immense federal funding to support the municipal role in solving urban problems in response to an ever stronger urban lobby, Daley began to investigate ways of expanding participation by his city administration in the area of social service. With respect to the problems of youth, he selected a blue ribbon committee during his first term in office to undertake a study of troubled youths in Chicago. The study was to include a survey of the juvenile population of the city, an exploration of programs and agencies serving the needs of this population, and a series of recommendations about the development of a comprehensive, city-sponsored agency for youth welfare. The committee that was responsible for this study consisted of 115 outstanding citizens of Chicago active in some aspect of youth welfare and, of course, on friendly terms with the city administration.

The "Report To Mayor Richard J. Daley" from the Mayor's Advisory Committee on Youth Welfare, submitted in August, 1958, recommended

especially that the Chicago City Council authorize the Mayor to appoint a Commission on Youth Welfare (CYW). The Report contained several other important recommendations and findings. The Committee suggested a reduction in the number of youths committed by the Cook County Juvenile Court to the IYC in light of the fact that by the mid-1950s, more than two-thirds of the youths being committed to the IYC and three-fourths in the Illinois State Training School for Boys at St. Charles came from Chicago (Report to Mayor Richard J. Daley 1958: 18-19). This recommendation rested on the argument that the problems of delinquency could best be handled not only by prevention at the neighborhood level without referring troublesome youths to the juvenile courts but also by an effort to increase the number of station adjustments.<sup>11</sup> Both points of the argument were in keeping with the spirit of recent findings in the field of criminology which advised against commitment of delinquent children to reformatories and for diversion of errant children away from any formal contact with the juvenile justice system if possible.

The proposed Commission on Youth Welfare would be mandated to help strengthen neighborhood organizations and to provide counsel for children who had received station adjustments instead of being referred to the juvenile court for adjudication. Of course, these policies were to some extent at odds with the self-interests and official stance of the IYC and presented the possibility for inter-organizational conflict between city and state on the basis of both ideology and accessibility.

Once the Chicago City Council passed an ordinance in September, 1958, creating the Commission and authorizing the Mayor to appoint the commissioners and staff, Daley initiated a most unusual out-of-state search

for executive staff and selected a well-known administrator, Charles Livermore, from New York, to become executive director of the new agency. At the time of his appointment, Livermore was director of the New York State Commission Against Discrimination, the largest agency of its type in the U.S.

Livermore modeled his planning of the Commission on the Chicago Area Project's prior use of a community committee model for delinquency prevention. He realized that to justify the existence of the new agency as an innovative, groundbreaking enterprise and to avoid an obvious and perhaps troublesome overlap with the delinquency prevention efforts of IYC's Community Services Division, it would be wise to develop a community service model which stressed support for organizations already existing in the neighborhoods of Chicago. In this way the Commission in its prevention aspect behaved as a consulting and resource service and varied greatly from the approach employed in IYC. In a similar vein, the Commission's contact with youths who had encountered law enforcement agencies was confined to station adjustment cases. This policy allowed the Commission to carve out a mandate that did not directly interfere with the legal jurisdiction of the IYC's processing of delinquents, thereby reducing the possibility of major conflict with the IYC in this early stage of CYW's development.

About this time, the first major federal effort in matters of delinquency occurred as a result of the changing national political forces. The initiatives taken were pragmatic ones in accord with a broader political strategy attempting to consolidate a critical urban coalition for the Democratic forces during the Kennedy years, rather than idealistic efforts.

An important factor in this new federal direction in justice activities was the strong pressure that was exerted by the executive branch of the federal government during the early years of the Kennedy administration. Specifically, what happened was the establishment in 1961 of the (Democratic) President's Committee on Juvenile Delinquency and Youth Crime. This in turn led to the passage in the Congress of the Juvenile Delinquency and Youth Offenses Control Act in September, 1961. This act provided an appropriation of \$10,000,000 per year for three years to be used to support demonstration projects in selected cities for developing neighborhood delinquency prevention programs for youths. Although this funding only allowed for skeletal programming, sixteen cities received federal grants under the Act to help establish demonstration projects.

The entrance of Chicago's Commission on Youth Welfare into the juvenile justice scene was highlighted by its sponsorship of a cooperative effort launched in 1965 and funded with federal money now made available by President Johnson's Democratic Administration, which was interested in expanding its urban base. This project was known as the Joint Youth Development Program (JYDP) and represented an attempt to develop a unified youth service unit operating under a single administrative umbrella. A brief pilot project was initiated by CYW in 1962 and funded with monies provided for CYW by the city administration.

A proposal for funding had been submitted by CYW to the Federal Office of Economic Opportunity, a huge federal bureaucracy created during this administration for the purpose of providing federal funds to local poverty programs. The proposal was based on planning for an enlarged version of the preliminary project which had begun in earnest in 1964 and

involved representatives from the Cook County Juvenile Court, the Illinois Youth Commission, and the Chicago Commission on Youth Welfare.

The surprising ease with which joint planning proceeded in this project obviously resulted from the fact that the state administration was headed by a Democratic governor, the Cook County Board of Commissioners was, as always, under Democratic hegemony, and Chicago's city government was dominated by the Daley Machine. Given these circumstances, the consensus that was achieved is understandable in spite of the fact that the participating agencies came from three different levels of government.

Once initiated, JYDC was especially important to Chicago's Commission on Youth Welfare since the project could be used as a showcase of cooperation and common purpose to capture further federal funding. Starting as a single unit on the Near Northside of Chicago, it quickly expanded to three units by adding one on the Westside in Lawndale and one on the Southside in Woodlawn.<sup>12</sup> The Joint Youth Development program constituted the first decentralized framework to be used by Probation Services of the Juvenile Court and by Field Services of the Illinois Youth Commission in Chicago and clearly helped to facilitate their work in neighborhoods with high rates of delinquency.

It is a continuing question whether intended goal of cooperative activity was ever realized as the JYDP continued to provide services throughout the 1960s and into the 1970s. However, several purposes were served. As suggested, CYW used the agency structure as a justification for capturing federal funds, while the other agencies were able to use rent-free facilities and to have the federal government pay the salaries for some of their staff.

Following the movement of city government into the juvenile justice system as an active participant, the next major shift in relationship and mandate regarding the jurisdiction and activities of the Illinois Youth Commission was the new Juvenile Court Act, repealing the outdated Juvenile Court Act of 1899.<sup>13</sup> The introduction and passage of this Act in 1965 followed the groundwork laid by two advisory groups as preparation for a thorough revision of the 1899 Act. One group was the Chicago Bar Association's Committee on Juvenile Delinquents and Adolescent Offenders. The other was a Family Court Act Committee, consisting of legislators, lawyers, public and private welfare agency officials, and representatives of civic organizations. The planning of the new legislation was a wholly bipartisan undertaking and indicated the widespread support that existed for a revision of the outdated law.

The major result of this Act was a redefinition of delinquency jurisdiction and procedure although it also provided the grounds for an improvement of probation and psychiatric services available to the juvenile court. One of the specified areas concerned jurisdiction over children who had simply violated social mores but not the criminal law. As pointed out earlier in this chapter, the Juvenile Act of 1899 had not contained any provision for such jurisdiction, but in 1901, the juvenile court was granted jurisdiction over children accused of non-criminal, anti-social behavior. In most cases these children were adjudicated delinquent and committed to state juvenile reformatories. With the repeal of the Act of 1899 by the Act of 1965, jurisdiction over non-criminal, "status" juvenile offenders was retained, but this jurisdiction was removed from the delinquency category and placed in a new classification, "Minors Otherwise in Need of

Supervision." For example, children under the age of eighteen who were habitually truant from school or who had been reported to law enforcement authorities by their parents as being uncontrollable were no longer stigmatized with the label of delinquency but were placed in the new "MINS" classification. Legally, the implication of this new status was the official recognition that children who committed anti-social but non-criminal offenses should not be burdened with a delinquent label since delinquency evoked a lasting aura of criminality.

The dispositional alternatives to state correctional services included (1) the child's being committed to the State Department of Children and Family Services,<sup>14</sup> where, once in custody, the child would be placed either in a foster home or a residential school; (2) the child's being placed under supervision and then being released to the custody of his parents -- supervision in this case being similar to probation but not being as severe a sanction; and (3) the child's being placed under the treatment supervision of the Department of Mental Health if he was a MINS case due to drug addiction.

All three of these outcomes, by virtue of the MINS status, deflected children away from both the juvenile court probation service and the state correctional service, a change that was to have an especially significant impact in reducing the amount of funds available to juvenile corrections for processing and treating youthful offenders. A reduction in number of clients being serviced meant a corresponding reduction in funding provided for running the agency.

The fundamental shift of emphasis in the basic relationship between the law and children in trouble in the Juvenile Court Act of 1965 reversed the

tendency to expand the jurisdiction and subject population of the juvenile court and the juvenile correctional service. Previously, the accepted dispositional procedures resulted in the juvenile court's taking errant and crimeprone children out of their homes and placing them in custodial settings. Now the preferred procedure was to remove them from their homes and place them in controlled settings only as a last resort. In addition, children were no longer susceptible to court supervision solely on the basis of poverty or neglect. Finally, the minimum age for a finding of delinquency was raised to thirteen years from its previous baseline of seven years.

The principal outcome of the new Act was the substantial reduction in size of the potential delinquent population due to the narrowing of age and behavioral qualifications, along with shifts in jurisdictional boundaries. The latter were accompanied by the opening of alternative placements for children who had been legally disqualified from inclusion in any delinquent category. The state's principal child welfare agency, the Department of Children and Family Services, became an active participant in treating children in trouble as opposed simply to providing services for dependent and neglected children.

Although these legislated changes were slow in being implemented, they eventually had major repercussions in the incidence of inter-agency competition and conflict -- a major theme of this thesis. The authority to exercise jurisdiction over particular categories of troubled youth (delinquent or otherwise labeled) had always been jealously guarded by participants in the wider arena of child care. Changes in rules for the management of large numbers of juvenile offenders signaled a period when

participants in delinquency prevention and control became contestants over control of the flow of clients and funds. A detailing of the principal episodes where agencies sought to maximize their roles in the treatment of troubled children will follow in the next three chapters of this monograph.

Coinciding with the passage of the Juvenile Court Act of 1965 in Illinois were a series of federal actions that led to a much closer relationship between the federal government and state and local authorities in the administration of juvenile justice. In July, 1965, the Democratic President Lyndon Johnson, by executive order, established the President's Commission of Law Enforcement and the Administration of Justice. Johnson -- still concerned about the political expansion of the Democratic Party's urban base -- charged the commission to inquire into the causes of crime and delinquency and to suggest recommendations for improving law enforcement and the administration of criminal justice and for preventing crime and delinquency. Published in 1966, the Commission's report recommended the establishment of a federal agency within the Department of Justice to support local law enforcement and criminal justice efforts.<sup>15</sup>

The Omnibus Crime and Safe Streets Act, introduced in Congress during the session of 1967 and finally approved only in the summer of 1968, created the Law Enforcement Assistance Administration (LEAA), which became the principal federal agency dealing with the problems of crime and criminal justice administration at the state and local levels, that is, of course, especially with urban centers.

The LEAA legislation required each state to establish a state planning agency in order to qualify for federal funding under the program. Once the state planning agency was established, it received a specified sum

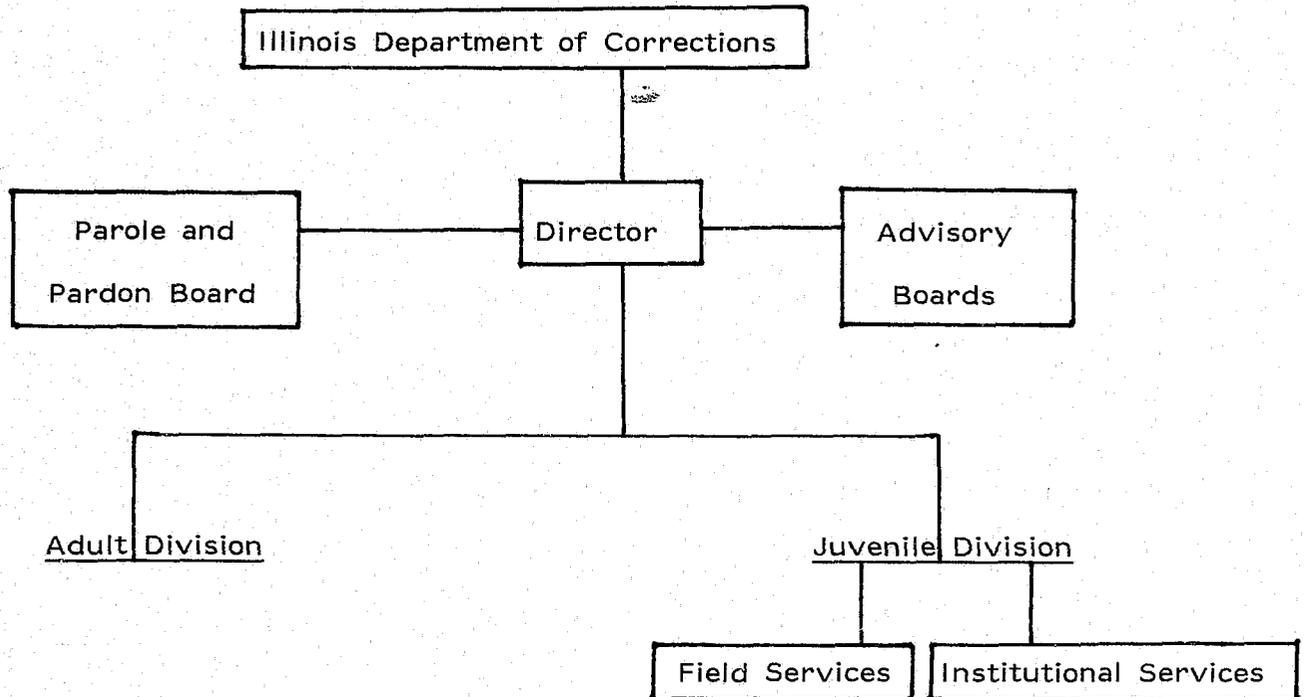
(\$200,000 plus an allotment based on population) to finance preparation of a plan for the use of subsequent funding in the state's criminal justice system. The plan then had to be submitted to LEAA for approval. When LEAA had certified that the plan conformed to the criteria set forth in the legislation, it made a block grant to the state based on population. In turn, the state government distributed these funds to various state and local agencies for use in their criminal justice activities.

Steps were taken in Illinois in response to the initiatives at the federal level to develop the appropriate structure for channeling federal criminal justice funds into the state. In October of 1966, Democratic Governor Kerner established the State of Illinois' Governor's Committee on Criminal Justice as a funding conduit for Democratic President Johnson's temporary agency, the Office of Law Enforcement Assistance. With the enactment of the Safe Street's Act in 1968 and the creation of LEAA, Republican Governor Ogilvie established the federally required, state planning agency, the Illinois Law Enforcement Commission (ILEC). While its predecessor, the Governor's Committee on Criminal Justice, had only exerted minimal influence on juvenile justice activities, the Illinois Law Enforcement Commission as a conduit for vast sums of federal money became an important organizational actor in all aspects of juvenile justice in the state. Although structured as a state commission, ILEC had been created by executive order of the governor and did not require legislative approval in the selection of commissioners, hiring of staff, and planning of policies.

The preceding events, i.e., the increasing federal role in juvenile justice and the presence of an executive state agency -- itself a center of power --that linked local needs with federal largess, had a profound effect

on the structures, policies, and activities of state and local juvenile justice organizations. Many of the changes intended by the Juvenile Court Act of 1965 were being implemented quite slowly, but with a federal impetus via ILEC the juvenile justice system experienced a major transformation by the close of the decade.

Concurrent with these changes were important, reorganizational efforts in two agencies involved with juvenile justice activities in the state. In 1969, the Chicago Commission on Youth Welfare was dissolved. Its array of programs was combined in a new agency, the Department of Human Resources (DHR), a change that moved the agency's delinquency activities directly into the mayor's office and enhanced its chances for federal funding. Likewise, the Illinois Youth Commission went out of existence on January 1, 1979, and the separate services for youth which had previously operated in commission form became one of two equal components of a new state department, the unified Department of Corrections. This reorganization represented the elevation of juvenile corrections to a position of prominence in state government. As a major component in a new department, the Juvenile Division's affairs became items on the governor's cabinet agenda.



Jurisdictional boundaries had been restructured, organizational mandates reinterpreted, and the struggle over large sums of federal money was to come. In the following three chapters I present a series of case studies that demonstrate how -- responding to the external political system -- the self interests of agencies, administrators, and politicians participating as actors in the juvenile justice system during this period of externally-induced planned change helped to shape events in this social service arena and in the wider political system during the administrations of Governors Ogilvie and Walker.

#### Chapter IV. Studies in the Political Economy of Juvenile Justice Administration: The Federal Background

##### 1. Introduction

In this chapter and two following I pursue the inquiry by examining how externally-induced policy reform and planned change affected the performance of state bureaucracy and the wider political system in which it is embedded. The chapters present the case studies which focus on key events in the juvenile justice arena during the Ogilvie and Walker administrations. Central to these issues is how this planned change altered the flow of resources into the juvenile justice network and thereby stimulated growth, competition, and conflict among the participants. The case studies do not present a definitive account of all politically related events in the administration of juvenile justice but rather try to exemplify the principal patterns of behavior which have come to characterize the interface of partisan politics and public service in Illinois. The present chapter specifically explores the background of the federal orchestration of planned change that was to have a fundamental impact on the behavior of the juvenile justice system in Illinois.

##### 2. Past Patterns and Emerging Trends

As I have noted in previous chapters, during the first half of the twentieth century the development of the juvenile justice system in Illinois displayed several notable characteristics. Foremost was the incremental, piece-meal fashion by which units of the juvenile justice network came to assume distinctive jurisdictions over specific aspects of the total system. Gradually, a pattern emerged where municipal units of government assumed

responsibility for the enforcement of the juvenile statutes by means of the juvenile police; where units of county government assumed responsibility for the legal adjudication and disposition of youthful offenders by means of the juvenile court and probation service; and where units of state government assumed responsibility for incarceration and rehabilitation of youthful offenders by means of the reformatory and parole service. This patterning to the evolution of the juvenile justice system was generally characteristic of most states in the U.S. It appears that this structure for the assignment of jurisdictional responsibilities was the one most easily implemented.

In this system, policy and performance in all dimensions of juvenile justice -- from apprehension to discharge from parole -- seemed to be minimally affected by forces outside of the state of Illinois. This fact was strikingly illustrated by the almost complete absence of intervention by any arm of the federal government in the form of technical or financial support. The only instances of external influence occurred as admonitions made in local pronouncements by national, professional organizations. These recommendations for policy reform could only suggest possible directions that planned change might follow. From time to time fragments of advice from important professional associations such as the National Council on Crime and Delinquency (NCCD) and the American Correctional Association (ACA) would be incorporated into the state's juvenile code, but such change was, at most, incremental, rather than systemic.

The growth of the juvenile justice system in Illinois seemed to be based almost entirely on a dispositional ideal of custodial care where the state's juvenile correctional agency, the Illinois Youth Commission, assumed

physical control over more and more children as ever increasing numbers of offenders were adjudicated delinquent by the juvenile courts. In contrast to the founding philosophy behind the movement which stressed that erring children should be protected and enriched rather than subjected to the harshness of the criminal system, the guiding principle for the juvenile justice system by the early 1950s in Illinois was one that favored the development of more efficient mechanisms for introducing larger numbers of youth into custodial care. This policy of custodial care was typified by the stress placed on incarceration and isolation of troubled youth from social interaction.

The propensity for wider and wider use of a reformatory model intensified through the mid-1960s both in Illinois and throughout the rest of the U.S. when rather suddenly the most fundamental assumptions in the field of juvenile justice began to come under strong attack from many quarters. The origins of this upheaval can be discovered in the birth and spread of a major reform ideology that represented the most fundamental change in correctional policy and practice since the consolidation of an autonomous juvenile justice system in this country around the turn of the twentieth century.

For a number of years the pervasive ideology for the correctional treatment of both adults and juvenile stemmed from an assumption that offenders violate societal norms due to some form of inherent personality defect. However, by the late 1950s, pronouncements from prominent members of the criminal justice fraternity, backed by impressive evidence from academic circles and from within the correctional profession itself, asserted that a high percentage of criminal behavior was simply the result

of a faulty socialization process. The major societal institutions -- the family, the school, organized religion, and the occupations -- were in many cases not meeting the needs of contemporary urban populations and were manifesting widespread, disruptive deviance. From this viewpoint, the isolation of correctional practitioners who had sought to perform the task of rehabilitation in the confines of a prison or a reformatory doomed these efforts to failure. In place of the penitentiary/reformatory ideal arose a reform ideology giving precedence to innovative, correctional practices which viewed the community setting as a major instrument of rehabilitation. This view argued that meaningful resocialization could only be achieved where there was an open system of communication and interaction.

Many adherents of traditional, custodial practices were reluctant to accept the possibility of an alternative approach to the rehabilitation of offenders. In spite of intense opposition, the reform movement was able within a decade to rally under its theoretical banner a substantial number of adherents drawn from all parts of the criminal justice system. Within the field, the loyalty to opposing ideologies produced an enormous amount of internal conflict with the battlelines usually being drawn between traditional law and order types and a younger breed of radical reformers.

The emergence of an ideology of reform in treatment that supported the movement toward closer treatment ties with the community attracted wide support among practitioners in the juvenile sector of the criminal justice system.<sup>2</sup> Thus, the idea of community-based corrections was extended to its logical conclusion. There had been a growing suspicion that many children being processed through the juvenile justice system probably did not belong there at all and stood a better chance of having their problems

solved if they were diverted from any further contact with juvenile justice agencies and treated in a less stigmatizing and less restricting context. In essence, the implications of the new reform ideology for juvenile justice was that troubled children, regardless of the form of deviance, could only be helped through a concerted policy of nurturance. In this vision of supportive environment the appropriate vehicle of nurturance and rehabilitation for the delinquent child was re-entrance into an open and supportive social context, i.e., the community, from which the child had been arbitrarily removed and artificially isolated in accord with the precepts of traditional juvenile correctional practices.

The argument for diversion of youth from incarceration was especially powerful with respect to one category of juvenile offenders. Great numbers of youths who had been adjudicated delinquent for social transgressions, which, if committed by adults, would not have qualified even as lawbreaking offenses, experienced essentially the same custodial treatment as serious offenders. To label these "status offenders" in the same manner as more serious offenders and to involve them in long-term contact with the juvenile justice system appeared to be a mistake of major proportions. But, here, as in the adult justice system, the call for change was frequently met with opposition. The impetus for widespread reform did not appear until the late 1960s. It was found in the decision of the federal government to support major change in the structure and practices of juvenile justice systems throughout the country.

Although the late 1950s and early 1960s were marked by a gradual push toward the development of a few pilot, community-based programs in juvenile corrections,<sup>3</sup> the majority of these experiments were reluctantly

funded by monies from state revenues and serviced only small numbers of offenders. Congress had long resisted the temptation to fund crime prevention and control programs which assisted state and local efforts. Congress was also hesitant to provide technical expertise which could be used by state and local authorities to develop policies and programs in criminal justice. Eventually, the wave of public outcry and the splash given to rising crime rates by the media in the 1960s forced members of both the executive and legislative branches of the federal government to rethink their longstanding positions on this heated issue.<sup>4</sup>

A critical moment for the reversal of federal position on youth crime was the point of deciding what course of action to follow. When members of the executive and legislative branches of government were considering the possibility of intervention, they were most impressed by the recommendations of those persons appearing before them who argued that a commitment to major reform of criminal justice policy and practice should lie at the heart of any proposed, federal legislation.

The first significant outcome of the serious federal reexamination of its policies on criminal justice appeared during the early days of the Kennedy administration in 1961. At that time the decision was made to launch legislation which would produce significant inputs of federal funding and expertise in the area of delinquency prevention. This effort followed in the wake of the Report to the Congress on Juvenile Delinquency, issued by the Federal Children's Bureau<sup>5</sup> in 1960, stating that the national rate of delinquency witnessed by the juvenile courts had doubled in the previous decade.

Piven and Cloward have argued that the impetus for Kennedy's championing this cause was politically motivated (1965: 284-5). They claim that the delinquency problem was an especially fortuitous issue around which to frame an important, new federal program. This piece of legislation held out the promise of new services to Blacks and simultaneously the promise of law and order to Whites. Subsequent examinations of this assertion tended to substantiate its claim. Yet, regardless of the particular, political strategem involved in this early initiative by a new president, the effort was even more significant for reason of having signaled the beginning of the federal government's decisive move into state and local level criminal justice activities. Planned change on a scale never seen before in juvenile justice administration in the U.S. was about to begin.

Shortly after the 1960 election, Kennedy established the President's Committee on Juvenile Delinquency and Youth Crime. This committee was charged with the responsibility to coordinate the various activities in delinquency and to innovate new federal programs in this area. Headed by Attorney General Robert Kennedy, the committee's immediate goal was to draft new legislation and to oversee its passage through the Congress.

A group of planners headed by Lloyd Ohlin, an academic from Columbia University, and David Hackett, a close family friend of the Kennedys, hastily prepared the legislation which was presented to the Congress in the summer of 1961 (Knapp and Polk 1971: 66-68). The bill narrowly passed through both houses and was signed into law by the President on September 22, 1961. The legislation was entitled the Juvenile Delinquency Prevention and Control Act.

The Office of Juvenile Delinquency (OJD) was established within the Department of Health, Education, and Welfare to administer the provisions of the Juvenile Delinquency Act. Following the passage of the bill, Ohlin and his staff spent the latter part of 1961 formulating the initial guidelines. As expected, Lloyd Ohlin was appointed to head the new office. OJD immediately issued a call for proposals from all cities which might be interested in running demonstration projects. In dispensing grants, the Act required that all recipients engage in a two-year action-planning period. This meant that the actual program would see only one year of action before the Juvenile Delinquency Act expired.

The first funding authorizations for this act only appropriated \$10 million for the three year period. The appropriations never exceeded a total of \$6 to \$8 million per annum. In comparison with subsequent federal urban programs that proliferated during the 1960s, this was quantitatively an insignificant effort.<sup>6</sup> But, as an initiator of an important trend the Act of 1961 set a precedent that would fundamentally alter the nature of criminal justice administration in the United States by the mid-1970s.

#### The City of Chicago and Federal Funding in Juvenile Justice

The availability of federal funds under the act greatly interested the Chicago city administration. When OJD issued a request for proposals, Livermore and his staff of planners at CYW developed a proposal with the key notion of multi-agency participation. David Hackett and Lloyd Ohlin personally went to Chicago in February, 1962, to discuss the project with Mayor Daley. Daley assured them that a grant application would be submitted by May, 1962.

The initial response of the review panel at OJD to the Chicago proposal in November, 1962, was enthusiastic. The panel contacted the city administration and urged them to begin negotiations immediately with agencies that would be participating in the demonstration project. Livermore's staff contacted a total of twenty-five agencies about possible participation, but eventually only three other agencies decided to become part of the umbrella arrangement under the supervision of CYW. All of the agencies which did agree to participate later played key roles in the maintenance of the total juvenile justice system.

Despite the fact that all qualifications for funding appeared to have been satisfied, problems appeared by the end of 1963 and continued into the early part of 1964. The review panel had grown increasingly disenchanted when they discovered that the claim of community participation was a sham. Daley had carefully orchestrated the membership of all neighborhood advisory groups. The implication of this manipulation was that the Machine would go unchecked in setting all priorities and in determining all goals for the demonstration project in Chicago. What followed OJD's criticisms was a series of events indicating the way in which the Daley Machine was able to utilize its enormous political influence even at the highest elective level, i.e., the Presidency.

When the Daley forces received a formal complaint about the structuring of the Chicago project, they adamantly refused to alter the makeup of the neighborhood groups. In response to this hardline position the review panel after much quibbling with Chicago officials voted in May, 1964, to deny funding to Chicago. By this time most of the demonstration projects for the other fifteen participating cities had already been funded.

When word reached Daley that Chicago had been denied funding, he quickly contacted the Attorney General, Robert Kennedy, and reminded him of the Daley administration's crucial role in the election of his "martyred" brother. Funds for the Chicago demonstration project were made available within a short time although the review panel continued to show their disapproval by limiting the funding to the token level of only \$250,000 per year.

In the spring of 1965, the Joint Youth Development Program was launched under the auspices of the CYW. The opening of multi-service centers in inner-city neighborhoods represented the culmination of the first stage in the city's efforts to become an active recipient of federal funding for local juvenile delinquency programs. It had taken over two years to launch these centers from the time the review panel in OJD urged the Daley forces to negotiate with other agencies that would contract to operate various parts of the JYDP.

Planning details for the JYDP were easily worked out with the representatives of the Youth Division of the Chicago Police Department and with the Probation Services of the Juvenile Court since both agencies fell within the bailiwick of the Machine. Reaching agreement with representatives of the IYC also entailed no major difficulties since the Chairman of the Commission, John Troike, was a Chicago Democrat who was active in the ethnic politics of the Polish community in the city and was a political confidant of the Democratic Governor, Otto Kerner.

That the U.S. Congress had been urged by a Democratic President to launch a major pilot program for municipal grants-in-aid in the fight against youth crime at a time when all levels of executive leadership in Illinois were in Democratic hands was a stroke of luck for the Chicago Machine. Of

course, they were masterful in seizing the opportunity for increasing the city's organizational participation in the field of juvenile justice. Once these city administrators had established a niche in this service area, they made every effort to enlarge their mandate and jurisdiction.

According to the guidelines of the federal grant, the City of Chicago had three specific sets of responsibilities with respect to its dual role as coordinator and participant in the JYDP experiment: (1) to reimburse the other participating agencies from the federal funding, (2) to play an active part in reducing the rate of delinquency in the designated neighborhoods, and (3) to provide a city-wide program administrator to oversee the entire project and unit directors for each of the JYDP centers. No problem arose with regard to the first of these responsibilities, but in the case of the latter two, there was strong evidence that the city's performance was below the federal requirements.

In regard to the second responsibility, the component of CYW which was active in the JYDP had been named the Cooperating Services Center by the Livermore planning group. As suggested earlier, this component did not possess a legal mandate for intervening in the lives of youths in trouble with the law. Line staff in the Cooperating Services Center simply followed up on the Community Adjustment Reports (CARs), which had been submitted to them by the Chicago Police Department. Since no formal processing of delinquents could occur under this mandate, it was difficult to assess exactly what the results of these followup procedures were.

The most frequent complaint voiced by the staffs in several of the other components of the JYDP was that the CYW workers were unqualified to perform the professional delivery of services and were for the most part

patronage hacks actively engaged in neighborhood politics for the Machine. Although these acrimonious remarks could be argued from various partisan points of view, there was no question that the CYW was not meeting the federal guidelines concerning supervisory responsibilities.

The positions of unit director for the HYDP centers were frequently vacant. If not vacant, the key positions of the JYDP were plagued by a high degree of personnel turnover. The result was that the image the city tried to maintain of the JYDP's being a well-coordinated, community-based correctional service center was somewhat unfounded. In addition, the funds that should have been paid regularly to these CYW administrators were simply rechanneled into other parts of the city administration's burgeoning poverty bureaucracy which was growing rapidly as a result of the influx of federal funds to combat local problems. The city administrators seemed to be less concerned with the delivery of services than with the maintenance of their central role as the principal conduit of federal funds into local juvenile justice activities.

By the time funds were actually made available for the Chicago JYDP centers, fundamental changes had occurred at the federal level in the structure of aid to the cities. From early 1963 while negotiations were still in progress about the funding of demonstration projects under the Juvenile Delinquency Prevention and Control Act, planners in the Kennedy administration were already at work on the broader outlines for the poverty program.

This federal initiative intended to be a much more comprehensive effort at solving the problems of cities than had been the earlier delinquency legislation. Following the assassination of President Kennedy in November

1963, the poverty legislation was placed before Congress by Lyndon Johnson in spring of 1964 and was enacted into law in August of that year. The passage of this wideranging legislative package, the Equal Opportunity Act, necessitated the creation of a sizable federal bureaucracy to administer the various aspects of the program. This new agency, the Office of Equal Opportunity, was housed in the Department of Health, Education, and Welfare.

In response to this important legislation, Daley organized a blue ribbon poverty committee, the fifty-four member Chicago Committee on Urban Opportunity (CCUO), as the central policy-making body for managing all OEO funds that were to be requested for the city. Although CCUO in principle was required by federal guidelines to include representatives of every group which would be affected by this legislation, the Daley forces maneuvered to prevent any opponents of the Machine from gaining a position on the committee. Daley handpicked a prominent Black social service administrator with strong Machine ties, Dr. Deton Brooks, to serve as Director of CCUO. For the Machine, the passage of the Equal Opportunity Act meant that the city's participation in the fight against crime came to be only part of its larger involvement in the federal government's wide ranging "war" on poverty. Thereafter, a key issue with the Daley administration was to see that all federal funding was channelled through the city's poverty bureaucracy.

Title II of the EOA legislation insured the survival of the demonstration projects which had been established in eleven cities -- only eleven of the seventeen original planning grantees were funded for action by OJD -- under Kennedy's original delinquency legislation. Although the

transition to OEO auspices occurred during the first year of actual operation for most of these projects, in Chicago the transition was even more immediate since funding for the project had been tied up until late 1964. Most of the other projects had been funded sometime during 1963. When the first JYDP was finally prepared to open in February of 1965, funding for its operating expenses was briefly provided by the Office of Juvenile Delinquency and then in November was handled by the Office of Economic Opportunity.

Federal Involvement in Juvenile Justice during the Johnson Administration

The next major juvenile justice initiative by the federal government and one that had repercussions far greater than the legislation of 1961 as regards specific changes in policy and practice was the creation in 1965 by an executive order of Lyndon Johnson of the President's Commission on Law Enforcement and the Administration of Justice. Popularly known as the President's Crime Commission, this national study commission was to have wide range importance. First, the Commission was charged with the responsibility of producing practical answers to the crime problem, ones that could be implemented through legislation at federal, state, and local levels. Second, the Commission was charged with the responsibility of generating recommendations for reform of the existing system. Third, the Commission was charged with the responsibility of providing guidelines for the effective redistribution and reallocation of both existing and newly committed fiscal resources. As in the case of the President's Committee on Juvenile Delinquency and Youth Crime of 1961, the President chose the Attorney General, Nicholas Katzenbach, to serve as chairman of the Commission.

The Commission issued a series of reports. The first, appearing in 1966, recommended the establishment of a federal agency within the Justice Department to support local law enforcement and criminal justice efforts. This recommendation led directly to passage by the Congress in 1968 of the Omnibus Crime and Safe Streets Act, creating the Law Enforcement Assistance Administration (LEAA) as the principal federal agency to work with the problem of crime at the state and local levels.

The initial report by the President's Commission was followed by a number of subsequent reports representing the findings of the Task Force whose work focused on subjects ranging from the courts to organized crime and drunkenness.<sup>7</sup> The official Commission Report, The Challenge of Crime in a Free Society, was issued in February of 1967 and contained policy recommendations regarding each of the specific areas explored in the earlier task force reports. The major findings of the Commission supported a federal movement in the direction of major reform of policy and practice in criminal justice. In summarizing this argument, Ohlin (1974: 38) stated that

Studies of the labeling and stigmatizing effects of processing by the criminal justice system together with the high rates of recidivism constituted a convincing body of theory and fact, which led to the conclusion that the criminal justice system should be used only as a last resort in the control of undesirable conduct. On the basis of such knowledge and persuasive speculation, the Commission adopted the view that persons should be diverted from the criminal justice system into alternative systems of social control whenever possible....[and] the documentation by sociologists of the corrosive effects of prison subcultures encouraged a broad policy of deinstitutionalization of the criminal justice system and the development of a diverse range of community-based treatment alternatives.

The section on Juvenile Delinquency and Youth Crime in the official Commission Report called for a major overhaul of juvenile justice in each

distinct facet of the total system: enforcement and apprehension, courts and probation, corrections and parole. For a listing of the specific recommendations made for reform of the juvenile justice system (see Appendix E). This set of recommendations issued by the Commission was responsible for the wave of reform that started to sweep juvenile justice systems throughout the country by 1970. The one-to-one counseling methods which had dominated rehabilitative efforts in the youth reformatories for so many years started to give way to new approaches to the problem of juvenile criminality. Within a short time, innovative programming such as group counseling, the use of neighborhood aides, halfway houses, pre-release guidance centers, community correctional centers, community development programs, job training, and job counseling and placement were introduced as rehabilitative techniques in correctional agencies throughout the country.

To guarantee predictability of response to this call for a fundamental reshaping of the criminal justice system at all levels, the President's Commission recommended that the proposed federal agency, the LEAA, alone assume responsibility for dispersing all funds earmarked for state, county, and municipal governments. To qualify for these monies applicants would have to meet the guidelines for reform issued by the President's Commission.

The findings and recommendations of the President's Commission on Law Enforcement and the Administration of Justice appeared at approximately the same time (1966) that the federal government launched another major effort to aid cities in combating the problems of urban decay. The idea for this project first originated in a task force on urban problems

convened by Johnson in early 1965 in anticipation of the creation of the Department of Housing and Urban Development (HUD). The new legislation was entitled "The Demonstration Cities and Metropolitan Development Act" -- known later as the Model Cities Program -- and was enacted into law by the Congress during the summer of 1966. The program was housed in the Department of Housing and Urban Development.

In contrast to its predecessors, the urban renewal legislation of the 1950s, the President's Commission on Juvenile Delinquency in 1961, and the Poverty Program in 1964, Model Cities was supposed to be comprehensive, that is, based on an understanding of the interdependence of various aspects of poverty. The call for municipal participation required that proposals submitted encompass all of the deep-rooted social and environmental problems of the targetted neighborhood. In addition, the legislation stated that although city administrations were responsible for planning and implementing the details of the Model Cities program, widespread community participation was mandatory in order to receive funding. HUD called upon cities to submit their initial proposals by May 1, 1967. Among the federal guidelines was one calling for crime reduction in the targetted neighborhood.

The Chicago city administration immediately responded to HUD's call for proposals creating a planning group headed by Erwin France (see Chapter VI). However, as in the case of the preceding 1964 OEA legislation, the Machine balked at the prospect of the federal government's imposing constraints on their selection of the appropriate community advisors for the project. The proposal submitted by the Daley planners suggested that the Mayor personally appoint all persons to serve on the

citizen committees, i.e., the four Model Cities Area Planning Councils. The Machine had opted to submit a proposal designating four target neighborhoods instead of one. The four target areas were chosen by Daley in the summer of 1969, and neighborhood advisory councils were established.

The Chicago Proposal was met with disapproval by the review panel of HUD in Washington. The Midwest Regional Director of HUD, Alan Goldfarb, communicated directly to the Mayor that one of the major goals of the project was to develop and strengthen local organizations and community groups at the neighborhood level so that residents of targetted areas would have a clear stake in the success of the program. But, the Daley forces refused to back down from their position that as the central administrative body in the project they had the prerogative to select the participants in the neighborhood advisory councils. This struggle over compliance with federal guidelines created a lengthy delay in the initial funding of Model Cities programs in Chicago, but eventually the federal government gave in and approved Daley's proposal for \$38 million for FY 1970. Again, as with the final approval for the funding of the Demonstration Project under Kennedy's Juvenile Delinquency Act, Daley used his national level power to secure these federal monies.

However, this time the circumstances were different since there was a Republican President, Richard Nixon. Daley contacted Nixon and offered the support of the Machine bloc in the House of Representatives for an important piece of legislation. In return, Nixon agreed to apply personal pressure on HUD to insure the funding of Chicago's Model Cities proposal. When the Nixon surtax bill came up for vote in the House, it only passed by

five votes. Without the support of the Daley delegation, it would have failed. This straightforward trade-off guaranteed the Daley administration an important role in the continuing grant-in-aid programs of the federal government to combat urban problems.

3. The Law Enforcement Assistance Administration and Federal Delinquency Legislation

To encourage state participation in the proposed federal crime program and to aid in the formation of the state planning agencies following the Commission's initial report, a conference was organized by the President's Commission in October, 1966. Representatives of all fifty states were encouraged to attend to hear details of the legislative package being developed. Governor Kerner of Illinois sent a small delegation to participate in the conference.

Once enacted, the Omnibus Act of 1968 charges the new federal crime agency, the Law Enforcement Assistance Administration (LEAA), with the following responsibilities: (1) providing technical assistance and information to state and local communities, (2) distributing block grants to the states for law enforcement purposes based on a population formula, (3) providing discretionary grants for research and demonstration, and (4) promoting the training of criminal justice personnel. In turn, the federal government established procedures for the states requiring them to submit plans to the regional offices of LEAA -- ten national regions having been created -- in order to be certified "comprehensive" according to the criteria set forth in the legislation. If approved, the plans were then sent to the national office of LEAA in Washington for final review.

As with all things federal and bureaucratic, the juridical structuring of the new crime legislation was considerably more complicated than indicated simply by the passage of the Omnibus Act. The legislative package submitted to the Congress during the session of 1967 and passed in the summer of 1968 contained another important bill, the Juvenile Delinquency Prevention and Control Act. This accompanying act was also the product of findings and recommendations by the President's Commission, but by framing a separate bill, Congress hoped to emphasize the need for autonomy in the adult and juvenile justice systems. This division of federal codes was intended to reinforce the idea that problems and solutions in the two fields demanded different approaches. In contrast to the Omnibus Act where all activity was to be centered in LEAA, the Juvenile Act was to be administered jointly by the Department of Justice through LEAA and by the Department of Health, Education and Welfare through the Youth Development and Delinquency Prevention Administration (YDDPA). YDDPA was mandated by the Juvenile Act to handle those duties and to fund those preventative programs which fell outside the traditional juvenile justice system. The traditional system which was also to be administered by LEAA encompassed the police, the courts, correctional installations, detention homes, and probation and parole agencies.

One of the problems that emerged in the administration of the Juvenile Act of 1968 was the confusion of organizational roles between LEAA and YDDPA in their respective juvenile justice activities. YDDPA was intended to provide assistance to states in preparing and implementing comprehensive state plans, but LEAA with vastly greater resources and a more traditional mandate soon became dominant in the federal, juvenile justice planning

field. The problem of a clear and autonomous role for YDDPA under the legislation of 1968 reflected the failure of the federal government to assign the primary responsibility for all juvenile justice programs to a single bureaucracy. At the time of the passage of the Juvenile Act of 1968 fragments of delinquency programming were scattered among more than forty different agencies in the federal government.

The splintering of the federal efforts in delinquency administration had a lengthy history. The nature of delinquent behavior and the stage of maturation of delinquents had brought attempts to understand, control, and change this form of social deviancy into contact with a broad variety of public service fields. The administration of programs in delinquency prevention and control had intersected with professional efforts in problems of youth, urban life, justice, health, education, employment, and welfare. This fact had caused the federal government's efforts in juvenile justice management to be more fragmented than those in adult justice management. The response of the federal government was to develop a number of separate projects, each addressing specific dimensions of the overall problem, and to place the projects in a wide range of federal bureaus, commissions, and departments. Throughout the 1960s a number of major federal departments participated in some aspect of juvenile justice programming. The list included the Department of Labor, the Department of Housing and Urban Development, the Department of Health, Education, and Welfare, and the Department of Justice.

While the passage of the Omnibus Act and the Juvenile Act (both in 1968) was intended to have a centralizing effect on federal crime programs, the legislated, joint responsibility for juvenile justice administration by

YDDPA and LEAA continued to have a fragmenting effect. In response to this problem an Inter-departmental Council consisting of representatives of the major federal agencies involved in the area of juvenile justice was established starting in 1971. The Council met on a regular basis to review the efforts of the various agencies in combatting juvenile delinquency and to try to ensure that the overall federal effort was coordinated and efficient.

Continued dissatisfaction with attempts to coordinate activities led the Council to recommend the passage of new juvenile justice legislation that would combine all existing programs in one organization and would substantially enlarge federal funding for delinquency prevention and control. The recommended consolidation occurred in September, 1974, when the Juvenile Justice and Delinquency Prevention Act was signed into law by President Gerald Ford. Introduced into the Senate by Birch Bayh, who chaired the Subcommittee to Investigate Juvenile Delinquency in the United States where the legislation was first developed, the Act came to be known popularly as the "Bayh Bill." In effect, this legislation removed the federal sponsorship of delinquency programs from the joint jurisdiction of LEAA and YDDPA and placed this responsibility in a single, organization within LEAA, namely, the Office of Juvenile Justice and Delinquency Prevention (OJJDP). The only provision of the 1974 legislation that would be administered by YDDPA was the Run-Away Youth Act, which addressed itself to a special category of status offender.

The new Juvenile Act placed a much greater stress on the use of discretionary funding for innovative, demonstration projects. While the old act had only provided for 15% of the total juvenile budget being used for discretionary grants, under the new statutes at least 25% of the budget was

destined for discretionary projects although it was possible for 50% of the budget to be appropriated in this manner. A Special Emphasis Division was created within OJJDP to administer the increased discretionary funding. Four issues were specified to be priority funding areas in the Division. They were:

- (1) Removal of status offenders from secure detention and correctional institutions;
- (2) Diversion of offenders from the juvenile justice system;
- (3) Reduction of serious crimes committed by juveniles;
- (4) Prevention of delinquency.

Each priority was developed into a program area, with guidelines for submission of grant applications and with coordinated technical assistance and evaluation programs.

Although the new juvenile legislation was enacted into law in September, 1974, the Office of Juvenile Justice and Delinquency Prevention was not opened in LEAA until June, 1975. In the intervening eight months, a special task force worked on applying available LEAA resources to the goals set forth in the new act. The group had a \$20 million budget of which \$16.5 million was in the form of action funds for actual programming. This timetable for allocating the initial funding meant that the effects of the legislation were only beginning to be felt in the juvenile justice network of Illinois in the summer of 1975. In this sense, the Bayh Act did not play a primary role in the series of events upon which this monograph focuses attention. However, there are several important exceptions to this situation which will be explored shortly. The principal federal impact on the administration of juvenile justice examined in this study derived from the earlier legislation of 1968 and its creation of LEAA.

Finally, since the compartmentalization of federal responsibility in administering juvenile justice programs in the period between the passage of the two Acts of 1968 and the passage of the Bayh Act in 1974 did not significantly affect the nature of state and local response to increasing federal intervention, federal participation will be referred to throughout the remainder of the monograph either in terms of the repercussions of the Omnibus Act of 1968 or in terms of the role of LEAA. This step is taken to avoid undue confusion.

Chapter V. Studies in the Political Economy of Juvenile Justice Administration: The Ogilvie Years

1. Juvenile Justice and the Transition to the Ogilvie Administration

This chapter continues the examination of issues raised in the preceding chapter. Once the federal government had committed itself to playing an active role in shaping the policies and structures of state and local-level juvenile justice agencies, it quickly took steps to insure that its role would have a major impact on jurisdictions nation-wide. The present inquiry examines the response to this planned change by the juvenile justice network and the wider political system in Illinois during the Ogilvie administration; it focuses on (1) the transformation of municipal and state policies and practices that followed in the wake of planned change and (2) the growth and elaboration of the juvenile justice system as a response to the availability of new resources accompanying the reform effort. The Ogilvie years signaled a major shift in the way the "business" of delinquency prevention and control was managed in the state of Illinois. The interests, strategies, and goals of all actors who had some stake in this endeavor are shown in this Chapter to have fundamentally influenced the behavior of the juvenile justice system and the wider political setting.

In Illinois, the gubernatorial election of November, 1968, marked the end of the two-term, eight-year regime of Democratic Governor, Otto Kerner.<sup>1</sup> Throughout Kerner's administration, the Illinois Youth Commission, which had first been presided over by an earlier Republican Governor, William Stratton, continued to occupy the central role in the state government's juvenile correctional activities. Although there were occasional instances of policy reform and innovative programming during

this period, initiated internally by the Revised Juvenile Code of 1965 and externally by the recommendations of the national associations, the overriding characteristics of the agency were a slow but steady growth and a continuing consolidation of the ideological commitment to the principal of custodial care. The IYC had begun to explore the concept of community-based corrections near the end of the Kerner administration when a large building in Chicago was purchased late in 1967 to serve as a special neighborhood-based treatment center for youths who had been committed from Cook County to the agency. This center served as a kind of juvenile halfway house during the late 1960s. Yet, the dominant trend in programming in IYC was not in this direction.

Following his victory, the Republican Governor-elect, Richard B. Ogilvie, established a number of task forces to ease the transition of his administration into the leadership of state government. These task forces worked to suggest new directions in policy for existing state bureaucracies, to lay the groundwork for new agencies to be established following the governor's inauguration, and to recommend the names of candidates for top administrative positions in the executive agencies. The Ogilvie administration created three new departments in state government under executive jurisdiction: the Department of Corrections, the Department of Law Enforcement, and the Department of Local Government Affairs (Blue Book of Illinois 1969-1970). Two of the three, DOC and ILEC, played a prominent role in shaping events in the juvenile justice system during Ogilvie's tenure.

Among the Ogilvie task forces was one specifically designated to map the future of state government's participation in correctional activities.

This study group was especially important since hearings had already been held in the Illinois General Assembly, legislative subcommittees had conducted research and offered policy recommendations, and plans were being formulated in the General Assembly for the creation of a major, new agency, the combined Department of Corrections. This proposed agency was scheduled to manage all affairs of state government in both juvenile and adult correctional activities. It would combine all the functions of the Illinois Youth Commission and the functions of the penitentiary and parole divisions of the Department of Public Safety.

To head this important task force, Ogilvie selected a close political ally, Peter Bensinger, who had been active as a campaign strategist in his victory over the Democratic opponent in the election. He was viewed by his Cook County Republican colleagues as a potentially upcoming public figure. Although Bensinger, a young, wealthy, and astute Chicago Businessman, had no professional background in criminal justice administration, he brought considerable managerial skill to the position and a sense of the urgency for change that was being expressed at the national level. In addition, Ogilvie had undoubtedly pointed out to him the advantages of an Illinois Republican's building a public reputation as a criminal justice professional.

The selection of Bensinger was critical among Ogilvie's early decisions because the recent passage of the Omnibus Crime and Safe Streets Act and the creation of LEAA by Congress required skills for managing the transformation in correctional policy and practice. Specifically, confronting the incoming Ogilvie administration in the area of juvenile justice was a set of guidelines, issued by the President's Commission, calling for a series of

alternatives to a traditional treatment. These included a greatly increased rate of station adjustments, referral to health or welfare services when problems involve anti-social rather than criminal behavior -- the status offender, elimination of unnecessary detention, deferred prosecution, and deferred judgment and disposition. In some way each of these recommendations would have an impact upon the performance of juvenile corrections in the state of Illinois.

In respect to planning in juvenile corrections and the preparation for changes that would occur there, Ogilvie and his top administrators made another key decision early on, namely, the replacement of the acting Chairman of the Illinois Youth Commission. Following Ogilvie's inauguration in January of 1969, the IYC continued to administer all state involvement in juvenile corrections since legislation for the creation of a new, combined Department of Corrections had yet to be introduced into the General Assembly for debate and enactment. The chief administrator of the IYC during the eight-year regime of Governor Kerner, John Troike, remained at his post as acting chairman for the first several months of the new administration. However, the Ogilvie staff was searching for a new chairman of the IYC for the remainder of the interim period before the creation of the new department. They were not willing to wait until the IYC was disbanded before replacing Troike because in addition to the immediate, political consideration of Troike's being a loyal Democrat, they were most anxious to bring in a person who would not only serve as chairman of the IYC in the final months of its existence but also would participate in the vital planning preceding the launching of the new, combined Department of Corrections.

The replacement was Joseph Coughlin, who at the time was serving in Iowa as director of a reform-oriented, multi-purposed agency which was responsible among other things for administering juvenile corrections and some facets of child welfare in the state. The principal grounds for this selection were that Coughlin was a member of a number of correctional associations, had held offices in them, and was well-known in the national, criminal justice network. This national network was comprised of academicians and administrators in the field. Coughlin's reputation was based on his past commitment to reform in juvenile justice. With an academic and applied background in juvenile corrections, he represented that segment of the profession which had been quite effective recently in convincing the federal government of the need for major reform. It was clear that Ogilvie and his staff viewed Coughlin at the time of his selection as the key in their efforts to reform juvenile correctional policy and practice in Illinois. Coughlin accepted with the understanding that he would become interim chairman of IYC only if he would subsequently be named the first director of the new Department of Corrections which was to supercede the IYC.

Following his arrival in Illinois in spring of 1969 and shortly before his confirmation, the discovery was made that Coughlin was ineligible due to a statutory technicality.<sup>2</sup> At this point several key decisions had to be made by the new governor in response to this unforeseen dilemma. Ogilvie decided it was crucial to keep Coughlin on his staff in some capacity in juvenile justice planning and programming. Since the original intent had been for Coughlin to be active in planning for the new department while he served as chairman of the IYC, Ogilvie simply asked him to remain in Illinois

as a member of the task force that was officially working on the plans for the Department of Corrections. If he accepted, he would be made head of program planning on the task force and, furthermore, he was guaranteed that as soon as the new department became a reality, he would be named chief administrator in charge of the juvenile division. Coughlin agreed to these conditions and immediately began to work with this important task force.

Following the setback in his attempt to select an immediate chairman of the IYC and a future director of DOC, Ogilvie chose Bensinger, who would meet little difficulty in being confirmed and was currently heading the correctional task force, to be the interim chairman of the IYC with the understanding that at the time of the creation of DOC, he would be named director. Bensinger accepted the offer and was indeed quickly confirmed as chairman of the IYC when his name was entered into nomination before the General Assembly.

#### The Illinois Law Enforcement Commission

The two key events that set the tone for the new administration's efforts to revamp the state's criminal justice system were the creation of the combined Department of Corrections and the creation of the new state planning agency for criminal justice, the Illinois Law Enforcement Commission (ILEC). The latter, created on January 29, 1969, by Ogilvie's executive order, was to deal with both adult crime and delinquency prevention and control. The new commission was a continuation of prior committees appointed by the previous two governors; it retained some of the same members and staff. The principal difference was its greatly magnified

importance resulting from the increased funding to be channelled to the state through this federal conduit agency. ILEC was authorized to act as the sole public recipient of funds and services allocated under the Federal Omnibus Crime Control and Safe Streets Act of 1968. To get these funds, the state had to submit a comprehensive crime control plan through ILEC, which would then be considered by the LEAA national offices in Washington. If the guidelines were met, the funds were issued.

The Act of 1968 had two general grant categories: planning and action. The former was intended to provide funds for setting up the actual structures for planning such as ILEC itself. In Illinois these funds were also used to establish local policy boards mandated to direct criminal justice planning and to review proposals that might be submitted by local groups for federal funding. These regional boards, composed of representatives of the local criminal justice system components, elected officials, and citizen representatives,<sup>3</sup> were responsible for determining local needs, establishing policy goals and priorities, and, initially, developing a five-year program to meet the long-term needs of the local criminal justice system. In fiscal year 1969 (July 1, 1969 - June 30, 1970), the first year a comprehensive plan was submitted to LEAA for consideration, thirty-six separate planning groups throughout the state made planning suggestions for the state plan. Among the regional boards which repeatedly submitted the largest request for funding was the Chicago-Cook County Criminal Justice Planning Committee (CCCCJPC), the one responsible for planning for the greater Chicago area.

In contrast to the limited planning grants, the truly significant funds for implementing federal guidelines and for innovating new programs at the

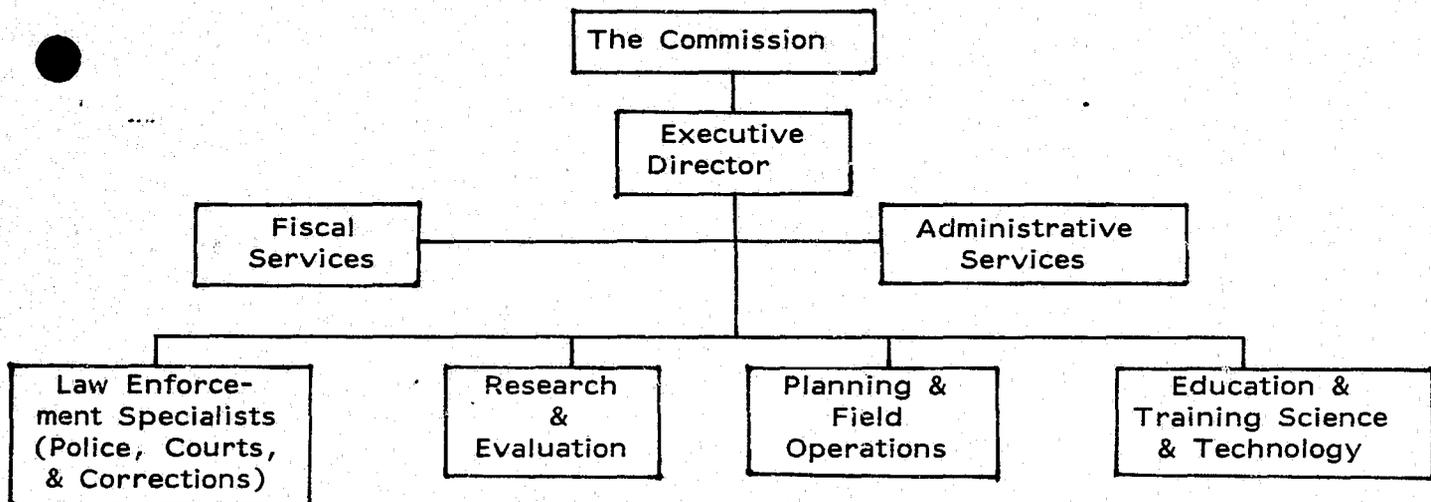
state and local level were contained in the category known as the action grants. In the annual comprehensive plan that was submitted to LEAA, the action program was central since it translated general correctional objectives into specific projects with detailed budgets. The action projects were usually written for three-year eligibility periods at the end of which state government was supposed to assume total fiscal responsibility for the project. Action grants were themselves divided into two types: block and discretionary. Under the Federal legislation of 1968, 85% of all LEAA monies were distributed to the state planning agency as block grants. These are the funds that are available for use by the comprehensive state plans. Once the block grants are awarded to a state planning agency, the monies are then redistributed in grant form to the state and local police, courts, corrections, and other criminal justice projects and agencies that submitted proposals for inclusion in the comprehensive plan.

The total amount of money awarded to each state in the form of the block grants was determined by the population of that state. In other words, each year the amount of funding that could be applied for by the state planning agency in the comprehensive state plan was already determined by a funding ratio based on population. This meant that each state was guaranteed a set level of funding if a comprehensive plan was submitted. It was statutorily impossible for LEAA to refuse to award grant monies. They could stall but could not refuse to deliver since such action would make the agency liable to Congressional censure.

The other type of action grant, discretionary grants, had the most unexpected effect on state and local criminal justice policies and practices since these monies were subject to the fewest constraints. Discretionary

grants were not part of the annual comprehensive state plan. Although any agency hoping to receive a discretionary grant had to secure the seal of approval of the state planning agency, the proposal was not submitted as part of any larger proposal package. Whether a proposal submitted for discretionary funding was awarded a grant was a decision totally in the hands of LEAA administrators. There were no stipulations that any discretionary grant had to be awarded to any particular state. The only requirement was that 15% of the total funding budget appropriated by the Congress to LEAA had to be dispersed during each fiscal year as discretionary grants. These grants gave the LEAA tremendous leverage. The grants went directly to the recipient agency and were neither administered nor monitored by the state planning agency. LEAA used these monies to fund especially innovative projects. Projects started by discretionary grants were usually referred to as demonstration projects.

During the Ogilvie administration the Illinois Law Enforcement Commission had thirty commissioners drawn from units of municipal, county, and state government, and from the various professions involved in criminal justice. The commissioners were appointed at the pleasure of the governor. The commissioners were assisted in their work by the professional staff and by special purpose groups. Staff responsibilities, divided into four major areas and each under the supervision of an associate director, appear on the following table of organization.



The executive staffing of this agency was obviously crucial to Ogilvie since ILEC played a central, fiscal role in his orchestration of the criminal justice system in Illinois. This importance would extend not only to the criminal justice agencies directly responsible to the governor but also to the remaining criminal justice agencies embedded in other levels of government but just as dependent on ILEC for federal funding. Soon after the creation of the agency, Ogilvie appointed two of his former aides to top administrative positions. Both had previously been members of Ogilvie's staff when he was Sheriff of Cook County. Arthur Bilek, who had served as chief of the Sheriff's Police, was named chairman of the thirty member Commission. Allan Ganz, who had served as legal adviser to the Sheriff's police, was named acting executive director of the Commission while the search for a permanent director continued. In March of the same year Ganz was replaced by John Irving, who at the time of appointment was executive director of the National Council of Juvenile Court Judges. Problems in the working relationship between Bilek and Irving led to the resignation of Irving in 1971. At that point, Ogilvie appointed a new executive director,

Allan Andrews who as a former superintendent of police in Peoria, Illinois, had been his close associate. Andrews served in this office throughout Ogilvie's administration.

In spite of the early shifts in leadership at ILEC, Ogilvie exercised a strong and continuous command over the agency's activities since Bilek occupied the key spot of Chairman of the Commission, which, rather than the executive directorship, was the principal locus of authority and power in the agency throughout Ogilvie's administration. In addition, the array of commissioners was markedly skewed in the direction of persons affiliated with executive, state agencies. This situation gave the governor, as executive authority over most departments in state government, a strong grip on committee voting and on the overall decision-making processes of the organization.

The one constraint here on the governor's inclination to select like-minded administrators drawn from his state agencies was a stipulation in the legislation creating LEAA. This stipulation stated that half of the commissioners appointed to the state planning agency had to be locally elected officials. This constraint still allowed Ogilvie the privilege in many cases of appointing elected officials who were his supporters. An important example was Peter Bensinger, who as director of the Department of Corrections was a central figure in the administration's efforts to reorder the criminal justice system in the state. Chairing the standing committee on corrections in ILEC, Bensinger was virtually assured that all matters of policy and appropriations brought before the committee for a vote would produce an outcome in favor of the new Department of Corrections.

The major check on ILEC's committing funds disproportionately to Ogilvie's executive agencies was the fact the Omnibus Act contained the statutory requirement that 75% of all federal funds channelled through ILEC had to be dispersed to units of local government, not to state-level agencies. This stipulation avoided the possibility of excessive manipulation and encouraged ILEC to work closely with numerous local agencies in developing grant proposals in the various categories of the action program.

Ogilvie's steadily increasing ILEC budget gives an idea of the scale of the federal support in criminal justice activities in Illinois. For the vast sums flowing in from LEAA, the state legislature was required to provide matching funds. These were over and above the regular state revenues that were appropriated each year by the legislature to support the governmental criminal justice agencies. At its inception ILEC had controlled approximately \$2.1 million with which to carry out programming. Of this, \$1.0 million were federal funds that came from the predecessor of LEAA, the Office of Law Enforcement Assistance. These funds had been earmarked for the Governor's Committee on Criminal Justice. The remaining \$1.1 million were the matching state revenue funds. Following its creation, ILEC made intense efforts to produce a comprehensive state plan for submission to LEAA for fiscal year 1969. The level at which funds were made available to ILEC by LEAA during the Ogilvie administration can be seen on the following chart. It is important to note that each time Ogilvie turned to the state legislature for matching funds his request was granted. He always controlled enough votes in each chamber of the General Assembly to get these appropriation bills passed.

ILEC BUDGET: 1969 - 72

FY 1969: Federal Grant - \$1,790,000
FY 1970: Federal Grant - \$9,877,000
FY 1971: Federal Grant - \$21,630,000
FY 1972: Federal Grant - \$24,900,000

The Department of Corrections

The recommendations of the governor's task force on corrections, headed by Peter Bensinger, were incorporated into a legislative package presented by the Republicans to the General Assembly in the summer of 1969. The legislative bill enacting the new Department of Corrections passed the State Senate unanimously and the State House of Representatives with a substantial plurality. A combined correctional department had been widely called for by members of both political parties during the waning days of the Kerner administration since all issues concerning imposing tighter sanctions on crime were popular among voters during the late 1960s. The bill was signed into law by the new governor in July, 1969, and became effective on January 1, 1979.

In creating the new department, the Illinois Legislature was strongly urging that the new DOC administrators, the juvenile court, and other concerned parties develop additional alternatives to incarceration for many categories of juvenile offenders. The statutes of the new legislation followed policy guidelines set forth in the Standard Act for State Correctional Services, which had been jointly formulated by the National Council on Crime and Delinquency and the American Correctional Association and published in 1966. In addition, the General Assembly issued a report

which cited two separate studies undertaken earlier in Illinois that pointed to the need for major change in the juvenile justice system.<sup>4</sup> But, the suggested changes were most importantly set forth in the legislative report by reference to the Task Force Report on Corrections of the President's Commission on Law Enforcement and Administration of Justice which stated (1967: 56) that, "the present use of institutionalization almost universally falls short."

The Illinois Youth Commission ceased to exist as of January 1, 1970, and the separate services for youth which had existed in commission form previously were combined into one of two equal sections of the new Department of Corrections. In addition to its youth division, the new agency contained the adult penitentiary and parole division of the former Department of Public Safety. There was an accompanying professionalization of parole and pardon decision-making by the creation of a full-time Board of Parole and Pardons within the framework of DOC, composed of seven persons who were appointed by the Governor and confirmed by the State Senate for terms of four years. The Juvenile Division (DCJD) retained much the same structure. The two principal service components continued to fill their traditional roles. Institutional Services, which had always constituted the heart of juvenile corrections, continued to perform its mandate of providing isolated settings, i.e., training schools and forestry camps, for juveniles who had been adjudicated delinquent by the juvenile courts. Field Services continued to perform its mandate of providing parole supervision for juveniles who had been released from those same settings.

Initially, the central structures and primary responsibilities of juvenile corrections seemed to remain essentially unaltered following the transition to departmental status. But how were the new policy guidelines of the DOC legislation and the federal pressure for reform via ILEC going to affect the performance of these two components?

Since the Republicans held a majority in the State Senate during the 1970 legislative session, Ogilvie had little difficulty in steering the nomination through the hearings of the Executive Committee. By early summer of 1970, Bensinger had won full Senate approval. His confirmation culminated Bensinger's rapid rise up the state government's criminal justice hierarchy.

Once confirmed, Bensinger quickly appointed Coughlin as chief administrator for the entire Juvenile Division. In keeping with recruitment policies that he himself represented, Coughlin looked out-of-state and made his most important staffing selection for the Juvenile Division -- J. Robert Weber, who left a position in New York City as a journal editor for one of the two major, national correctional associations, the National Council on Crime and Delinquency (NCCD). Thus, Coughlin assured the presence of another administrator committed to reform in juvenile corrections since Weber had already developed a reputation in the national juvenile justice network as an advocate of change. Weber was placed in charge of Juvenile Field Services and immediately plunged into project planning that stressed the need for community-based treatment.

Bensinger's commitment to change became even more evident late in 1971 when he sent Weber to Massachusetts to conduct a study of an unprecedented experiment in juvenile corrections under the leadership of

Jerome Miller, Commissioner of the Massachusetts Department of Youth Services. Miller was trying to close down all juvenile reformatories in the state and to replace them with community-based programs. As one might expect, this project had stirred up enormous controversy both in Massachusetts and throughout the rest of the country. A transformation of this magnitude in juvenile correctional policy and practice had never before been attempted in the United States.

Miller had come to be viewed as the most radical figure in the effort to reform juvenile corrections and had been brought into Massachusetts in 1969 to assume leadership of the state's reform efforts in juvenile corrections following the reorganization of the Department of Youth Services. The agency had been under severe criticism for several years from all quarters. Within two years, Miller had closed all state reformatories for juvenile offenders and had replaced the reformatories with a network of community-based treatment facilities. The concept of custodial care for juveniles had essentially been abolished in Massachusetts.

A considerable part of the interest eventually generated nation-wide by Miller and his staff resulted from the fact that they were having great success in capturing LEAA discretionary grants which enormously aided efforts to restructure the Massachusetts juvenile correctional system. Students of Miller's efforts in Massachusetts have pointed out that, "federal funding permits an administrator to bring in top staff committed to his philosophy without the restrictions of the civil service system and to establish new types of community-based treatment services" (Ohlin, Coates, and Miller 1977: 4). During his factfinding trip, Weber, who was already personally acquainted with Miller through contact in the national

correctional network, talked with him extensively about his work. His report to Bensinger, in general, strongly supported what Miller had done. Since the report was submitted in the summer of 1972, implementing any of its suggestions had to await Ogilvie's second term.

At the same time that Bensinger was examining possibilities for important changes in the kinds of services being delivered by his agency, he was also initiating another major policy change that was to have important departmental as well as wider political repercussions for himself and the Republican Party. The practice of hiring and promoting significantly larger numbers of Black employees than had been the case in Illinois corrections in the past became a stated goal of the new director. For the first time Blacks came to have some voice in decision-making situations that affected basic organizational policy in the state's correctional bureaucracy. In the Juvenile Division of DOC this emphasis on the recruitment and advancement of Black employees also represented a noticeable change in established procedure.

The political motivations behind this emphasis on minority employment and promotions will become clear in the following pages. Briefly, these practices were part of the Republican strategy to make inroads into the large, Black voting bloc in the inner-city of Chicago. This group had grown enormously over the past five decades as vast numbers of Southern Blacks had migrated to Chicago. The Republican Party realized that they constituted the largest voting bloc in the city and hoped to sway substantial numbers away from the control of the Democratic Machine.

Under the Civil Rights Act of 1964, federal officials did not have the right to enforce minority hiring or promotions in either state or municipal

governments. Equal employment and promotional opportunities were the law in federal bureaucracies, but at the other levels of government the decision to pursue this course of action was still optional. As a result, in the late 1960s and the early 1970s, units of municipal and state government throughout the United States were slow to introduce major change in their employment and promotional practices in spite of the federal initiative in this area. In some cases elected officials and top administrators tried to follow the spirit of the Act, but enforcement of equal employment statutes did not become legally binding until 1972 when the Congress passed an amendment requiring local and state government compliance. This amendment came to be known as Affirmative Action and provided the legal mechanism for the U.S. Justice Department to prosecute those accused of noncompliance with these federal guidelines.

Although the amendment was passed in the summer of 1972, Affirmative Action had no direct impact on Illinois until June, 1973, when Governor Walker issued an executive order for all branches of state and municipal government to implement the statutes of this amendment. This action was taken in Illinois only after 42 other states had already taken steps to implement the federal legislation. This hesitancy to act was only one of many examples of the rural, conservative bias of the executive and legislative branches of Illinois government.

The absence of legal guidelines regarding minority hiring and promotion in the Illinois state government when Bensinger became Director of DOC meant that his changing these practices was voluntary although the spirit of the times -- the late 1960s -- promoted this kind of liberal social action. In addition, the Department of Corrections had increasingly come to

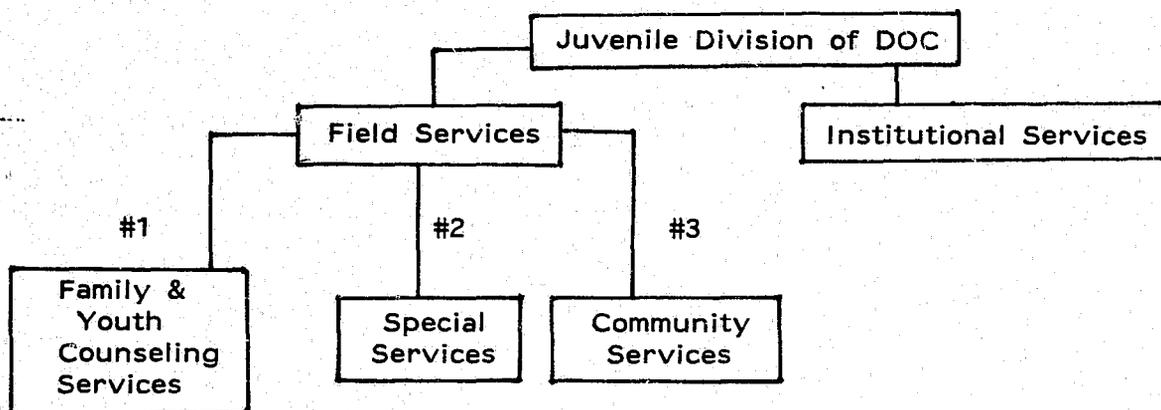
exercise authority and control over a client population which was largely composed of young urban Blacks.

Clearly, however, Bensinger's policy was undoubtedly formulated as part of the Republican Party's attempt to undermine the Machine's control over the Black wards in Chicago by trying to coopt black votes through appearing to be a friend and defender of the oppressed. Bensinger's efforts to stimulate career mobility among Blacks in his agency had clear political overtones.

Prior to Bensinger's rise there had been no history of any concerted effort to move minority employees to positions in middle level management or higher. The Illinois Youth Commission, over which Bensinger briefly held sway in 1969, always had an unwritten law that the chairman must be White. Only on two occasions in its sixteen-year history was a Black even appointed to the Commission. The first, Golden B. Darby, was selected in 1957 by Republican Governor William Stratton; the second, Dora Somerville, in 1961 by Democratic Governor Otto Kerner.

The new Department of Corrections included a full-time Board of Parole and Pardons composed of seven people including a chairman, all appointed by the Governor and confirmed by the State Senate for terms of four years. This board assumed all of the duties that had previously been assigned to the commissioners of IYC. Although Ogilvie had the statutory right of appointing the Board members, he left the decision of whom to choose to Bensinger. One of his first choices was a Black, Dora Sommerville.

In February, 1970, Waymond Addy, a Black career employee with the IYC since 1956, was appointed to head the Chicago office of Youth and Family Counseling Services, the parole component in the Juvenile Division of DOC and one of the three principal elements of Field Services.



By June, 1970, Addy was named permanent head of the Chicago office by Bensinger. Although this kind of appointment procedure supposedly required a competitive exam for qualified applicants, Addy was preselected for the position so that, when the exam was given, he was the only applicant to take it. Shortly after Addy's appointment, Bensinger selected another Black career employee with the Juvenile Division, Ronald Townsend, to fill a comparable position in the Chicago office of the Adult Division of DOC. For the first time in the history of state government the parole components of both juvenile and adult correctional services in Chicago were headed by Black administrators.

Shortly after these events Bensinger promoted Addy to acting Superintendent of the Youth and Family Counseling Services for the entire state. Addy replaced Kenneth Absher, a White career employee and an administrative carryover from IYC. Addy was made permanent Superintendent a year later, in April, 1971, the highest position attained by a Black.

Bensinger granted Addy's conditions for taking the job in Juvenile Field Services by moving the main offices of the Superintendent to Chicago. For the first time since the creation of IYC in 1953 a state correctional superintendency had headquarters outside the state capital, Springfield.

Addy was given considerable leeway in selecting administrative personnel for the statewide Family and Youth Counseling Services. Within a short time Addy named a number of his Black colleagues to managerial positions. For example, the most important administrative positions in the Chicago Office, area supervisors, were staffed with one Black and one White employee who shared responsibility for duties previously carried out by Addy when he was head of the Chicago office. In addition, the majority of casework supervisory positions were given to Blacks.

The promotion of Black employees to administrative roles suddenly became commonplace. About the same time, another Black career employee, Frank Pierson, was selected to head a new experimental component in Field Services (see chart on page 159). This unit, Special Services, exercised a role of considerable importance since it was the principal vehicle in the Juvenile Division for long-range planning of community-based correctional projects. For the first time, a Black employee had influence regarding policy decision-making for new programs. Also, as Superintendent of Special Services, Pierson exercised direct authority over several experimental juvenile correctional projects in Chicago, namely the FACES Program and the Regional Field Model Program. Organizationally, Pierson and Addy were at equivalent levels in the departmental hierarchy although Addy controlled a broader geographical jurisdiction.

These promotional policies suited the political purposes of the Republican Party well since at this time Black leaders in Chicago were demanding a greater role in decision-making in policy areas having a strong impact on the Black community. This call for representation allowed Bensinger the opportunity to demonstrate the concern of the Republican

Party for the problems of Blacks in Chicago. The only questions was whether this strategy would produce positive electoral results in the Black wards for the Republicans.

The significance of the increasing decision-making influence and power that grew from this wave of Black promotions in the Field Services component of the Juvenile Division was limited by another reality. The top decision-makers in Field Services -- the White administrator Weber, together with Coughlin, head of the Juvenile Division, who had recruited him from out-of-state -- were responsible for giving final approval to whatever was undertaken in the Field Services.

Simultaneously, in the other principal component of the Juvenile Division, Institutional Services, a comparable set of recruitment and promotional practices was being implemented. The principal difference was that the person who was given the top position was a Black career employee with state juvenile corrections, Samuel Sublett. At best, Addy was only second in command in Field Services, but Sublett answered only to Coughlin, his immediate supervisor and head of the Juvenile Division, and to Bensinger, Director of the Department of Corrections. No other Black employee in the history of juvenile corrections in Illinois had ever commanded this much power.

Sublett's career mobility clearly coincided with the creation of the new Department under the direction of Bensinger. When Bensinger arrived in 1969 to become acting chairman of IYC, Sublett was assistant Superintendent of the Illinois State Training School for Boys at St. Charles. He had started his career in corrections as a counselor at this reformatory in the mid-1950s. Some months after Bensinger's arrival, Sublett was

promoted from assistant superintendent to superintendent of the reformatory. His subsequent promotion to chief administrator of the Institutional Services of the Juvenile Division of the Department of Corrections put him organizationally at the same level of decision-making and authority as Robert Weber. Coughlin, Weber, and Sublett constituted the administrative elite for the Juvenile Division during Ogilvie's regime. Once Bensinger had filled the top administrative positions, he left matters regarding details of program planning and implementation to his expert, professional administrators in the Juvenile Division.

Sublett initiated a minority recruitment and promotion program that closely paralleled Addy's efforts in Family and Youth Counseling. While previously most Blacks employed in Institutional Services were involved in security or guard duties, Sublett promoted many of his Black subordinates to supervisory and administrative positions, especially the administrators of important juvenile installations: (1) Johnson at the Illinois State Training School for Girls at Geneva, (2) Singletary at the Forestry Camp at Kankakee, and (3) Scott at the Reception and Diagnostic Center at Joliet. These promotions were unprecedented in the history of juvenile corrections in Illinois.

The combination of general growth in a new state department plus Bensinger's minority policies created an atmosphere of opportunity and optimism for a wide range of employees. Black hirings and promotions in the Juvenile Division were part of Bensinger's larger scheme to advance minority employees throughout his agency. Several months after appointment, he committed \$100,000 of the department's funds for services of a prominent consulting firm in Washington, D.C. to aid in minority

recruitment. In August of 1971, Bensinger hired a Black former Chicago policeman, Jack Porshe, to supervise the placement of these new Black employees. This appointment further intensified Bensinger's efforts to recruit and promote minorities. In retrospect, Black employees have commented to me upon Bensinger's tenure as the golden era in the Department of Corrections.

Whatever plans Ogilvie had in preparation for the Department of Corrections were halted by his surprising defeat in 1972. This defeat was generally attributed to the passage of an unpopular state income tax bill which he introduced in, and engineered through, the state legislature. Following the election, Bensinger remained as Director of the Department of Corrections until his resignation at the end of that year. He supposedly left in anger because the next governor, Walker, had refused to communicate to him his intentions about planned administrative changes in the department. But, in political circles it was known that Walker had no intention of continuing Bensinger's tenure as Director, and Bensinger was also thinking about other commitments. His candidacy for Sheriff of Cook County had already been planned.

Shortly after Bensinger's resignation, Lee Schooler, President of the Chicago Crime Commission and a familiar figure in Cook County Republican politics, named him Executive Director of that "watchdog" agency. Ironically, Bensinger replaced Harvey Johnson, who had recently been appointed by Governor Walker to head his transitional taskforce on corrections. Several years earlier Johnson had himself been named Executive Director of this commission while Walker had been serving as its President. The Chicago Crime Commission, long supported by Independent

Democrats and Republicans, is a private investigatory organization which had traditionally been active in exposing the activities of organized crime in Chicago and Cook County. The Commission was largely populated by aspiring political types who wanted to keep their names in the public eye. Bensinger's acceptance of the Executive Directorship of the Chicago Crime Commission was a natural step to take in furthering his political career.

On November 13, 1973, while Executive Director, Bensinger announced his candidacy for Sheriff of Cook County. His opponent was the Democratic incumbent, Richard Elrod, who had first been elected to the office in 1970. Prior to his election Elrod had been a corporation counsel, i.e., legal adviser, for the City of Chicago and had also served one term in the Illinois House of Representatives (1968-1970). A frequent comment about Elrod was that he was the product of one of the worst political "plantations" in Chicago, the 24th ward. Elrod's family had long been associated with the Democratic Machine.

Each elective office in Cook County has its own special enticements with respect to the inherent political opportunities offered to the officeholder and his party. Some positions contain the guarantee of exorbitant campaign contributions and cushy patronage jobs while other positions provide the officeholder with different kinds of rewards. For example, the Office of Cook County State's Attorney allows the officeholder great investigatory powers which can be used in a wide range of ways.

The Republicans are always especially eager to capture this post since it is particularly discomforting for the freewheeling Democratic Machine to have a Republican State's Attorney scrutinizing its every move and occasionally convening grand juries to launch special investigations. The

Office of Cook County Sheriff also has its own special significance for both the Democratic and Republican Parties. However, there is an especially worrisome quality about this office for the Democrats: the office of Cook County Sheriff has become a route of career advancement for Republican politicians, most notably Richard Ogilvie and Joseph Woods.

Having announced his candidacy, Bensinger launched a well-financed, energetic campaign in which his chief slogan was, "A professional, not a politician." Bensinger's emphasis upon his background as a criminal justice administrator focused upon two principal elements. First, Bensinger stressed that his tenure as Director of DOC had been crucial in the successful launching of a smoothly operating state department which had been free of conflict or scandal. Second, Bensinger campaigned on the theme that he was especially sensitive to the needs of the Black segment of the population of Chicago and Cook County.

The Bensinger-Elrod campaign grew into the most hotly contested race of all the major Cook County frays in the November, 1974 elections. To offset what inroads Bensinger was making in the Black inner-city vote, the Machine had Winston Moore, Warden of Cook County Jail and the most important Black correctional official under the jurisdiction of the city-county administration, launch a personal attack against Bensinger.

Ultimately, the Democratic Machine swept to victory in all of the Cook County Contests. They won the races for President of the Cook County Board of Commissioners, County Clerk, County Assessor, and County Sheriff. Although Bensinger defeated Elrod in the heavily Republican, suburban townships of Cook County by a vote of 114,865 to 79,208, Bensinger was able to carry only three of Chicago's fifty wards. He carried

none of the all-Black wards in spite of having directed much of his campaign efforts to those areas. This failure to convert the Black voters to the Republican standard represented a major defeat for Republican Party's inner-city strategy. The Machine's ability to maintain voter loyalty in the Black belt of Chicago was upheld again. The final voting tally was 675,235 to 576,481 in favor of Elrod, the incumbent Democrat.

This episode illustrates several important issues. The events described above seem to show that the appointment of Peter Bensinger as Director of the Department of Corrections had clear political implications with respect to the possibility of the Republican's widening their political base in Chicago.

This matter of Republican career mobility through the mechanism of elective and appointive positions in criminal justice organizations was ultimately grounded in the legacy of Democratic Machine politics. In Illinois where approximately half the total vote in any election comes from Chicago, successful Republican politicians have repeatedly launched their careers by first developing public images as crusaders or reformers in criminal justice. In a city where rampant corruption is one of the legacies of a machine form of politics, the opposition party finds in crime fighting and in the rooting out of official graft and abuse of office one of the few structural flaws in the intricate mechanisms of local control exerted by the Democratic city administration.

By the 1940s, many of the Republican candidates running in Chicago and Cook County or even state-wide elections made a major issue of official graft, corruption, and ties with organized crime on the part of the Democratic Machine (Demaris 1970; O'Connor 1975). Of the Republican

candidates, those who were successful in contests against Machine politicians usually could be shown to have spent periods in their careers where they had performed official duties in some crime fighting capacity.

The point is that the criminal justice arena was a major avenue to electoral success for Republican candidates. Ogilvie was a classic example. In 1954, he had been appointed by President Dwight Eisenhower to serve in Chicago as an Assistant United States Attorney for Northern Illinois. This appointment culminated in his waging a legal battle against Chicago-area mobsters from 1958 until 1961 as a Special Assistant to the United States Attorney General, heading the Midwest Office in Organized Crime. Throughout this period Ogilvie was always careful to point out evidence of possible ties between Chicago underworld figures and the Democratic city administration.

The Daley Machine was painfully aware of the political hay that Ogilvie had made as a professional advocate of law, order, and criminal reform. He used this appeal to win election as Cook County Sheriff in 1963. Victory in that first partisan race, enabled Ogilvie to launch a public career which led to a term in 1966 as President of the Cook County Board and then to the governorship. Throughout these campaigns Ogilvie presented himself as an avowed enemy of the Machine and as a crusader against crime and corruption. In the particularly bitter gubernatorial campaign he reemphasized the apparent links between the Democratic Machine and Chicago mobsters.

In summary, the way in which Bensinger developed a professional reputation suitable for seeking elective office was rooted in his specific political allegiance and in the manner in which the two principal political

parties tried to manipulate particular sectors of governmental bureaucracy in Illinois for electoral gain. At the advice of strategists from his party, it was only natural for Ogilvie to continue his practice of maximizing the career possibilities of Republican hopefuls by placing them in appointive positions where public reputations as crime fighters could be built. Peter Bensinger's selection and his subsequent performance as Director of the Department of Corrections provides an excellent example of one way in which this process can occur. Here, the role of being a top administrator provided Bensinger with an excellent mechanism for career advancement in politics.

Bensinger had intended to follow in Ogilvie's footsteps. Exactly how he hoped to utilize his tenure as director of DOC to maximize his chances for electoral success has just been shown. The key to his behavior was understanding how he made decisions about agency policy and practice looking toward his own and his party's political aspirations and strategems. Bensinger's practice of minority hiring and promotion was rooted to a large degree in the carefully orchestrated strategem of the Republican Party to co-opt the Black, inner-city voting bloc in Chicago. Although the hiring practices pursued under his directorship should not be interpreted simply as a matter of political expediency, he clearly undertook these measures with an awareness of the political repercussions that might ensue from assuming this policy stance. This support was necessary if he and his party hoped to unseat any Machine incumbent. His campaign slogans and the rhetoric of his speeches in the race against Elrod revealed a planned effort to exploit the professional reputation he had carefully constructed.

The Role of Other State Agencies in Juvenile Justice Activities During the Ogilvie Administration

Since the Juvenile Division of the new Department of Corrections was at the heart of the state government's efforts in delinquency prevention and control, participation by other executive agencies of state government in this area was limited. This fact was clearly reflected in the first several comprehensive state plans submitted by ILEC to LEAA where the majority of grant proposals concerning state activity in juvenile justice originated in DCJD. True, the call for alternatives to incarceration and deinstitutionalization and the increased availability of federal funds to promote these changes represented a new incentive for wider intervention by other state agencies that processed troubled children, but at this early state in the redirection of juvenile justice, legal impediments still existed.

The obvious candidates for participation in the revamped system were the Department of Children and Family Services and the Department of Mental Health. Yet, in the late 1960s and early 1970s the possibility that they would assume roles in juvenile justice activities only existed as a vague avenue to be explored as the exact nature of change became clearer. As suggested, the juvenile legal code still served more as a constraint on the activities of other state agencies in juvenile justice than as a promoter of change. For example, although the revised Illinois Juvenile Code of 1965 did much to encourage change in the existing juvenile justice system, it did not precisely specify under what circumstances and in which ways other state agencies might act as recipients for youths who were to be deflected from correctional treatment.

By establishing a MINS<sup>5</sup> category for status offenders and by disqualifying all children under the age of thirteen from the possibility of

being labeled delinquent, the revised code was identifying a specific juvenile population which would now have to be handled in some manner other than through entry into the juvenile justice system.

The lack of specific statutory requirements to involve other child-care agencies in the diversion process was radically changed by the enactment of the Unified Code of Corrections in June, 1972.<sup>6</sup> Here, the juvenile statutes specifically stated that children with a MINS status should be placed under the guardianship of the Department of Children and Family Services if they violate the terms of their court supervision and that children under thirteen years of age who had exhibited delinquent behavior could be directed to the same agency for custody and care. These changes became effective for delinquents under thirteen on January 1, 1973, and for MINS cases on January 1, 1974. In both instances the impact of the new legislation on the shifting of jurisdictional boundaries had no direct effect on the Ogilvie administration or any of the executive state agencies. The organizational impact would only be felt by the administration elected in November, 1972, and assuming office in January, 1973.

#### The Role of Municipal Government in Juvenile Justice During the Ogilvie Administration

As suggested earlier in this chapter, the limitations on municipal government's participation gradually began to change in the early 1960s as federal programs and funds increased the city's role in a wide range of social problems such as mental health, poverty, and crime. By the time of Ogilvie's election Chicago's city administration was in the midst of complicated negotiation with HUD over approval of the Model Cities grant (see Chapter IV, p. 134). Livermore sent an inquiry to the other

participating agencies in JYDP about possible interest in locating additional multi-service centers in other inner-city neighborhoods. There was no question that the Probation Services of the Juvenile Court and the Youth Division of the Chicago Police Department would agree to engage in this venture since they were still Democratic-aligned agencies. However, there was some question about the participation of the IYC since as the new governor, Ogilvie had already developed an extremely antagonistic relationship with Mayor Daley. Since the IYC fell directly under Ogilvie's jurisdiction, the probability of cooperation with the city administration in a new joint venture was doubtful.

Responding to Livermore's inquiry with a resounding yes, Ogilvie instructed Bensinger to proceed in joint planning for the extension of JYDP to other Chicago neighborhoods for several principle reasons. On the most pragmatic level the prospect of free rent, partial payment of staff salaries, and favorable publicity about ventures into community-based corrections was too big of a plum to pass up. More important, with Nixon in the White House the project was being funded by a Republican President with whom the new Ogilvie administration wanted to develop good relations. Also, participation in this extension of JYDP allowed the Republicans to widen their contact with voting constituencies in the inner-city of Chicago.

By the time serious planning began for the extension of JYDP centers into Model Cities neighborhoods, the city's organization for administering youth welfare had been significantly altered. The decision had been made at the highest level in the Daley administration to dissolve CYW and replace it with a more comprehensive agency, the Department of Human Resources (DHR). The central figure from the mayor's office in this important

decision-making situation was Deputy Mayor Dave Stahl. The new executive department became operational on January 1, 1969.

The activities of DHR were administered through three divisions: Community Services, Family Services, and Correctional and Youth Services. This last component had been transferred essentially unchanged from the defunct CYW. The person selected to head the Division was a career employee of the city's bureaucracies, E. Bigg, who had been responsible for the introduction of the procedure for following up station adjustments and hence was probably more responsible than any other senior staff member at CYW for helping to carve out a legitimate mandate in the juvenile justice system for the agency. As director of Correctional and Youth Services, this extremely energetic administrator understood the advantages for the agency to commence long-range planning that focused on capturing the federal funding made available by the creation of LEAA for reform in juvenile justice.

From a political point of view the most interesting aspect of the creation of this new agency was the fact that Daley selected Deton Brooks, who had been serving as the first Black director of an executive department in Chicago's city government's history. Erwin France was chosen to replace Brooks as director of CCUO. As a result, the two most important social welfare bureaucracies in city government were now headed by loyal, Black Democratic bureaucrats. Charles Livermore, whose considerable planning and managerial skills had been largely responsible for the early success of CYW was moved into an important administrative position in another city agency, the Department of Development and Planning.

As soon as the Model Cities funding became available, Daley chose Erwin France to be administrative head of the entire Model Cities program in Chicago. In making this appointment, Daley announced that he was combining the CCUO and Model Cities agencies into a single organization to be known simply as Model Cities -- CCUO. France was responsible for administering the mandates of both programs but ironically still retained the title of Administrative Assistant to the Mayor. The Machine was clearly in total control of the poverty/delinquency prevention and control programs in Chicago.

The final federal initiative that solidified Chicago's role as an important actor in the arena of juvenile justice administration during the Daley era was the passage of the Omnibus Crime and Safe Streets Act shortly before Lyndon Johnson left office at the end of 1968. One of the primary guidelines in the Safe Streets Act was the emphasis placed on stimulating the development of programs to divert juvenile offenders away from prolonged contact with the juvenile justice system. This goal became one of the funding priorities of LEAA. As soon as ILEC began to prepare its first comprehensive state plan in 1969 for submission to LEAA, the planning staff in the Division of Correctional and Youth Services at DHR began to develop proposals focusing on diversionary programming for possible funding.

The Safe Streets Act had stressed that every community in the U.S. should establish a Youth Service Bureau (YSB) which would serve to handle troubled youths outside the confines of the juvenile justice system. The YSB was envisioned as being a multi-faceted program center where juvenile offenders who had been apprehended but not referred to juvenile court could be directed to receive a wide range of supportive services.

Following the lead of the Presidential Commission of 1967, DHR submitted a proposal to ILEC for possible inclusion in the state's second comprehensive plan (FY 1970). The proposal was entitled Community Integration of Youthful Offenders and stressed the need for diversionary programs to treat certain kinds of juvenile offenders. ILEC approved the proposal for inclusion in the state plan and noted that the establishment of Youth Service Bureaus as an alternative to court referral was now the logical choice to develop LEAA's diversionary mandate in Chicago since the primary responsibility of the city's youth service from its beginning in 1959 was to provide support to offenders who had been deflected away from formal involvement in the juvenile justice system. Having expedited CAR cases for over ten years, the staff in the Division of Correctional and Youth Services at DHR could stake a claim to possessing considerable expertise in the area of diversionary programs for juvenile offenders. Of course, this was precisely the kind of expertise for which LEAA was searching. The proposal was funded in November, 1970, with the award of a one-year grant for a total of \$103,000.

In succeeding comprehensive state plans, DHR continued to submit proposals focusing on diversionary programs and the development of more YSBs. In the 1973 plan, ILEC emphasized the need for further diversionary projects and praised the important service being provided by the YSB's in Chicago under the auspices of DHR. ILEC expressed the hope that four to six additional YSB's would be established throughout the state each year. In FY 1973, DHR received a grant of \$500,000 from LEAA to establish more YSB's. Beyond the YSB mandate, however, DHR was not particularly successful in having their proposals either included in ILEC's

comprehensive state plans or funded by LEAA. Nevertheless, there was a constant increase in the number of YSBs operated by DHR and funded by LEAA.

In summary, the Daley administration's entrance as an important participant in the juvenile justice system in Illinois was principally facilitated by four critical federal decisions: (1) the passage of the Juvenile Delinquency Prevention and Control Act in 1961, (2) the passage of the Equal Opportunity Act in 1964, (3) the passage of the Model Cities legislation in 1966, and (4) the passage of the Omnibus Crime and Safe Streets Act of 1968. Unless the federal government had decided to intervene with major grant-in-aid programs in the field of juvenile justice at the local level, it is very unlikely that Chicago's city administration would have developed a very extensive structure to process juvenile offenders. Once the federal government did provide the opportunity for municipal participation, the Daley administration was adroit at carving a niche for itself in a service area that had traditionally been dominated by county and state levels of government.

The Daley planners exercised excellent foresight while creating their initial mandate with the establishment of the Commission on Youth Welfare. The decision to move into service activities emphasizing diversion from formal involvement with adjudicatory or correctional organizations was an informed reading of the major trend in future juvenile justice programming. From the tentative quasi-mandate that first appeared in the form of staff follow-ups to CARs in the early 1960s, the Machine was able to maximize its role as a major innovator in the field with the establishment of multi-service centers, the YSBs, in the early 1970s. This diversionary capability

combined with the entrenched managerial responsibilities which arose from coordinating the JYDP centers guaranteed the city a constant source of federal funding in delinquency prevention and control. The political benefits of the organizational growth of the city's administration were evident in the influx of vast sums of federal funds and in the development of sizable bureaucracies staffed by minority employees.

Chapter VI. Studies in the Political Economy of Juvenile Justice Administration: The Walker Years

1. Introduction

Due to a new alignment of state political forces the implementation of planned change in juvenile justice activities presented a whole new set of problems. The first three years (1972-75) of Walker's Democratic administration was marked both by wider ranging changes in juvenile justice policy and by a more intense level of bureaucratic and legislative conflict than had occurred at any other time in Illinois during the 20th century. This unprecedented level of discord spilled into the state government's administration of juvenile justice affairs where an intense struggle developed between two major state government bureaucracies over the distribution of authority and resources. This chapter contains the case studies which focus on key events in the juvenile justice arena during this period.

Strife within Walker's cabinet had its origin in the historical structuring of partisan and intra-party politics in Illinois and in the administrative discontinuities produced by the transformation in the state's juvenile justice mandate during the late 1960s and early 1970s. The following case studies will explore the ways in which legislative discord and juridical reform influenced the performance of the Walker administration in the area of juvenile justice. Primary attention will be focused on how executive agencies, having been charged with the responsibility of expediting various aspects of the state's juvenile justice mandate, became preoccupied with problems of self-interest and engaged in jurisdictional disputes. This chapter will also examine the continuing growth of Chicago's

participation in this field and will show how the Machine set about ... converting these public service gains into electoral results.

## 2. Background and Transition to the New Administration

The election of Walker quickly altered the structure of political influence in the state. Not since the election of Governor Henry Horner in 1936 had a Democrat won election to that office without the support of the Machine. The two Democrats, Adlai Stevenson and Otto Kerner, who had been elected governor since Horner, were both closely allied with the Chicago Machine and presided over state legislatures where most power was distributed between the two major blocs, the state-wide Republicans and the Machine Democrats. With the election of Walker, the conventional structure of political power was temporarily altered. Walker, the Independent Democrats, and the Independent Republicans in the General Assembly who lined up behind Walker's programs constituted a new bloc in state politics.

Walker's election represented a major victory for the downstate and Cook County Independent Democrats who constituted the principal anti-Daley factions in the state party. These two highly vocal but usually ineffective blocs which were always nipping at the heels of the Machine delegation now had a chief executive they could rally behind in their fight for a larger role in the decision-making process in the General Assembly. Once elected, Walker made it clear that he intended to oppose the Chicago Machine, its legislative delegation, and much of the proposed legislation it would introduce into the General Assembly.

Walker's increasing alignment with independent forces following this rebuff became quite apparent in the early 1960's when Walker, who was

... serving as President of the Chicago Crime Commission, teamed with an independent Democratic legislator, Abner Mikva, to get a liberal criminal justice legislative package enacted into law by the Illinois General Assembly.

Walker's first opportunity to gain a measure of revenge against the Daley forces occurred when he agreed to be chairman of a special commission designated by the National Committee on the Causes and Prevention of Violence to investigate the 1968 Democratic National Convention disorders in Chicago. The Walker commission concluded that Daley shared much of the responsibility for the "police riots" and other violent incidents that took place during the August convention.

A liberal element in the National Democratic Party had long been opposed to the heavy-handed tactics of Daley both in his running of Chicago and in his playing king-maker in national politics. Representatives of the left wing of the party throughout the country were always looking for the opportunity to topple Daley. They seized upon the findings of the Walker Commission to encourage Walker to challenge the Daley Machine by seeking the Democratic gubernatorial nomination.

When Walker announced in November of 1970 that he was going to run for the governorship as an independent Democrat, no one believed he had the slightest chance. The Machine nominated a very strong candidate, Paul Simon, for the March, 1972 primary only to see him upset by Walker in a very close race. Walker had launched a populist campaign which focused on a highly publicized walking tour throughout the state. This brilliant tactical stroke generated great enthusiasm for Walker and was largely responsible for his narrow victory.

Most political pundits had not given Walker any chance in this contest, so the election results sent major waves through the state's political system. The defeat was especially surprising to the Machine because Simon, a former lieutenant governor, had long been identified with the independent-reform movement in Illinois politics and had developed a reputation as an excellent administrator while serving as Secretary of State. The Machine had made every effort to select a "blue ribbon" candidate to offset whatever advantage Walker might possess as a "clean" candidate.

The principal fear voiced by Machine Democrats was that, if Walker was elected, he would destroy valuable alignments and coalitions in the state legislature in an attempt to carve out his own bailiwick and to punish the Daley forces. This expectation was precisely Walker's intention.

Following the upset of his candidate, Daley in his unwavering adherence to the principle of support for all Democratic candidates regardless of personal feelings announced that he would endorse the candidacy of Walker in the Party's attempt to unseat Governor Ogilvie in the November election. In response to this gesture of apparent reconciliation, Walker surveyed the rest of the Democratic ticket and stated publicly that he would not support Edward Hanrahan, one of the Machine candidates, running for a second term as Cook County State's Attorney. The retention of this post was considered an absolute must for the Daley forces because of the investigatory powers attached to it. A Republican State's Attorney in Cook County can spell disaster for the Machine. This refusal to support a Machine candidate running for a crucial office only increased the animosity that existed between Daley and Walker.

Clearly, Walker hoped to strengthen his own power base in the state party and in the legislature. Once elected, Walker did little to reach any mutual understanding with Daley about common problems that faced them as the two most powerful Democrats holding office in the state. Rather, at every opportunity, Walker used his office to frustrate Daley and his legislative delegation. He seized every opportunity to discredit Daley in the state party and in the legislature. Walker and his strategists had decided the key to success was confrontation politics.

Important for the Walker forces, however, was that Daley, himself no picture of conciliation, had a totally loyal, experienced, and large legislative bloc upon which he could depend for support while Walker's legislative coalition was less trustworthy, largely untried, and small. Walker's refusal to recognize the absolute necessity to reach some degree of compromise with the single most powerful force in state politics proved to be legislative suicide. The problem for Walker was that if he did compromise, he would appear to have sold out to the Daley forces. Most of Walker's legislative loyalists had long been bitter enemies of the Machine and opposed any form of conciliatory behavior toward Daley's Assemblymen. In this sense, Walker was caught in the middle of an untenable situation. He chose confrontation with Daley.

In the confrontational atmosphere that quickly developed in the General Assembly, the Daley delegation took steps, whenever possible, to interfere with the goals of the Walker administration. The Machine decided that it was in its own best interests to make the legislative record of this liberal Democratic administration look as bad as possible. For the Daley legislators success in this endeavor involved forming temporary coalitions

with Republicans in the General Assembly. This procedure guaranteed the defeat of almost any Walker-supported bill that the Machine decided was undesirable. The small cadre of Walker loyalists had little chance of pushing measures through the legislature in face of this kind of opposition.

The Walker administration was the first to experience the full impact of the federal stimulus for planned change and the state statutory revisions which had been in preparation since the mid-1960s. Although the federal legislative package which eventually reshaped much of the state and local roles in juvenile justice activities throughout the U.S. was enacted in 1968 (the Omnibus Crime and Safe Streets Act), juvenile justice practitioners in the Ogilvie administration were only beginning to plan for the anticipated changes. Few programs were in operation that reflected more than the onset of this transformation in policy and practice.

The gradual movement toward widespread change that the Walker administration inherited seems to have originated during the preceding regime from three sources and was in fact starting to push Ogilvie and his juvenile justice administrators toward the implementation of basic change in the state's correctional bureaucracies. These three catalysts were (1) the call for innovations in juvenile justice programming issued by the state legislature in 1969 when it enacted the law creating the Department of Corrections, (2) the call in the LEAA legislation of 1968 for the creation of a state planning agency as a conduit for federal funding of criminal justice programs, and (3) the passage in 1972 of the new Illinois Unified Code of Corrections which called for major shifts in jurisdiction over certain categories of troubled youth. All of these had some effect on the performance of the Ogilvie administration, but not until Walker's incumbency

started in January of 1973 did the convergence of these forces begin to necessitate fundamental alteration in the structure of the state's mandate in juvenile justice.

Although Walker had only given vague indications during the campaign of the types of administrators he would appoint to head the various executive departments, he repeatedly stressed his intentions to give considerable attention to criminal justice affairs in his administration. During the campaign he repeatedly stressed his background in criminal justice as a member of the Chicago Crime Commission from 1957 until the time of his election.<sup>1</sup>

Walker indeed seemed to be serious about his pledge to commit time and energy to criminal justice when he selected a former executive director of the Chicago Crime Commission, Stanley Johnson, to head the principal transitional taskforce for selecting candidates for executive positions in the state government's criminal justice departments. Johnson, who had an extensive background in criminal justice activities and was a longtime personal associate of Walker's, had been Executive Director of the Chicago Crime Commission at the same time Walker had been its President.

When Walker selected the members of his cabinet, there was little doubt among his staff that he had assembled a team of criminal justice administrators who were capable of handling any problems posed by the anticipated transformations in the juvenile justice mandate in Illinois. The first major candidate in the area of juvenile corrections brought to Walker's attention was the controversial Commissioner of the Department of Youth Services in Massachusetts, Jerome Miller. Once the name was submitted by the task force, the recruitment procedures were turned over to several members of Walker's personal staff.

The decision to pursue this potential appointment seemed to emerge from Walker's particular conception of governmental management. As a career corporate lawyer with no experience as a professional politician or elected official, Walker's approach to government stressed fiscal caution but sought innovative and liberal programming in the human services. Although the two persuasions had rarely gone hand-in-hand in the past, the present circumstances provided the proper conditions for an exception.

The treatment model adopted by Miller in Massachusetts had developed a reputation for being considerably less expensive than the traditional custodial care model still employed in most of the U.S. Although absolute proof was lacking, there was a widespread policy assumption that community corrections was more cost effective than large, state reformatories. This fact appealed to Walker's fiscal outlook.

At the same time, Miller's actions in closing down the state reformatories had been in the vanguard of the national, juvenile correctional reform movement and identified him as a liberal practitioner in the juvenile justice sphere. This professional identity certainly coincided with Walker's self-image as a progressive in the field of human services.

Of course, there was the added dividend that Miller's national reputation and linkages to LEAA would guarantee an increased flow of federal funds into the state's activities in juvenile justice. Although Walker had no formal background in delinquency administration and could not anticipate the statewide response to his decision to bring in such a controversial figure, he firmly believed that Miller was an ideal person to have in his cabinet.

In December of 1972, shortly before the inauguration, a Walker aide was sent to Boston to confer with Miller and to determine if he might have a genuine interest in becoming a member of the new governor's cabinet. Rumors had been circulating through the juvenile justice grapevine that Miller was anxious to leave his position as Commissioner of the Department of Youth Services. He had encountered increasing resistance from a number of troublesome sources including the state legislature and judiciary, both distressed over certain repercussions of Miller's policies and the managerial style with which he had effected the radical transformation of the system (Stolz ms.). Miller's initial response to the Walker inquiry was that his work was not yet completed in Massachusetts and consequently he would not be able to accept the offer. But, within a period of only a few weeks Walker was able to entice Miller to fly to Illinois twice to discuss problems of child welfare and delinquency. At the second of these meetings Miller and Walker reached an agreement.

The Illinois situation was considerably more complicated than that of Massachusetts where Miller had found himself directing an agency that alone was responsible for administering all activities relating to delinquency prevention and control for the state. Although the Illinois Juvenile Division of the Department of Corrections had been responsible almost by itself for the state's participation in delinquency matters for the past several years, the massive federal call for increased diversion of youth offenders from custodial care and the recently enacted revisions in the juvenile code -- specifically the MINS and the juvenile under thirteen clauses -- indicated that other state agencies, especially the Department of Children and Family Services, would begin to plan an expanded role in the state's juvenile

justice activities. It appeared that starting with the Walker administration, the state's legislated mandate in juvenile justice would be spread across two agencies, DOC and DCFS.

At their meeting, Walker told Miller there were two positions available, namely, the directorships of DOC and DCFS. Miller's immediate response was to request the directorship of DOC. This was the most exciting option since this directorship would place Miller in control of the custodial apparatus of the juvenile justice system. As the top administrator in this setting, Miller could immediately initiate a radical restructuring of DCJD policy and operate in much the same fashion that he had with DYS in Massachusetts. The overriding theme in all of Miller's planning was the absolute necessity to close down the state juvenile reformatories.

Walker's problem with this appointment was that Miller's main expertise was in juvenile justice and welfare issues, not in dealing with the problems of adult corrections. If appointed director of DOC, he would assume responsibility over a department, one-half of whose affairs were solely concerned with adult offenders. Consequently, Walker was quite hesitant to make the appointment. Walker much preferred the option of naming Miller director of DCFS and then expanding his role in delinquency matters.

Apparently, Walker had dangled the DOC directorship in front of Miller to elicit the names of other administrators Miller felt were qualified to assume the position and with whom he could work as Director of DCFS. Walker probably never intended to offer this job to Miller. Miller's response was to carry this game-playing to its logical conclusion by stating that he would accept the directorship of DCFS if the Juvenile Division of DOC was shifted over to him in DCFS. This reorganizational scheme constituted the heart of the acceptance agreement.

When Miller stated the requisite conditions for his acceptance of the DCFS offer, Walker closeted himself with several key advisors in attendance to consider the legal and political ramifications of the request. After due consideration, Walker accepted the conditions since he could legally transfer the Juvenile Division from DOC to DCFS by executive order. With his promised reorganization, Miller accepted Walker's offer to become Director of the Department of Children and Family Services. Miller could hardly turn down an opportunity which entrusted him with the management of a vast array of child services ranging from the care of the dependent and the neglected to the treatment of the delinquent.

For the first time in over seventy years in Illinois the state's management of troubled children was going to be consolidated in one agency. The only category of children falling outside this jurisdiction would be seriously emotionally disturbed children who were still to be committed to the care of the Department of Mental Health.

Once Walker committed himself to this major reorganizational scheme, he was immediately confronted with the problem of selecting a new director of the Department of Corrections who would agree to manage an agency mandated to supervise only adult correctional affairs. Miller, active in the professional associations and well-informed about the current efforts of various practitioners in the field, suggested the name of David Fogel, the Director of Corrections in Minnesota. Although Fogel's responsibilities in Minnesota entailed the management of both adult and juvenile correctional components, his major interest concerned reforms in adult corrections. Fogel, soon contacted by Walker and his aides and told the conditions under which he was being offered the directorship of DOC, jumped at the opportunity to manage an all-adult correctional agency.

With these two key appointments the Walker team felt they had solved the major problems in criminal justice recruitment for the new administration; Walker's principal concern was to provide the appropriate means to accommodate the required changes in juvenile justice administration. Great optimism was expressed that these appointees reflected the national trends in criminal justice policy and practice and were qualified to introduce the kinds of changes being stressed in LEAA guidelines and funding practices. Walker felt confident that these departmental directors had an inside track on federal funding to achieve these policy goals since both were well-known in the national level criminal justice networks and had been successful in their previous efforts to capture federal funds and implement major change in their respective agencies in Minnesota and Massachusetts. In particular, Miller, who was serving on the executive board of the National Association of Juvenile Delinquency Professionals when he arrived in Illinois, had already developed a reputation for being quite successful in capturing LEAA funds to support his diversionary projects for juvenile offenders in Massachusetts. Based on his impression of Miller's past performance, Walker was hopeful that planned change in this area would be one of the showcases of his administration. This hope for the Miller directorship was repeatedly stated by members of Walker's staff.

Provisions were made for Fogel's and Miller's arrival following Walker's inauguration, and Walker's staff turned its attention to other pressing problems of recruitment and general preparation for the incoming administration. Little did they know that these two administrators would soon generate an enormous amount of controversy and conflict. Since both

had developed national reputations as innovators in the states where they had formulated and implemented major policy reform, nothing in their past performances hinted at the degree of resistance they would soon encounter in Illinois.

### 3. The Department of Corrections Under a New Administration

The early days of the Walker administration proved to be an extremely critical period for the direction that the state's juvenile justice activities took over the next four years. For Miller and Fogel this was the time during which details had to be worked out regarding the transfer of the Juvenile Division from DOC to DCFS. Both administrators, hurrying to Illinois to start work, had left their families temporarily behind. Although Fogel and Miller had not been close personal acquaintances prior to their moving to Illinois, shortly after arrival they decided that the best way to facilitate the kind of intense planning needed for achieving the anticipated transformation in the criminal justice system was to share the same residence pending the arrival of their families from out of state. For several months they shared a housetrailer on the outskirts of the state capital, Springfield. From here they commuted to their respective offices and in the evenings at home continued their close collaboration about the future of the criminal justice and child welfare systems in the state.

Ultimately, the success of the planned change depended on the development of a workable plan. Details of the state's role in the diversion of several kinds of juvenile offenders had to be formulated quickly because on January 1, 1973, certain statutes of the 1972 Unified Code had already become effective. At that time all troubled youths under the age of 13 who

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had been adjudicated as delinquent by the Juvenile Court were being placed under the guardianship of the Department of Children and Family Services. An additional condition of the Code was that all children with a MINS status who violated the terms of Court supervision could be referred to the same department. This statute would take effect on January 1, 1974.

Walker, Miller, and Fogel realized that this sudden shift of the jurisdictional boundary contained the possibility of organizational conflict. A certain amount of confusion and even inter-organizational resentment had to be expected in a diversionary project of this scope since DCFS, which had traditionally been an agency for dependent, neglected and/or abused children, would now be mandated to serve an undetermined number of children whose behaviors were characterized as run-away, ungovernable, or delinquent.

Miller's plan for the transfer of the Juvenile Division of DOC to DCFS as a partial solution to this problem was accepted by both Walker and Fogel. Miller's department would assume responsibility for handling all state-mandated issues concerning troubled children (the one exception being severely disturbed children who would continue to fall under the jurisdiction of the Department of Mental Health) and would decide how best to supervise and treat the different categories delineated in the 1972 Unified Code of Corrections.

Once Fogel and Miller had sketched basic outlines of organizational transfer, a meeting to discuss the details of this process with vitally concerned parties was held in early March with Joseph Coughlin and Chet Kamin. Coughlin, who had served as acting director of DOC following Bensinger's resignation, had been privy to much of Fogel's and Miller's

early planning for the transfer of the juvenile division. Coughlin's cooperation in this project was vital since he was the administrative head of the juvenile division and an expert in formulating "progressive" programming. As a strong supporter of reform in juvenile justice, Coughlin shared the opinion that the movement of the Juvenile Division from DOC to DCFS would aid in the attempt to deinstitutionalize and divert youthful offenders. Kamin, the principal person for whom the meeting had been called, was Walker's principal aide in the area of criminal justice and had accompanied Walker to the December meeting in Chicago where Miller had been recruited. By the time of the March meeting, Kamin was serving as official liaison on the governor's staff with all directors of state agencies involved in some aspect of criminal justice administration. At this meeting the administrative team of Fogel, Miller, and Coughlin presented the details of the transfer plan to Kamin so that he could report this information to Walker, who needed it to prepare the executive order of transfer. Following this discussion, Kamin dropped a bureaucratic bombshell. He announced that the decision had been made to effect the transfer of the Juvenile Division through legislative means rather than through executive order.

Kamin and William Goldberg, Walker's chief legal advisor, had convinced the governor that the best procedure to facilitate the transfer of the Juvenile Division was by introducing it as a bill in the upcoming session of the General Assembly. They felt this procedure would generate less political controversy. This change in plans did not provoke any heated reaction since the administrators were assured by Kamin that only marginal opposition to the bill would emerge, and it would quickly be enacted into

law. It is important to note that at this stage in the long-range planning for juvenile justice activities in the Walker administration no public announcement had been made to indicate the decision to transfer the Juvenile Division out of DOC and into DCFS. All of these early agreements and projected reorganizations had been carried out secretly and were known to Walker only, several members of his staff, and a few top administrators in the state's criminal justice bureaucracies.

Shortly after the early March meeting a series of events occurred which were fundamentally to disrupt the plans laid by Walker, his staff and administrators for the management of criminal justice over the next four years. With the convening of the General Assembly, Fogel's and Miller's names were placed in nomination for confirmation along with the names of a number of other Walker appointees. The confirmation process is confined to the State Senate where the names of executive appointees are referred to the Executive Committee for study and their recommendation is then announced before the entire Senate. Once placed before the Senate confirmation requires a simple majority of thirty aye votes. In the 1973 legislative session Walker was already at a slight disadvantage when he began to place the names of his cabinet selections in nomination since the Republicans held a plurality of one vote in the chamber (thirty Republican Senators and twenty-nine Democratic Senators). But, since it was customary to approve the governor's recommendations, Walker's staff did not anticipate any difficulty in having Miller's and Fogel's nominations confirmed.

Miller's nomination was approved without much difficulty, but Fogel's candidacy was rejected after a long, bitter battle had been waged over the

appropriateness of his nomination. The defeat of this appointment was orchestrated by a group of Republican legislators in the State Senate, headed by a member of the State Judiciary Committee, John Graham. Graham, who chaired a standing committee in the legislature for the inspection of correctional facilities in the state for a number of years, was known as "Mr. Law and Order" among his colleagues and led the fight against Fogel. Graham had earlier initiated his own private investigation of Fogel's background and concluded that he was too soft on criminals.

During the confirmation hearings, Fogel did not help his own cause when he appeared before the Executive Committee and stated that he would work for radical reform in the state's criminal justice system. This Republican-dominated Committee recommended that Fogel be rejected as the new Director of the Department of Corrections. In spite of this setback Fogel would still probably have been confirmed if the Daley Democrats had not joined forces with the Republicans in voting against Fogel. By this action the Machine bloc in the Senate disrupted Walker's plans for juvenile justice programming. Efforts by the Walker administration to minimize the harmful effects of sudden organizational change were dealt a damaging blow by the Machine's conduct.

Usually a governor can muster sufficient support through trade-offs with the opposition to insure the appointment of even controversial cabinet members; but, Walker confronted an exceptional situation. At the time of the hearings Walker was opposing the Daley forces on the Chicago Transit Authority (CTA) subsidy question. The CTA was always tottering on the brink of bankruptcy, and Machine Assemblymen had repeatedly introduced bills in the General Assembly to insure its survival. When Walker moved to block this latest subsidy grant, Daley immediately sought revenge.<sup>2</sup>

The political linkage between the CTA subsidy fight and the disruption of Walker's cabinet appointment plans in criminal justice is self-evident. When Fogel's name was placed before the Senate for consideration, one Republican voted to approve Fogel's appointment which -- with the Senate's twenty-nine Democrats -- could have provided the thirty votes needed for confirmation. However, ten Daley-bloc Democrats abstained from voting. This group included one of Mayor Daley's sons, State Senator Richard M. Daley. Following the confirmation rejection, Daley's son put the matter quite bluntly, "I thought we should have the questions of mass transit out of the way first. The governor completely disregarded the intentions of the House and Senate and the fine people of the City of Chicago and the County of Cook" (quoted in the Chicago Daily News, Friday, March 23, 1973).

This major reversal in the selection of a director of DOC created a leadership crisis for Walker. As a stopgap measure, Walker again appointed Coughlin as acting director and even placed his name on the list of possible candidates for permanent director. But the possibility of Coughlin's being selected was quite small. Coughlin's recent work had centered on juvenile correctional affairs. He was still viewed as the key administrator for the Juvenile Division in its anticipated transfer to DCFS.

By May of 1973, a frantic search was under way for selecting another director of DOC, one who had excellent credentials in administering adult corrections and would have little difficulty in being confirmed by the State Senate. During this search the planned transfer of the Juvenile Division still seemed to be a top priority, and plans were being finished for introducing the transfer bill into the state legislature.

In the interim, in response to the defeat of the Fogel candidacy, Walker insured that Fogel remained in the state as part of the governor's efforts to change criminal justice policy and practice by making him the new Executive Director of ILEC. Since this appointment only required executive approval by the governor and did not have to be submitted to the General Assembly for a vote, nothing could be done about this decision by the large numbers of legislators who strongly disapproved Fogel's position on criminal justice administration. From his new position, Fogel would still have a major voice over the future of policies and programs in criminal justice since he would occupy a key decision-making position in an agency which was the conduit for all federal funds coming into the state from LEAA.

The transfer bill upon which all of the reorganizational planning depended was introduced into the General Assembly by a Walker supporter and assistant minority leader of the House, Gerald Shea, during May, 1973. On June 1, 1973, the bill passed the Illinois House and was sent to the State Senate where it was placed before the Judiciary Committee for consideration. As part of its examination of the bill, this committee slated the transfer legislation for public hearing. The principal witness scheduled to appear was the acting director of DOC, Joseph Coughlin. Concurrent with the progress of the bill through the General Assembly was the narrowing down by the Walker staff of potential candidates for the permanent director of DOC.

By mid-June, the Walker team had decided upon Allyn Sielaff, who was currently serving as director of the state adult correctional agency in Pennsylvania. When Sielaff went to Springfield to iron out the final arrangements for accepting the position, the State Judiciary hearings on the

transfer bill were about to begin. By this time a critical decision had been made by Walker and his aides.

In the negotiations with Sielaff no mention was ever made about the fact that they were attempting to transfer the Juvenile Division out of DOC and into another state agency, a point returned to below (p. 202) in discussing adult prisons. There was no hint given that legislative hearings were about to commence concerning this possible action and that the transfer scheme was part of more extensive planning for the fundamental reordering of state policies and practices in juvenile justice administration.

Sielaff accepted the directorship of DOC with the understanding that he was being appointed to direct a combined, state correctional agency. When later questioned by criminal justice colleagues about his subsequent decision to fight the transfer plan, he responded that his primary reason for leaving Pennsylvania where he had managed an adult correctional agency was that the conditions of the acceptance agreement gave him the opportunity to direct an agency mandated to handle both adult and juvenile correctional affairs.

As Walker had hoped, when Sielaff arrived in Illinois in June as his new appointee to head DOC, little opposition developed to this choice; Sielaff was easily confirmed by the General Assembly. Sielaff was already known in the legislature as a correctional moderate since he had previously served during the 1960s as the regional director of the National Council on Crime and Delinquency in Illinois before leaving for Pennsylvania to direct the correctional agency there. Although he had developed a reputation for favoring reform throughout the criminal justice system, he was known to support a policy of selective custodial care for juvenile offenders and to

exercise tight controls over adult prisons. The former ideological position was at considerable variance with the professional posture of Jerome Miller, who was hoping to gain jurisdiction over the Juvenile Division of DOC.

As soon as Sielaff arrived in the state to take over the administrative reins from Coughlin, he discovered that a major drive was under way to remove one-half of the departmental jurisdiction from his control. Surprisingly, this discovery did not create any major tension between the new director and the governor. Walker stuck with his acceptance agreement and did not interfere with whatever measure Sielaff took to prevent the transfer. Sielaff immediately initiated two actions. First, he forbade Coughlin, who was scheduled to testify before the Senate Judiciary Committee hearing in favor of the transfer, from appearing before the group. Second, he publicly announced that he was totally opposed to the removal of the Juvenile Division from his agency. Quickly, considerable confusion and distress spread through the circle of top criminal justice administrators in the Walker regime as it became evident that Sielaff was going to try to block the passage of the transfer bill and thereby repudiate the essential reform planning that Walker had previously supported.

It was political expediency that lay behind Walker's unexpected reversal in long range planning. The Walker forces were beginning to experience considerable stress from another sector of the state's criminal justice system, unrest in the adult prisons, which quickly supplanted the governor's concern for the needs of juvenile justice reform as the top priority on his criminal justice agenda.

In 1973, the cloud of the 1971 Attica Prison Rebellion in New York State still hung heavy over state governments throughout America. In

Illinois, disturbances in several of the adult maximum security facilities had erupted following Walker's inauguration, and administrators in the Adult Division of DOC were extremely frightened by the prospects of major riots. Disturbances in the state prison system had also followed the inauguration of Ogilvie, but there had not been the specter of Attica looming over state governments in 1969. This problem was compounded by the fact that security forces, the prison guards, in the adult facilities were unhappy about working conditions, were threatening to walk off their jobs, and were attempting to unionize. In these early months of his regime Walker wanted at all costs to keep the lid on this troublesome situation.

The extent to which the Walker team was concerned with the problems of the adult system was evidenced by the fact that in the recruitment of Sielaff they made the point not to mention that plans were underway to transfer the Juvenile Division of DOC to DCFS. In his haste to see that the appropriate steps were taken to initiate change in the juvenile justice system but above all to reduce tension in the adult prison system Walker had launched a frantic search for a replacement for Fogel. The selection of Sielaff was based primarily on the fact that he had established a reputation for keeping the adult prisons in Pennsylvania quiet.

Attempts by Fogel and Miller to convince Sielaff that the cause of juvenile justice reform could best be served if he supported the transfer of the Juvenile Division to DCFS met with strong negative response from Sielaff. Sielaff simply stated he had been recruited by Walker to direct a combined Department of Corrections, and he intended to do just that. This confrontation between the major administrative figures in state government's criminal justice agencies caused top level communications to deteriorate

markedly in this network, especially between Fogel, Miller, and Sielaff. The major communication link that remained open was the one between Fogel and Miller, who continued to share a common outlook on juvenile justice reform based on their earlier collaboration.

The outcome of this series of unexpected events was that conditions had arisen whereby major disagreement about organizational planning, programming, and configuration for juvenile corrections had developed quite early in the Walker administration. The principal cleavages that had already appeared continued to affect the tone of juvenile justice policy formulation and implementation for the rest of the governor's term of office. Battle lines were eventually drawn for a protracted period of bureaucratic warfare over the control of juvenile justice policies, programs, clients, and funding. With Sielaff's public repudiation of the transfer of the Juvenile Division from his agency and the cessation of the governor's active support for the transfer bill, Judiciary Committee forces in opposition to this legislative package had little trouble in finding the votes needed to kill the suggested transfer. By the middle of the summer any hope that had been held for the imminent transfer of the Juvenile Division to DCFS was dispelled. The Juvenile Division was again securely embedded in DOC. Whatever planning was to occur with regard to this unit's treatment of youthful offenders would be initiated from within DOC itself.

With the confirmation of Sielaff and the defeat of the transfer bill by the legislature, calm returned to top level decision-making in the Department of Corrections. Walker granted Sielaff more administrative autonomy than had been legislatively built into the position he was filling.

The Unified Code of Corrections, which went into effect on January 1, 1973, stipulates (Illinois Code of Corrections 1972: 8) that the chief administrators of both the Adult and Juvenile Divisions were technically appointed by the governor and were ultimately his responsibility, although in the pursuance of their duties they worked under the jurisdiction of the departmental director. The importance of this structure was that the assistant directors could demand a direct audience with the governor if they felt it to be necessary. The director could not insist on their channeling all comments, complaints, or suggestions through his office in order to be considered by him first. This structure had existed during the preceding governor's administration when Bensinger as director of the Department of Corrections had been assisted in his duties by an assistant director in both the Adult and the Juvenile Division. In the Juvenile Division Joseph Coughlin had been the assistant director.

However, with the recruitment of Sielaff to become director of the Department of Corrections this arrangement was drastically changed. As a condition for Sielaff's accepting the directorship, Walker promised that the two assistant directorships would remain vacant. This circumstance allowed the new director to establish a degree of autonomy in decision-making in the department that had never before existed. The policies and practices of DOC would now more closely reflect the personal outlook of the director than in the past.

This proved to have significant implications given the organizational cleavages that had emerged within the state's criminal justice network following Sielaff's appointment. With blockage of the major reorganizational scheme, reform efforts became incremental. At best a moderate in juvenile

correctional matters, Sielaff expressed no interest in developing a plan to close down the state reformatories.

The core of important administrators responsible for setting policy, overseeing program activities, and supervising line staff continued to be Joseph Coughlin, Robert Weber, and Samuel Sublett. All three were holdovers from the preceding Ogilvie administration and had been retained by the current director to insure continuity of services. To have summarily dismissed this set of administrative appointees, although not technically protected by civil service provisions, would have severely disrupted the immediate, day-to-day operations of the Juvenile Division. Although Coughlin no longer occupied the position of assistant director of the agency, he was the senior administrator in the Juvenile Division to whom both Sublett and Weber still reported.

Undoubtedly the most ambitious enterprise for the Juvenile Division and one being directed by Weber was the attempt to transform the structure of juvenile correctional activities from a state-wide system based on the use of several large reform schools to a regional system based on small-scale, decentralized services. Initiated during the Bensinger directorship, regionalization was viewed as the principal effort to develop an appropriate context for community-based corrections. The state had been divided into four geographical regions: Southern, Central, Northern, and Cook County. The restructuring of services in three of the regions was initiated during the Bensinger directorship, but this task was not begun in the region with the most complex problems and the largest delinquent population in the state, i.e. Cook County, until Sielaff's tenure as director of DOC.

It was Weber's responsibility to devise an integrated juvenile program for each region that encompassed the entire spectrum of state correctional services: intake, assessment, placement, treatment, parole, and discharge. This task required the cooperation of all principal service components in the Juvenile Division, namely Community Services, Youth and Family Counseling Services, and Institutional Services. As the mastermind of this plan, Weber was given a free hand by the directors, Bensinger and Sielaff, in working out the organizational details of regionalization.

Although custodial care was retained within each region as part of departmental policy, the shifting of large numbers of delinquents around the state was to be prevented. Only several large reformatories such as the Illinois State Training School for Boys at St. Charles, were kept open and used to house more violent and uncontrollable offenders. When necessary, youths could be transferred from regional treatment centers to these facilities. The idea behind regionalization was to keep juvenile offenders near their own communities and to use large, geographically distant facilities only as a last resort.

In Institutional Services where Sublett was largely responsible for the formulation of policy, the immediate goals were (1) to reduce the total number of treatment centers, (2) to deemphasize the use of large reformatories, and (3) to provide a wider range of treatment alternatives for offenders who were being held in custodial installations. The first two goals, of course, were being partially facilitated by the fact that significantly smaller numbers of juvenile offenders were being committed by the Juvenile Court to DCJD.<sup>3</sup>

Specifically in respect to the second goal, among the large installations being closed under Sublett's direction were the Reception and Diagnostic Center of Joliet, which usually housed several hundred inmates, and the maximum security reformatory, Illinois Industrial School for Boys at Sheridan, which also housed several hundred inmates. The general strategy was to replace these large facilities with smaller ones scattered throughout the state.

By 1974, there were six of these smaller residential facilities, called Youth Development Centers, which offered a range of programs stressing vocational training. In some cases they occupied the sites and facilities of the former forestry camps. In that sense, they still constituted minimum security settings. The remaining, large-scale, traditional reformatories included the Illinois State Training School for Girls at Geneva, which had become co-educational, and the Illinois State Training School for Boys at St. Charles. These now represented the juvenile correctional settings where the most severe forms of restraint could be exercised.

Implementation of the third goal had taken the form of developing additional, special schools where younger offenders could be placed and provided with tailored, educational programs. In these settings the concern for security was deemphasized. During Sielaff's tenure the number of special schools administered by DCJD rose from one to three. As in the case of the smaller treatment units, the Youth Development Centers, funding for these special schools was largely being provided by LEAA as part of its obligation of fulfilling the needs of Illinois' comprehensive state plan.

Although a movement toward smaller and more specialized framework for treatment represented a definite reform trend within Institutional Services, Sublett undertook nothing on the scale of the complete deinstitutionalization of juvenile offenders envisioned by Miller in his earlier collaborative planning with Fogel on the future of juvenile corrections in Illinois. A commitment to some form of secure, custodial care was an integral part of program planning within Institutional Services. Perhaps the most fundamental restructuring was Sublett's accommodating the Department's regionalization plan.

Within Field Services much of what was emerging in terms of policy and practice represented an extension and expansion of initiatives launched during the preceding directorship. Weber remained the principal idea man and continued to use the vehicle of Special Services to undertake long-range planning and to institute pilot projects.

Among the most important projects introduced earlier and now being developed into full-fledged programs were Foster-Group Homes and the Regional Field Model. The former grew out of a feasibility study conducted in 1971 to determine if the Juvenile Division should assume the responsibility for managing and/or sub-contracting community-based residential settings for possible parolees who had no other placement options. The assumption was that the delinquent population under custodial care could be returned to communities much more quickly if a wider range of placement resources were available.

Foster-Group Homes represented an effort on the part of juvenile correctional services to participate more fully in community-based activities and as such was another move toward gradual reform. Once the decision

was made to sub-contract a number of foster homes and to drop the idea of funding state-operated group homes, the project was transferred to Family and Youth Counseling Services for expansion into a state-wide service. The transfer was effected in February, 1972, and became an important resource for the Juvenile Division throughout the Sielaff administration.

The second project, the Regional Field Model, was another attempt to innovate new approaches to community-based rehabilitation for offenders who had been released from custodial care. Located in a high delinquency neighborhood in Chicago, the project emphasized a team-approach for providing a wide range of services to each parolee. Once activated, the program was transferred from Special Services to Family and Youth Counseling Services where it was showcased by Weber as the aftercare (parole) model which would be employed in the Cook County Region once the regionalization process had been completed. As with most experimental projects started in the Juvenile Division, the Regional Field Model had been financed with LEAA funding.

While the planners and top administrators in DOC continued to introduce gradual changes in policy and practices in the Juvenile Division, far more ambitious activities were being considered in other parts of the state government's juvenile justice network. In the vanguard of this planning effort was ILEC.

#### The Illinois Law Enforcement Commission During the Walker Administration

ILEC's role as a conduit for federal funding remained essentially the same after Walker assumed office. However, he immediately replaced Ogilvie loyalists with his own top administrators starting with Donald Page Moore as

Commission Chairman. Shortly after this appointment, Kamin and other planners on the Walker staff who were working on issues of criminal justice suggested a major reorganization of decision-making powers in the agency. The thinking behind this move was that the changes would more fully insure the governor's exercising full control over the policies and practices of ILEC. The crux of the reorganizational scheme was to convert the role of Chairman into an honorary position and simultaneously to transform the Executive Directorship into the key position of authority within the Commission.

To enhance the director's power in the new system Walker created an executive committee of three, all appointed by the governor and headed by the director. This revised framework contrasted sharply with the arrangement during the Ogilvie administration when the principal authority was vested in the Commission Chairman who presided over two standing committees -- correction and juvenile justice -- which screened all items of business. These committees decided which business matters would be presented before the full Commission for vote. Under Walker the principal screening mechanism was to be the executive committee headed by the Executive Director.

In both the Ogilvie and Walker regimes, the dominant characteristic of ILEC with respect to allegiance was that the governors always exercised absolute control over the decision-making procedures of the agency, but Walker had taken steps to narrow decision-making and to ensure tighter control of ILEC. Walker wanted to minimize the influence of the General Assembly on this agency. Although he had the statutory power to appoint and dismiss commissioners, he had become fearful of legislators' swaying

commission opinions. Walker could only muster a majority in the General Assembly by forming ad hoc coalitions with Republican legislators against the Daley Democrats; this weakness repeatedly plagued Walker in his legislative maneuvers, especially in the area of juvenile justice.

After the State Senate rejected the nomination of Fogel as Director of DOC, Walker named Fogel Executive Director of ILEC, much to the chagrin of many Assemblymen. This appointment insured Fogel a continuing role in the state government's decision-making in criminal justice activities. Most important for proponents of the fundamental restructuring of the juvenile justice system it offered the possibility of renewed planning by Miller and Fogel.

While the top administrative positions were reordered, the professional staff structure was also changed. Previously, staff duties had been divided into four categories: (1) the Law Enforcement Specialists Unit, (2) the Research and Evaluation Unit, (3) the Planning and Field Operations Unit, and (4) the Education and Training, and Science and Technology Unit (see the chart, Chapter V, p. ). The tasks to be done were reshuffled as follows (1) the Planning and Development Division, (2) the Professional Services Division, and (3) the Operations Division, and (4) the new Government and Public Services Division.

The creation of the fourth component was the important staffing change. The Government and Public Services Division had the primary responsibility for acting as liaison for ILEC with other agencies of state government, for maintaining a close working relationship with units of local government, the judiciary, and the state legislature. The last of these duties represented the emergence of an executive lobby to gain support for

ILEC's policies and practices among the state legislators. The General Assembly was crucial in providing matching funds for all federal grants channelled through ILEC so a favorable opinion in the legislature about the yearly comprehensive state plan and the overall goals of the agency was necessary. Walker was aware of his lack of reliable support in the legislature and took whatever steps he could to make ILEC a powerful executive force to aid his criminal justice planning.

In the first comprehensive state plan submitted to LEAA by the Walker administration (FY 1973), ILEC stated that its most pressing administrative problem was that far more youths than necessary were entering the juvenile justice system. The plan specified this problem area as well as a number of others that ILEC hoped to solve with LEAA grants. The needs of the Illinois system included:

- (1) Increased services to youths prior to entrance into the system
- (2) A greater number and variety of alternatives to incarceration for adjudicated youths
- (3) Improved detention practices and programs with emphasis upon alternatives to detention
- (4) Diversified re-entry programs for parolees
- (5) Increased institutional programming

The needs specified in this plan guaranteed that federal funding would be distributed over a wide variety of organizations participating in the juvenile justice system and across the state, county, and municipal levels of government. During the first three years of the Walker administration the scale of federal funding for ILEC represented an absolute increase over the level during the Ogilvie administration. However, the rate of inflation

during the Walker administration caused the apparent increase in funding to be a slight decrease. By FY 1975, the actual rate of funding had fallen and inflation had taken an even greater toll as indicated by the following chart.

ILEC Budgets: 1973-1975

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FY 1973: Federal Grant - \$25,898,000

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FY 1974: Federal Grant - \$25,898,000

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FY 1975: Federal Grant - \$25,555,000

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During the Walker administration, a crucial issue was the funding relationship of ILEC to DOC and DCFS. Miller's presence on ILEC's executive committee, plus his earlier collaborations with Fogel, strongly suggested that DCFS's increasing involvement in delinquency prevention and control, particularly in the area of diversion, would be enlarged by a steady flow of federal juvenile justice funds. This situation was reflected in the planning linkages that existed between ILEC and DCFS during Walker's term.

Several important planners who had worked on juvenile justice reform in other eastern states during Miller's tenure in Massachusetts followed him to Illinois and joined either his or Fogel's staff. They constituted a small clique of influential planners committed to radical reforms in juvenile justice. The Jeffers, a couple, were crucial in this network. Tom Jeffers served Miller's staff as an administrative assistant to aid in juvenile justice planning. His wife, Donna, was hired as a deputy director of ILEC and worked closely with Fogel.

In contrast to these close personal ties linking ILEC and DCFS, there was minimal personal communication linking ILEC to DOC. Rather, their top administrators and planners mainly communicated by inter-agency memo or official letter. The favored position held by DOC during the Ogilvie administration no longer existed. In the Walker administration Miller and DCFS came to assume the same close and confidential relationship with ILEC that Bensinger and DOC had possessed during the Ogilvie regime. Sielaff, who had developed a confrontational relationship with Fogel and Miller because of his fear of losing control over the Juvenile Division, was never privy to collaborative planning for federal funding. Of course, as the legislatively mandated juvenile correctional service in Illinois, the Juvenile Division could not be denied a substantial share of LEAA funding, but much of the money destined for major reform projects was directed elsewhere, frequently to DCFS.

Legislative opposition to ILEC's being an executive agency operating mostly outside legislative control first surfaced early in Ogilvie's administration but intensified greatly during Walker's tenure. This was exacerbated by Fogel's directorship of ILEC which proved almost as controversial as his candidacy for director of DOC. Leading Republicans repeatedly accused him of personally running the entire criminal justice system from ILEC's executive director's office.

In June of 1975, Republican State Senator Graham introduced a bill in the General Assembly to restructure ILEC with the intention of decreasing Walker's role in the selection of commissioners and to require legislative confirmation in the choice of executive director. The bill included the condition that in the future the Commission would have a total of twenty-two

commissioners instead of thirty. Of these twenty-two, the governor would select only thirteen instead of thirty. The bill passed both the House and Senate and was placed on the governor's desk for his signature in late summer. As expected, Walker vetoed the bill, and the General Assembly was unable to muster sufficient votes to override, thus ensuring the continuation of the Fogel directorship throughout Walker's term as governor.

The conflict over the structure of ILEC reflected the fact that Republican leadership in the General Assembly was accustomed to exercising considerable influence over the state government's participation in juvenile justice. Walker's manipulation of ILEC generated considerable anger among a number of Republican Assemblymen. This hostility resulted both from his creation of an executive committee and from his selection of Fogel. Republican leaders who had long been active in criminal justice affairs in the legislature tended to hold somewhat traditional views regarding correctional practices. They viewed Fogel as a dangerous radical. Rallying behind State Senator Graham, these Assemblymen did everything possible to bring ILEC more under the control of the General Assembly.

#### The Role of Other State Agencies in Juvenile Justice Activities During the Walker Administration

Aside from the Juvenile Division of the Department of Corrections, the state's principal participant in juvenile justice activities during the Walker administration was the Department of Children and Family Services. When Miller assumed directorships of DCFS late in January, 1973, the agency was one of the state government's largest departments with a \$100 million-plus yearly budget. It was expensive to serve as legal guardian of 26,000

dependent, neglected, emotionally disturbed, and abused children. Soon to be added to this list of clients would be a large number of youthful offenders who were being diverted there by juvenile courts throughout Illinois. Further, the department employed an enormous staff of approximately 3,000 employees and maintained eighteen district offices, each combining administrative and direct service functions.

During Miller's tenure as Director, DCFS had the responsibility to serve as guardian both for delinquent children under thirteen years of age and for MINS cases, who, after January 1, 1974, violated a lawful court order, i.e., violated a condition of their probation. The Department might also assume responsibility for other delinquent or MINS children upon request of the juvenile court.

It is important to note that during the Walker administration DCFS relied heavily on a purchase-of-services model for delivery of services. In meeting an extremely wide range of child welfare responsibilities, this organization, operating very few programs directly, contracted other social service agencies to provide the required services on behalf of its wards. This approach was ideally suited to Miller's management style since it allowed considerable flexibility in the restructuring of programs and also allowed leeway for the manipulation of funds to bypass organizational resistance to planned change. Miller had employed a purchase-of-service model in deinstitutionalizing juvenile corrections in Massachusetts.

When the transfer plan, discussed above, fell through, Miller realized that the planned transformation of the Division could not be counted upon but still proceeded to plan for his agency's major role in the diversion of juvenile offenders. To this end Miller recruited a former, trusted

assistant, Paul DeMuro, who had been instrumental in successfully shutting down juvenile reformatories in Massachusetts. Miller put DeMuro in charge of a small planning unit which developed a wide ranging plan for DCFS's diversion endeavors.

In Massachusetts, DeMuro had quickly become Miller's key subordinate while initially acting as one of four principal assistants in charge of expediting regionalization in the state. This was a process crucial to restructuring the Massachusetts Department of Youth Services since it facilitated the shift from a custodial to a treatment orientation characterized by the movement toward markedly decentralized community-based services. Like Miller, DeMuro was strongly committed to the need for deinstitutionalization of youthful offenders and self-identified as a radical reformer in juvenile justice.

When Miller left Massachusetts, DeMuro agreed to follow him to Illinois to aid in the diversion and deinstitutionalization efforts as the person in charge of juvenile correctional services in Illinois. Since the transfer of this component to DCFS was part of Miller's acceptance agreement with Walker, no difficulty was anticipated by either Miller or DeMuro about DeMuro's becoming the senior administrator in the Juvenile Division. Meanwhile, DeMuro remained in Massachusetts to complete the regionalization process. When DeMuro did arrive in Illinois in August, 1973, things had changed drastically as recounted previously. Miller now had only faint hopes of gaining control of the Juvenile Division.

In the confusion generated by events between March and August of 1973, Miller had taken steps to get a one-year (September 1973 - August 1974) planning grant from LEAA to pay DeMuro's salary and to establish a

small planning unit where the larger role to be played by DCFS would be decided. This federally funded project came to be known as the DOC/DCFS Liaison Project but was staffed entirely by personnel from DCFS. Miller and DeMuro were quite aware that the agency was guaranteed a considerable role in handling youthful offenders since large numbers of children would be diverted to DCFS given the statutory guidelines of the Unified Correctional Code of 1973.

The final goal was to reduce the Juvenile Division's mandate to the point where DOC administrators would have great difficulty in justifying the continued existence of their unit. The critical question facing the Miller team was how DCFS could expand its diversionary mandate to this level. What followed was a series of ever more ambitious projects for diverting larger and larger numbers of youthful offenders from contact with DCJD. Each project attempted to extend the scope of diversionary jurisdiction beyond the limits established by the Code of 1972.

The first stage in this progression was the Reclamation Project which emerged from the Liaison Unit's think tank within several months. Based on the legal argument that DCFS could still exercise rights of guardianship over certain children currently being confined in DCJD reformatories, the project was hastily put together and was funded with residual state revenues (\$150,000) that had been left in DCFS's coffers.

The Reclamation Project represented a minor and rather limited effort at extending the diversionary mandate. There was no calculated risk involved since the project was absolutely justifiable under the state's existing juvenile statutes. In a sense the project allowed the recently organized staff of planners in the DOC/DCFS Liaison Unit a first chance to

hone their skills before launching any major diversion project that might generate close scrutiny and heated controversy. Interestingly, the Reclamation Project never had an official point of termination but simply came to a halt when LEAA funds arrived for the larger and more ambitious project that superceded it.

The new project clearly represented an attempt to expand DCFS's jurisdiction. While DeMuro and his staff worked out the final details for the Reclamation Project, writing had already begun on the grant proposal for federal funding for the new project. The final proposal began to take shape as early as February of 1974. In May, at approximately the same time the Reclamation Project was starting, it was submitted to the regional planning group, the Chicago-Cook County Criminal Justice Planning Committee, before being passed to ILEC for review and inclusion in the comprehensive state plan. Early on, Fogel and Miller had decided that the proposal should be approved by ILEC and submitted to LEAA for funding.

The project, entitled the Unified Delinquency Intervention Service (UDIS), won LEAA funding approval. As usual for LEAA action grants, the award was for three years and totalled \$6 million-plus. The federal share for the first year was \$1.5 million. At the time of LEAA's public announcement of the award, Miller claimed that 350 youthful offenders would be diverted from contact with the Juvenile Division of DOC during the first year of the project.

Although clearly exceeding the legislated boundaries of DCFS's jurisdiction in diversionary matters, the project could always refer to the convincing argument contained in its grant proposal to dispell the criticisms of its opponents. The proposal noted that about two-thirds of the youths

incarcerated in correctional installations in Illinois had been committed for dangerous offenses and could be treated in community programs for approximately \$5,600 per ward. In 1973, DCJD was maintaining about 1,000 youthful offenders in various installations at an annual cost of \$17,000 to \$20,000 each. The overall cost of operating the Juvenile Division's institutions for 1977 was about \$22 million. The implementation of the UDIS project would produce an overall savings to the taxpayer of \$9 million per annum since UDIS could provide the required services for less than one-third of the institutional costs (UDIS, 1974).

The fact that this project would exceed the previous mandate for DCFS was readily apparent from the goals stated in the UDIS proposal:

- (1) Establishing an adequate network of community-based services.
- (2) Reducing commitments to the large institutional facilities of the Department of Corrections, Juvenile Division, by 35%.
- (3) Providing services at a cost much lower than institutional placement with the Juvenile Division.
- (4) Reducing recidivism to a rate less than the 50 to 60% rate experienced by youth released from training schools in Illinois.

Among the population to be served by the new project were probation and parole violators and repeat delinquent offenders. The grant proposal identified the need to focus on:

- (1) Teenage, Black males in Cook County who constituted approximately 70% of all new commitments and returned parolees in DCJD since its inception in January of 1970.
- (2) 13 year-old males who were nearly all Black and comprised a significant percentage of commitments and were regarded as more amenable to treatment.

(3) Girls, most of them Black.

The announcement of the award of the UDIS grant to DCFS with the accompanying details of the project's mandate came as a startling surprise to DOC. Although aware that a major diversion project was being developed in the DOC/DCFS Liaison Unit, Sielaff and his top aides in DOC had no idea of the precise nature of the project since the planning of the project and the submission of the proposal to ILEC had been carried out with as much secrecy as possible.

When word leaked from ILEC about DCFS's preparing to extend its diversionary strategy to more serious offenders, Sielaff directed Weber to draft a counterproposal to present before the anticipated meeting of concerned parties when Miller's team decided to reveal their latest proposal. This meeting was called by DeMuro for December, 1973, to discuss the issue of additional diversion of juveniles from DCJD. The meeting was attended by a number of administrators from agencies affected by the diversionary process: Elizabeth Begg from the Department of Human Services, Judge William White from the Juvenile Court, Al Carpenter from ILEC, Paul DeMuro from DCFS, and Robert Weber from DOC. When DeMuro presented a draft of the UDIS Project, Weber handed out a counterproposal for consideration. The document outlined the possible participation of DOC in future diversionary projects. This action caused a disruption of the meeting.

Problems at the initial meeting led to a convening of the directors of the principal agencies -- Miller, Sielaff, and Fogel -- to discuss how best to proceed with the matter of diversion. With the support of Fogel, Miller was able to convince Sielaff to sign a joint document which assigned responsibility for all diversionary projects to DCFS and which agreed that all

federal monies for diversion should be earmarked for the same agency (see Appendix F). This outcome to the meeting was an implicit acceptance by Sielaff of the idea of the UDIS Project and clearly placed Miller in a commanding position with regard to innovative programming in state government.

That UDIS did in fact dip into the population of serious offenders usually administered by DCJD became strikingly evident during the first year of its operation (October 1974 until September 1975). At the completion of the first year of service, a total of 221 youths had been diverted from DCJD to UDIS. Of the total number, 55% were offenders who had been charged with major felonies including murder, rape, armed robbery, arson, and burglary. Twenty-nine (13%) of these offenders had committed crimes against persons, while 183 (83%) were property offenders (Huff 1977: 41).

The final goal in Miller's cooptative endeavor was the intention to extend UDIS state-wide, focusing primarily on the larger urban areas. This expansion of DCFS's mandate would result in the channelling of the majority of juvenile offenders throughout the state into Miller's jurisdiction. The Project was entitled the Juvenile Offenders Services Project (JOSP). The decision to initiate this planning was based upon the knowledge that \$10,000,000 in discretionary monies were available from LEAA.

Miller had become aware of the possibility of JOSP by way of an informal inquiry from the head of the federal Office of National Priority Programs, Fred Nader. Anticipating a major reorganization of the juvenile branch of LEAA under the provisions of the Juvenile Justice and Delinquency Prevention Act then pending in Congress, Nader was eager to

advance his own career and saw in the person of Jerome Miller an excellent connection through whom to do just that. By funding the largest single juvenile diversion project ever undertaken in the U.S., Nader felt he could create a large positive splash in LEAA. There was considerable confidence on the part of Nader's staff that Miller's grand scheme to deinstitutionalize the entire juvenile justice system in Illinois would become a landmark in the field.

At an important meeting in April the conditions and details of the proposed grant were discussed. Nader met with Miller, DeMuro, and Geschwind of the Liaison Unit, and Allan Carpenter a representative from ILEC. Details for funding this third phase in DCFS's diversionary strategy were worked out, and the formal proposal was submitted to LEAA by June.

Since the LEAA monies were to be discretionary, there was no need to notify DOC about this planning, consequently, the preparation of the proposal was undertaken without the knowledge of Sielaff and his staff. When the proposal was submitted, it was accompanied by a cover letter from Governor Walker to Donald Santorelli, the director of LEAA (see Appendix G). Walker's support of this project under the auspices of DCFS was indicative of his turnabout in juvenile justice affairs since the grant would further undermine DOC's mandate. By this time Walker's behavior was somewhat confusing to members of his cabinet in that he was arbitrarily supporting Sielaff on some issues and Miller on others.

Shortly after the JOSP proposal was submitted, DeMuro and the principal author of the document, Bill Geschwind, went to Washington to confer with Nader about the details of the project. Strong assurances were given by Nader that the grant would be awarded to DCFS, and Miller and

DeMuro expressed confidence to their staffs that funds for JOSP would be available early in 1975. The stage was set for launching the last initiative in Miller's plan to undermine DCJD's mandate.

Miller's small group of planners had Sielaff and his staff on the defense, and the award of the JOSP grant would have probably led to the demise of the Juvenile Division. With a rapidly dwindling flow of clients into the Juvenile Division, DOC could have no longer justified its enormous juvenile institutional budget to the Appropriations Committee in the General Assembly. These funds would have undoubtedly been transferred to the coffers of DCFS and were in fact the fiscal plum that Miller had been seeking from the moment he arrived in the state. With these monies in hand he could have rapidly closed down all of the juvenile facilities in the state. Miller was in sight of his ultimate goal.

However, the DOC/DCFS struggle was eventually won by Sielaff's forces by default. Just as Miller seemed certain of victory in his organizational war against DOC, major problems brewing in another sector of Miller's operations erupted. These problems were rooted in a continuing dispute with the state's private welfare agencies, which, within a few months, doomed him as Director of DCFS and ended all hopes of radically transforming the state's juvenile justice system.

Charges of mismanagement which had cropped up repeatedly during Miller's tenure as Commissioner of DYS in Massachusetts returned to haunt him in Illinois. The earliest important critic of Miller's procedures was the presiding judge of Cook County Juvenile Court, William White, who, by October of 1973, was already accusing Miller of sloppy management. It is probable that White's remarks about Miller were in part motivated by

political considerations since he had long been closely tied to the Machine. White held the position of presiding judge at the pleasure of the Machine and had previously served in the state legislature as a member of the Daley bloc.

Although Miller's response to such criticism had always been that his department was undergoing fundamental reorganization and that these changes were bound to create a certain amount of confusion, White refused to back down and argued that reorganization was no excuse for what was happening. In a strongly worded public statement White claimed that the situation had reached crisis proportions by late fall of 1973.

White's objection to Miller's managerial procedures was followed by widespread condemnation from the directors and staffs of a number of the powerful, private welfare agencies such as the Chicago Child Care Society, Lutheran Child and Family Services, and Catholic Charities. Certainly in the case of Catholic Charities' attacks on Miller, there was good evidence to support the accusation that the Daley administration had orchestrated these criticisms. There was a long history of close ties between Catholic Charities and the Democratic Machine.

The Daley forces were quite unhappy with Miller's trying to change the traditional role played by this agency in providing services to troubled children. In addition, they were delighted by the opportunity to create more problems for the Walker administration by pointing out publicly the managerial shortcomings of one of Walker's star administrators.

The continuing theme of criticisms by the private agencies was that Miller's ineptitude was responsible for administrative chaos in his agency. Representatives of these agencies further argued this situation was creating

havoc in their affairs since each of the private agencies was dependent to some degree on DCFS for funding. DCFS had traditionally contracted these agencies for services.

This criticism reached a climax in December, 1973, when the State Senate Committee on Public Health convened a special hearing to consider these charges. Among those testifying against Miller at the hearings were the executive director of the Chicago Child Care Society, the executive director of Lutheran Child and Family Services, and the president of the Chicago Chapter of the National Association of Social Workers, all powerful figures in the field of child welfare in the state. They unanimously disapproved of Miller's performance as director of CDFS.

In addition to the overriding concern with faulty management in these claims, another theme emerged during these hearings. It was evident from the testimony that much more was at stake for these wealthy and well-entrenched child-care organizations in their struggle with Miller. These agencies were attempting to retain their traditional mandates which were being threatened.

From this controversy emerged a glimpse of Miller's grand plan for the radical restructuring of all child services in Illinois. In attempting to introduce the most fundamental change in the child processing system since the passage of the Juvenile Court Act in 1899, Miller envisioned the use of a set of strategies that would allow him to tie the state's juvenile correctional agency, the private welfare agencies, and the DCFS as the central coordinating unit into one interconnected whole.

Not only was Miller trying to coopt the mandate of DCJD but he was also trying to alter fundamentally the responsibilities of the private agencies

in their dealings with troubled children. The neglected and dependent children (contracted out by DCFS) for whom the private agencies traditionally provided services would have been placed in group and foster homes established by DCFS. Delinquents from the juvenile reformatories that Miller would have closed down would have been contracted to the private agencies for care and treatment. There was no history in the private agencies for dealing with this kind of severely disturbed and violent juvenile offender and the prospect of this scenario had been met with great opposition on their part.

The Senate hearing demonstrated that Miller was in serious trouble with a number of legislators and the majority of the private child-care agencies. For the present, however, Miller returned to his post as director and continued his complex machinations for change with the private agencies and with DOC. In the spring of 1974 with the possibility of the JOSP grant looming large on the horizon, Miller increased pressure on the private agencies to accept large numbers of delinquent youths who would be diverted in DCFS's jurisdiction in the near future.

Miller's difficulties as director were again publicized when he was called before the Senate Appropriations Committee in June of 1974. This committee was reviewing the state budget for Fiscal Year 1975. As a departmental director, Miller had to appear to answer questions about his appropriation requests. At that time he was severely criticized for his style of management and several committee members insinuated that it would be best for the state if he resigned. Miller vowed not to resign whatever the criticism.

Miller had never spelled out to Walker the details of his monumental scheme to reorganize totally the provision of services to children. The Governor's general impression by this time was that Miller was generating conflict haphazardly in whatever he did. Walker increasingly viewed Miller as a political liability in his administration. In August, 1974, he asked for Miller's resignation.

Miller's resignation followed only by a few weeks LEAA's announcement that it was awarding DCFS a \$6,000,000 three-year grant to institute the UDIS project. Miller's greatest diversionary triumph only briefly predated his own administrative demise.

The possibility for a radical restructuring of the juvenile justice system was greatly reduced. Walker selected Mary Lee Leahy, who had been serving as an aide on his staff, as Miller's replacement in September of 1974. Once appointed, Leahy quickly made it apparent that she did not intend to pursue Miller's policy of expanding the diversionary mandate of the agency in the attempt to further narrow DCJD's jurisdiction over serious offenders. Leahy's posture led LEAA to reconsider funding JOSP. After conferring with Leahy in Chicago in early October, Nader and his staff decided to withdraw the JOSP proposal. Without this funding there was no way for DCFS to expand the UDIS project into a state-wide operation.

Leahy, who was still awaiting final confirmation by the State Senate, took one more drastic step to disassociate herself from Miller's efforts in hopes of appeasing the Republican Senators. Earlier, she had been rejected by the Senate when Walker had nominated her to head the state's Environmental Protection Agency. Leahy told Walker that she felt DCFS

should no longer assume responsibility for administering the UDIS project. Her justification for this request was that statutorily UDIS should be embedded in the Juvenile Division of DOC.

Taking Leahy's advice, Walker decided in December of 1974 to transfer UDIS. Walker made the public announcement of the shift of UDIS to DCJD in February, 1975, although the actual transfer was not effected until October, 1975. DCFS continued to assume responsibility for those categories of youthful offenders who were being diverted in accord with the conditions of the 1972 Unified Code of Corrections. Miller's plan to seize control of the state government's juvenile justice mandate and to deinstitutionalize a wide range of juvenile offenders had been rebuffed. Calm returned to the Walker cabinet. One of the most fascinating, turbulent and important episodes in the history of juvenile justice administration in Illinois closed.

With DOC's regaining undisputed control of the central role in treating delinquents, Sielaff was eager to obtain federal funding which had earlier been offered to DCFS. Leahy freely shared information which had previously been regarded as confidential by top DCFS administrators. Of major interest were facts concerning the JOSP proposal and its withdrawal by LEAA after the dismissal of Miller.

By December of 1974, with Leahy's cooperation the details of DCFS-LEAA negotiations were sufficiently understood so that Sielaff personally contacted Fred Nader at LEAA to see if any of these discretionary monies were still available. Having been told that the funds had not yet been awarded, Sielaff and his top administrators were given the go-ahead by Nader to prepare a new proposal. Upon return to Chicago, Sielaff placed

Weber in charge of preparing the proposal for LEAA. It was written under his direction by planners in Special Services and submitted in April, 1975.

Although the proposal stressed community-based treatment for serious offenders and earmarked only minimal funding for institutional programs, LEAA refused to fund the request and returned the proposal on grounds of inadequacy. Sielaff quickly had another proposal prepared by his staff but placed the work under the direction of Sublett instead of Weber. A revised proposal was resubmitted during the summer, but it also stalled during review at LEAA. Through the fall of 1975, the DOC team continued to be unsuccessful in their attempts to capture any of the discretionary funds for serious offenders which had earlier been earmarked for DCFS under the directorship of Jerome Miller.

At the same time Sielaff and his top administrators were having difficulties in obtaining discretionary funds from LEAA, the regionalization process was finally completed. Weber, who had been the principal architect in this major restructuring of the system -- ending with the activation of the Cook County Region in August, 1975 -- found his five-year involvement with DOC suddenly coming to an end. Within several weeks of the completion of regionalization Sielaff fired Weber without any prior notice, leaving only Sublett as the only survivor from the original circle of Coughlin, Weber, and Sublett. Coughlin, who had continued to support the diversion of significant segments of the Department's delinquent population, developed differences with Sielaff over policy issues and left the agency in mid-summer of 1974 to take a teaching position. The era of reform administrators in the Juvenile Division, which had started with Ogilvie's appointment of Coughlin, had come to an end at least for the present.

When Sielaff had assumed the directorship of DOC in the beginning of the intense struggle with Miller over control of juvenile justice programs, Weber was a key figure in the Department's attempt to project an image of being an organization committed to working for major change. Weber's push for reform-oriented planning during Bensinger's tenure and his well-known reputation as a progressive administrator in the field served Sielaff's purposes well during the period of bureaucratic warfare. Weber was Sielaff's principal operative in this struggle. However, as soon as DOC had safely secured its mandate and repelled Miller's attempt to coopt the Juvenile Division, Sielaff was eager to rid himself of a planner who was likely in the future to support more progressive measures for DCJD that Sielaff himself wanted to see instituted. With the completion of regionalization there was no further reason for Sielaff to keep Weber on the staff.

In summary, this case study of the state government's participation in juvenile justice administration has shown how the convergence of a set of explicitly political factors acted to generate an extraordinarily high level of inter-organizational and intra-system conflict in the state's juvenile justice network during the Walker administration. The prolonged confrontation between Governor Walker and Mayor Daley spelled disaster for Walker's legislative programs in the General Assembly. Although Walker had very carefully chosen the top administrators who were to guide his juvenile justice agencies through the period of intense change during the early 1970s, he had not counted upon the sabotage that occurred during the confirmation proceedings for a number of his key appointees. Once coordination broke down among the state governmental agencies in the

juvenile justice system, conflict became rampant. The presence in his cabinet of perhaps the most radical juvenile justice reformer in the U.S. only intensified the turmoil. As a result, reform was piecemeal and only vaguely resembled the goals established at the outset of the new administration.

The Role of Municipal Government in Juvenile Justice During the Walker Administration

The city of Chicago continued to coordinate the activities of the JYDP centers, which had expanded to a total of five units by the time Walker took office. The annual budget for their operation was approximately \$3,370,000 of which \$2,730,000 represented the contribution of the four participating agencies for staff salaries. Model Cities and OEO grants totaling \$640,000 per year paid administrative costs, rents, and salaries of the unit directors, record coordinators, and clerical staff.

By 1973, the Division of Correctional and Youth Services at DHR under E. Bigg's supervision was placing increased emphasis on the role of Youth Service Bureaus in the city's programming of juvenile justice activities. YSBs were program centers where juvenile offenders could be diverted from further contact with the juvenile justice system. Following apprehension by the police, youths who had been arrested for minor infractions of the law could be referred directly to these centers. The creation of the YSB was a natural extension of the CAR concept.

DHR had begun to submit proposals to ILEC for LEAA funding to develop his kind of multi-service center as early as 1971. By 1973, the agency was experiencing considerable success in capturing federal dollars for this purpose. Bigg's staff was expending much of its time and energy

in establishing YSBs throughout high-crime areas in Chicago. The decision had been made to locate one of these centers in each JYDP facility to augment the rather thin set of programs that DHR had previously been operating. There was considerable enthusiasm on the part of the Division of Correctional and Youth Services that this expanded mandate in diversionary programming would insure the city an unassailable role in the state's juvenile justice system. Given LEAA's response to their proposals, this conclusion seemed to be justified. By the end of FY 1974, DHR had responsibility for twelve YSBs in Chicago, five housed in the HYDP centers and seven housed in separate facilities.

The Daley administration could take credit for having made Chicago's city government an important participant in the juvenile justice system. In a sense, the movement of DHR's Division of Correctional and Youth Services to the forefront of innovative programming in the area of juvenile justice exemplified the skillful maneuvering of the Machine to play an ever increasing role in this field. Between 1958, when the city's only mandate in juvenile justice was the responsibility for apprehension of juvenile offenders by the Chicago Police Department, and 1975, when the city both supervised and operated a wide range of juvenile justice programs molded to the needs of all kinds of juvenile justice offenders, the city's mandate had undergone enormous expansion. This role could readily be translated into a yearly budget of millions of dollars of federal monies and a vast cadre of city employees who populated the service bureaucracies. The political significance of this transformation is obvious. Once the Machine had established a suitable foothold in the system and had developed a loyal bureaucratic base, they could move to further their political goals through the manipulation of this new sphere of influence.

In addition to the partisan political benefits that accrued to the Machine from intensifying the level of contact between the city administration and dependent ethnic neighborhoods and from generating large sums of money for a variety of uses, the growth of the city's juvenile justice mandate eventually led to situations comparable to those described in an earlier case study of career mobility by Republicans in Illinois state government. As federal funding provided the Machine with the necessary resources to develop large public service bureaucracies which were staffed mostly with minority employees, the Daley forces were able on occasion to use these circumstances directly for electoral gain. The creation of new bureaucracies provided the Machine with a readily available training ground for potential political candidates. Here, minority bureaucrats who would eventually be slated to run for office on either the local or state-wide Democratic ticket could be tested for degree of loyalty, could begin to develop popular images as competent and concerned public servants, and could generally be groomed for political careers.

The most important example of career mobility in the Chicago city administration involving the vehicle of juvenile justice administration and employing ethnic identity in an attempt to ensure electoral success for the Democratic Machine was Erwin France. Although his mobility could not be attributed solely to professional identity as a juvenile justice practitioner, France's advancement up the bureaucratic hierarchy for France and his eventual selection as a candidate for public office were clearly tied to the growth of the city's juvenile justice mandate and the role he played in it.

By the time France ran for office, he possessed a professional persona which was more broadly defined than if his entire career had been centered

totally in CYW or DHR. Over a period of ten years, France had achieved notable success as an administrator in the Daley regime and had finally reached the organizational heights of being named the head of the city's principal bureaucracy (CCUO -- Model Cities) for managing all federal poverty funding in Chicago. By the time Daley appointed France to this position in 1969, the city's juvenile justice program was only a small part of the total structure of social welfare programming supported by the federal government in Chicago.

France's progression to a spot among the city's top administrators illustrates the extent to which his reputation was built on his participation in juvenile justice related matters. When the city first became active in developing an enlarged mandate in juvenile justice administration in the late 1950s, France was a little-known administrative assistant to Mayor Daley. His primary role had been as a troubleshooter for the Mayor's Office where the presence of a Black representative tended to help the city administration's side of a dispute.

France was initially a peripheral figure in the original planning for the creation of the Commission on Youth Welfare. His first major assignment in juvenile justice affairs came when Daley created the Joint Youth Development Committee in 1961. Daley appointed France to the Committee specifically to aid in the planning for the multi-service centers. Once the proposal was funded, France worked closely with representatives of the other participating agencies to ensure that the program was implemented properly. By this time he had already become a key liaison for the Mayor's Office in matters of juvenile justice administration.

France again served on an important city commission, in part as a specialist in the problems of delinquency when, late in 1964, Daley named him to the Chicago Committee on Urban Opportunity. While serving on CCUO, France became a close working associate of Deton Brooks, who had been chosen by Daley to head the Committee. This close working relationship continued until Brooks and France became the two most powerful Black bureaucrats in the Daley administration.

The wide scope of activities which France supervised caused him to become a well-known public figure in Chicago's Black belt. When formal planning for the Model Cities Program began in 1967, Daley named France to head the group which was developing the details of the city's participation in this federal program. While serving in this role, France was quite active in the planning for the expansion of the JYDP centers into Model Cities target neighborhoods. When DHR was created in January 1, 1969, Deton Brooks was selected to be its first Commissioner, and France was chosen to replace him as Director of CCUO. At each step up the city's administrative hierarchy France received more and more media exposure both in the newspapers and over television.

In the early days of the Nixon administration (summer of 1969) when it became apparent that monies for the Model Cities Programs were indeed going to be made available to Chicago, Daley announced France's appointment as head of the entire Model Cities Program in Chicago. In 1971, when Daley reorganized the city's two major conduit agencies for federal funding, CCUO and Model Cities, into one administrative framework, France came to administer the entire federal social welfare program in Chicago. By 1974, the combined agency, CCUO -- Model Cities had a total

of 9,000 employees, and the city had received over \$147,000,000 as a result of its participation in the Model Cities Program alone. France continued to hold his key position through the mid-1970s when Daley asked him to run for public office.

Due to the development of a surprising internal problem for the Machine -- the defection of an important Black, party loyalist to the ranks of the Independent Democrats -- the Daley forces suddenly needed to slate a new candidate who was known and respected by the city's Black population. The bolting of this loyalist from party ranks had nothing directly to do with Walker's effort to develop a following among independent-minded Democrats in Chicago and throughout Illinois. As will be detailed later in this discussion, this defection reflected a growing disenchantment among certain Black political allies of the Machine with Daley's lack of sensitivity to problems of the Black community in Chicago.

Once the problem had arisen, the Cook County Democratic Central Committee, i.e., Daley, concluded that France was well qualified to run for public office and proceeded to slate him. Ironically, the crisis that led to the slating of France for office revolved around a struggle over William Dawson's old Congressional seat in the First District of Chicago's South side.

Since the 1930s, there have been very few Black politicians in Chicago who have not been officially aligned with the Democratic Machine. Once the Black voting bloc switched allegiance from the Republican to the Democratic Party following the election of FDR in 1932, the Machine had exercised an iron grip over Chicago's Black vote. Whoever is slated by the Democratic Central Committee to run for office in these areas is assured of victory.

Occasionally, an independent, a maverick Democrat or a Republican candidate has won election to the State Legislature, but in the past forty years all Black members of the Chicago City Council and all Black members of Congress from Chicago have been loyal Machine Democrats.

Black politicians have become acutely aware that their chances for election to local or national office are virtually non-existent unless they join forces with the regular Democratic Party in Chicago. William Dawson was the last prominent Black to have launched a successful political career as a Republican. However, while serving as a Republican alderman, Dawson was convinced by Cermak that a brighter future awaited him if he joined the Machine. Dawson did switch party affiliation and was elected to the Congress as a Representative of the First District in 1942. He held this office for twenty-eight years and became the first Black since Reconstruction to be chairman of a major congressional committee, Government Operations. For a number of years, he was perhaps the most powerful Black politician in the U.S.

When William Dawson died on November 19, 1970, Daley chose Ralph Metcalfe to fill the vacancy. Metcalfe, who had garnered world-wide acclaim as a gold medalist in the 1936 Berlin Olympics, served for fifteen years as a Black alderman in the City Council where he loyally voted for Daley's programs. Metcalfe had also served as Democratic Committeeman of the 3rd Ward since 1952. He had always worked diligently for the election of Machine candidates and had repeatedly delivered overwhelming pluralities for Daley in his mayoral campaigns.

However, when Metcalfe arrived in Washington to fill Dawson's seat in the House, he displayed the first signs of political independence by joining

the Congressional Black Caucus, a step which Dawson would never have considered. While serving in Congress, Metcalfe paid increasing attention to the problem of crime in his own congressional district.

Late in 1971, he enlisted the support of a number of Black clergymen and other prominent community leaders from the South side of Chicago to launch the Third World Committee on Crime Prevention. In April of 1972, safely renominated by the slatemakers from the Democratic Central Committee and assured of re-election, Metcalfe suddenly attacked the Daley administration over the issue of police brutality in Chicago's Black community. In a series of public statements he accused the Machine of systematic discrimination against Blacks and pointed to the prevalence of random violence by the police against Black citizens as proof of his argument. Metcalfe formed a new group, the Concerned Citizens for Police Reform, and laid down tough demands to Daley and Police Superintendent Conlisk: more Black policemen, more Blacks in higher police ranks and in police policymaking positions, cessation of aggressive riot control procedures in Black neighborhoods, and the establishment in each police district of a civilian review board to investigate allegations of police brutality and abuse. This list of demands caused considerable consternation on the part of the Machine, but attempts were made by both sides to smooth over this disagreement.

In the spring of 1974, when Metcalfe's name was placed before the Democratic slatemakers, he was able to convince the Party leadership of the value of including him on the ticket. As expected, he won handily, but in January of 1975, his continuing dispute with the Machine came to a head. Metcalfe refused to support the candidacy of Daley in February mayoral

primary. Instead, he came out in support of William Singer, an Independent Democrat, who was felt to be Daley's strongest opponent. This snub was the last straw for Daley and the slatemakers on the Democratic Central Committee. Daley immediately instructed his department heads in the city bureaucracies to strip Metcalfe of all his patronage jobs. As 3rd ward committeeman, he had traditionally controlled about 250 patronage jobs.

The split between Metcalfe and the Machine grew even wider when Metcalfe filed suit in U.S. District Court claiming that three city and county officials had tried to intimidate his precinct captains into working for Daley's reelection in the February 25th Democratic primary. Not surprisingly, when Metcalfe's name was presented before the Central Committee for consideration for reslating as the Regular Democratic Candidate for the First Congressional District, he was flatly rejected.

At this point, Daley recommended that Erwin France's name be placed before the Central Committee for consideration as their candidate for this congressional seat. France received an overwhelming endorsement and was slated to run in the fall campaign. France was able to mount a strong race, stressing his record as a well qualified administrator who had been responsible for channelling a variety of valuable resources into the Black community through CCUO and Model Cities Programs. In addition, he was able to match Metcalfe's campaign rhetoric about the problems of crime in Black neighborhoods by pointing to his own role in developing delinquency prevention and control programs.

Clearly, the Machine was utilizing their mandate in juvenile justice administration to create circumstances where they could manipulate the vote in a vital election in Chicago's Black belt to their own ends. However, in a

startling setback for the Daley forces, Metcalfe was able to rouse sufficient community anger in his crusade against Machine racism and domination to defeat France in the race for the House seat in the First Congressional District.

In summary, the second case study in this chapter documents the nature of the participation of Chicago's city administration in juvenile justice affairs and the implications of this involvement for wider political events of municipal and state-wide importance during the Walker administration. For the city the most notable characteristic was a continued growth in number and size of organizations. While Daley and his Assemblymen in the legislature battled Walker at every turn in the state government's attempt to satisfy the federal guidelines and funding requirements for planned change, the city's administrators at DHR quietly avoided conflict and carved out an ever larger niche in juvenile justice. The most notable expansion occurred in the proliferation of Youth Service Bureaus which provided the precise diversionary framework that LEAA was seeking at the local level.

Once the city's role in juvenile justice administration had been firmly established, the Machine began to utilize its agencies for electoral gain. In much the same way that the Ogilvie administration had attempted to launch a political career for Bensinger by appointing him Director of DOC, the Daley forces groomed Erwin France for electoral office.

## Chapter VII. Summary and Conclusions

### 1. Summary

As part of a wider national phenomenon, the juvenile justice system in Illinois has undergone abrupt organizational and policy changes during the past decade. These changes have been largely stimulated from the outside by federal participation in efforts to reform the way in which state, county, and local governments have administered the affairs of juveniles who had been labeled delinquent. This federal stimulation of planned change has been carried out under the auspices of a recently created bureaucracy, the Law Enforcement Assistance Administration, and has pursued federal, governmental goals through the use of nationally legislated guidelines and the offer of financial aid in the form of grants to support efforts to effect the proposed change.

Under the conditions of the Federal impetus for planned change, there has been a widespread movement by elected officials and administrators to adapt their planning to respond to the suggestions being made by LEAA to juvenile justice jurisdictions in the call for new programs, new goals, new procedures, and new structures. In Illinois, this response has been characterized by a general growth in the number and size of organizations participating in the juvenile justice system. Inter-organizational competition and conflict have increased as these participants undertook various courses of action: first, to ensure the success of agencies in being important participants in the juvenile justice system and, second, to help achieve the political goals of those elected officials and their parties exercising control over these agencies.

In the body of this monograph I have attempted to show how, in Illinois, this matter of bureaucratic self-interest at a time of major planned change has acted to influence the behavior of administrators, public service agencies, elected officials, and political parties participating in various aspects of the administration of juvenile justice. Between 1969 and 1975, a large number of organizational actors in the state's juvenile justice network were actively engaged in devising strategies to maximize their chances for gaining and/or maintaining access to those resources necessary for survival and success. In certain instances this involved creating totally new agencies and carving out niches that had previously not existed in the state's juvenile justice network. Struggles over funds, clients, and legislated authority to operate programs frequently developed among these organizations.

In Chapter I, I observed that anthropologists who have studied complex societies have tended to ignore bureaucratic organizations, their behavior, and their impact on the lifeways of the various groups and segments of urban populations that have come to be the primary research foci of these anthropologists. This indifference is unfortunate. The involvement of public bureaucracies in so many facets of social life qualifies them as significant governmental actors in the affairs of the total society. The study of those groups and segments of urban populations with which anthropologists have been increasingly concerned would greatly benefit from an examination of the role played by bureaucracies in the affairs of these citizens.

In exploring the performance of bureaucratic organizations, it becomes apparent that their behavior is affected by an immediate and ever-present

concern for the flow of resources into the networks in which they were linked. Policies and procedures of specific agencies reflected the degree of success in obtaining needed funds, clients, and program privileges. This bureaucratic concern with access to resources necessarily led to an examination of the political and economic aspects of the structure and behavior of these juvenile justice agencies. Since these organizations operate under the jurisdiction of elected officials, bureaucratic self-interests are necessarily tied to the plans and goals of political parties.

In Chapter II, I undertook the exposition of this argument about the importance of the linkage between bureaucratic behavior and the structure of the wider political system by examining the principal features of the political system in which juvenile justice agencies in Illinois carry out their legislated mandates. The preeminent characteristic of 20th century politics in Illinois has been the division of the state into two distinct geographical spheres of influence with the Republicans dominating electoral politics in downstate Illinois and the Machine Democrats exercising almost total control in the Chicago area. This regional character of party politics was a product of the consolidation of the Democratic Machine in Chicago in the 1930s when all major ethnic, racial, and religious voting blocs aligned themselves with the Cermak regime. State-wide, this pattern of influence led to three principal voting blocs in the General Assembly -- Machine Democrats from Chicago, Independent Democrats from Cook County and downstate, and Republicans outside of Chicago -- which contested for control over the content and passage of legislative bills.

The domination of the Democratic Machine reached its zenith in the era of Mayor Richard Daley. Under Daley's leadership the Chicago Machine

developed a strong voice both in national Democratic politics and in the Congress, thereby ensuring the city vast sums of federal funds regardless of whether the President was a Democrat or a Republican. These circumstances proved extremely useful to the Daley administration in that bureaucracies operating under the auspices of city hall greatly proliferated over the past quarter century. The increasing role of Chicago's city government in juvenile justice activities was expanded exponentially as funds were made available by the federal government in a series of national programs. In addition, the Machine exerted considerable influence in the Illinois General Assembly since it could always count on bloc voting from its large representation in both chambers of the legislature. This situation always guaranteed a steady flow of state revenue to finance municipal programs.

In contrast to the highly centralized, monolithic Chicago Machine, the Republican forces have had much less unity in their actions in state politics. However, the Republicans had succeeded in holding the governorship much of the time during the past seventy-five years. This fact insured them a consistent voice in the legislature since the governor had a major role in deciding which legislative packages were introduced during each session.

The most important development over the past decade for the Republicans has been the emergence of the Chicago suburbs as a major stronghold of party strength. Cook County Republicans have assumed a greatly increased role in county and state politics. Consequently, the Chicago Machine Democrats are now constantly faced with the problem of controlling the principal county elective offices.

It is in the Illinois General Assembly that the structure of electoral politics, given the continuing Democratic/Republican split geographically and socially, most directly impinges on the fortunes of public bureaucracies mandated by statutes in the state constitution. Here, decisions are made concerning the allocation of funds and the definition of jurisdictional boundaries for governmental bureaucracies. In this setting, legislators from the two parties dispute over which resources are directed to which units of government. Though a multitude of decisions about public services are made at the county and municipal levels, the direction and fate of most organizations in the juvenile justice system are decided in the General Assembly.

In Chapter III, I provided a detailed account of the evolution of the juvenile justice system in Illinois. Here, I have shown how the emergence of this system created structures and procedures that were to generate inter-organizational competition and conflict when planned change was suddenly introduced in this bureaucratic network starting in the late 1960s and early 1970s. For the first six decades of the 20th century, the piecemeal development of the juvenile justice system, following the creation of the juvenile court in Illinois in 1899, displayed several notable characteristics: (1) municipal, county, and state levels of government received different mandates and assumed different responsibilities with respect to the processing of youth, (2) through the mid-1960s ever greater emphasis was placed on the use of reformatories to "rehabilitate" delinquents, and (3) the continuing emphasis on maintaining clear jurisdictional boundaries among treatment programs for juveniles who had been labeled delinquent prevented the emergence of any unified effort to

treat all problems of troubled youth under one organizational framework. These trends had developed slowly and represented a lengthy history of legislative debate, statutory enactment and revision, and bureaucratic commitment to existing principles. Although harshness in treatment procedures varied somewhat from agency to agency, a dedication to the status quo characterized the administration of juvenile justice in Illinois.

In Chapters IV, V, and VI, I examined the roles of the principal participants (elected officials and their staffs, the top administrators and their agencies, the political parties, and representatives of the federal government engaged in the effort to stimulate change) and the important events during the administrations of Governors Ogilvie and Walker when major planned change was starting to occur in the state's juvenile justice system. Between 1969 and 1975, state politics revolved primarily around three contending forces: the gubernatorial regimes of the Republican Ogilvie (1969-1972) and the Democrat Walker (1973-1976) and the common foe faced by both of these administrations, Chicago's Mayor Daley, who always seemed to command as much power and influence in Illinois at any given time as did either governor. As noted, the accepted arena for disputation among these key political actors was the state legislature.

The Ogilvie forces came into office at a time when the federal government was only beginning to spell out its guidelines for planned change in the state's juvenile justice system. LEAA had been created at approximately the same time that Ogilvie had been elected. Shortly after taking office, Ogilvie created the conduit agency, ILEC, which became the crucial state link in the federal effort.

Like Ogilvie's regime, Walker's administration maintained a relationship very antagonistic to the Chicago Machine, but the experiences of the Walker forces in managing the state's affairs in juvenile justice were strikingly different from those of Ogilvie and his staff. Walker took office at a time when federal stimulation of planned change was beginning to have major effects on the performance of the juvenile justice system. In addition, the difficulties posed by the state legislature's shifting of jurisdictional boundaries and redefining how various categories of juvenile offenders should be processed resulted in intense fighting within Walker's own ranks. Open conflict developed among members of Walker's cabinet over the right to obtain funds and to manage programs for treating segments of the delinquent population. This dispute was intensified by the Walker staff's continuing problem in obtaining legislative cooperation from either the Daley or the Republican Assemblymen in such juvenile justice matters as confirmation of executive appointees, transfer of programs, and appropriations for new or enlarged agencies. These complications served to increase confusion and conflict in the Walker administration. This was a startling reversal from the legislative record of Ogilvie in which virtually all recommendations concerning juvenile justice met with approval.

The primary goal of the Daley Machine in the area of juvenile justice during the tenure of both Ogilvie and Walker was increased participation through the vehicle of city government. During the reorganizational period of the late 1960s and early 1970s, Daley's key strategy was to create a quasi-mandate which could serve as a stepping stone to a position of permanent importance in the system for his juvenile justice bureaucracy. Rather than employing tactics that led to direct confrontations with other

units of government over control of programs, the Daley forces concentrated their efforts in carving out a niche that complemented already existing programs and met the needs of federal planning for change. In short, Daley was trying to expand the influence of the Machine and control the Illinois Democratic Party.

## 2. Conclusions

The general conclusions that follow derive from relationships among the following characteristics of the social field under study: (1) formal political structure and processes, (2) statutory guidelines for the transformation of public policy, (3) the mandated role of public bureaucracy, and (4) externally-induced planned change. These factors constitute the conceptual categories which are needed for a general exposition of the central thesis of the dissertation. This exposition emerges from three general propositions generated by a set of questions posed earlier (see Chapter I, p. 29), exploring key dimensions of the role of public bureaucracy in the wider political system.

To a great extent, this inquiry into bureaucratic behavior centers on elucidating the nature and significance of the linkages between public bureaucracies and the wider political environment in which these organizations are embedded. To speak of bureaucratic performance is necessarily to be concerned with conditions and developments in the larger political system. Since these bureaucratic organizations operate under the auspices of elected officials and their political parties, the bureaucracies must be viewed as important features on the political landscape.

The introduction of externally-induced change, such as that effected by federal agencies, seems to have systemic effects on both the bureaucratic network and the wider political system. These perturbations of the total system seem to arise from responses to alterations in the flow of resources through the bureaucratic network. The concern exhibited by bureaucracies and elected officials with the acquisition of resources vital to the success of the bureaucratic system, directs our inquiry to the question of self-interest. That is, when such agencies and political organizations (or, more appropriately, the participants directing such groups) are confronted with the possibility of increased participation and enhancement of power, what is the range of self-interests that emerge.

Therefore, the exposition of the central thesis of the dissertation -- that an explanation of bureaucratic behavior during a period of major change must include an understanding of the role that self-interests of bureaucratic agencies, their administrators, and concerned elected officials, play in determining the performance of bureaucracy -- resides in demonstrating the nature of the self-interests of the principal participants and how these self-interests serve to influence their behavior and the behavior of the bureaucratic network with which they are concerned.

The varied self-interest of these participants -- agencies, administrators, elected officials, and political parties -- are all concerned with either electoral or bureaucratic advantage. Electoral advantage has to do with votes while bureaucratic advantage has to do with expanded jurisdictions and funds. The behavior of public bureaucracy as a political economic phenomenon represents the intersection of these two kinds of self-interests under a given set of circumstances.

Proposition A: The articulation of components in a bureaucratic network with different levels of government determines the way in which these organizations perform as participants in the political system when externally-induced planned change is introduced.

In the U.S. the evolution of bureaucratic systems has generated administrative patterns where responsibilities become increasingly specialized and are differentially assigned to various levels of government. In the case of the federal stimulation of planned change in juvenile justice administration at the local, county, and state levels the most general effect that spread across the entire system was an increase in the total number of agencies and individuals involved at all levels of government in this bureaucratic arena. Since different units of government concerned with juvenile justice fell under the jurisdiction of opposing political parties, the behaviors exhibited by these public bureaucracies reflected the self-interests of these political parties.

The availability of new resources offered an opportunity both for bureaucratic growth and for further consolidation of the positions of elected officials and political parties controlling the fate of these agencies. The broadening of mandates guaranteed larger budgets, bigger staffs, and a wider array of programs for agency administrators. Likewise, these changes created opportunities for greater manipulation of agencies by elected officials as the members of bureaucratic networks became increasingly significant actors in the operation of each unit of government.

The mutuality of self-interests during a period of planned change tended to lend itself to the development of common goals for both elected officials and agency administrators. Increased participation in the network

of public bureaucracy served the ends of all concerned participants. This commitment to a common purpose was further reinforced when elected officials and agency administrators held the same political views. The appointment of professional, non-partisan administrators sometimes resulted in differences of opinion about the primary goals of bureaucratic behavior. Under this condition, electoral and bureaucratic self-interests do not coincide.

Proposition B: The structural features of politics in the wider system determine the ways in which elected officials from political parties manipulate public bureaucracies for electoral gain when externally-induced planned change is introduced.

Episodes of the overt manipulation of juvenile justice agencies during a period of intense planned change represented attempts by elected officials and political parties to utilize whatever electoral resources were available for winning the allegiance of voter constituencies. The specific form of manipulation varied according to conditions under which such an action was undertaken. The introduction of new resources into a service system at a time of planned change provided political capital for the development of new or enlarged bases of support in dependent segments of the population or in the bureaucracies themselves.

Although the way in which political parties attempted to maximize their self-interests by using public bureaucracies to coopt voting constituencies is situation-specific, there were several predominant modes of manipulation. Common were attempts either to establish patron-client relations with semi-marginal populations in urban settings through agency contact or to launch

political careers for party hopefuls by placing individuals in highly visible appointive positions where public decision-making enhanced voter appeal. Both techniques represented efforts to narrow the basis of popular support of opposing political parties.

Proposition C: The differential effect of planned change on the behavior of participants in a bureaucratic network is the direct result of variations in the structure and distribution of power in the wider political system over time.

During the political administrations of Ogilvie, Walker, and Daley, the introduction of planned change by the federal government into the network of juvenile justice agencies in Illinois led to a marked increase in the level of competition among participants. This competition was an expression of elected officials' and administrators' attempts to maximize their self-interest. The particular form this behavior assumed was determined by the specific structural features of the wider political system. Some periods were characterized by relative calm in inter-organizational relations while others were marked by intense and bitter struggles between key participants in the system. It is important to note that the incrementalism marking the evolution of a network of public bureaucracy rarely lended itself to overt inter-organizational conflict. Only with externally-induced change introducing altered responsibilities and new funding did the possibility of systems conflict arise.

At the level of state government the political party controlling the executive branch had little difficulty in achieving its partisan, bureaucratic goals if it held a majority vote in the legislature. The ability to obtain

passage of bills relating to various aspects of executive involvement in public bureaucracy and to secure the confirmation of executive appointees to key administrative positions enabled the executive branch to manipulate those agencies under its jurisdiction with little interference or conflict. The specific nature of the manipulations depended upon the service characteristics of the agencies and the priorities of the political party at that point in time. The aim of the manipulators always was the control of voting constituencies.

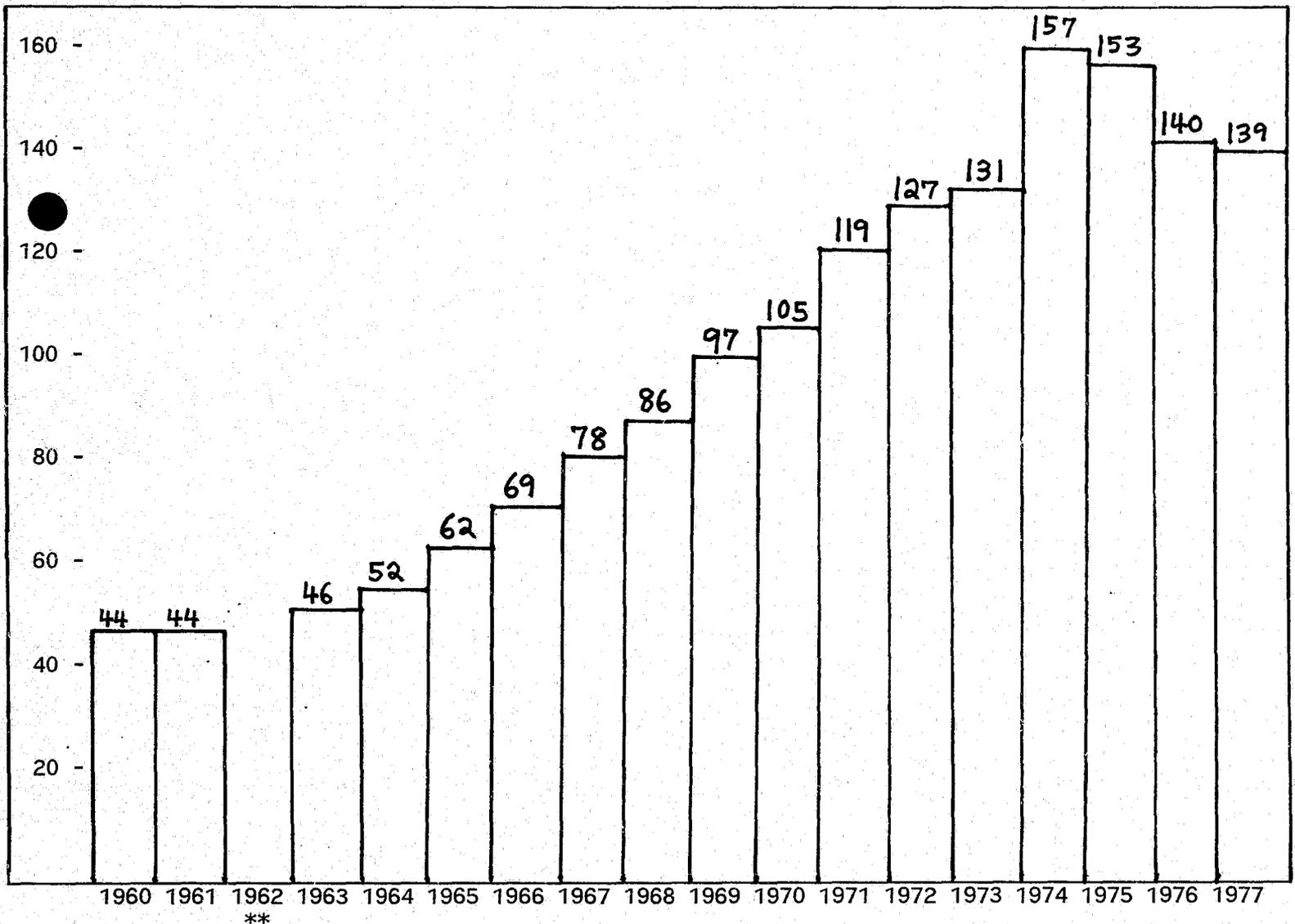
In contrast, if the executive branch of state government was unable either to impose its will on the state legislature or to form temporary coalitions to achieve a majority vote on important measures concerning public bureaucracy, the ability of the executive to manipulate agencies under its control was rendered considerably more difficult. Facing major problems of coordination, this administration was probably unable to orchestrate the behavior of public bureaucracy without major disruptions. The particular form this conflict assumed depended upon the distribution of power among political factions in the state and the range of self-interests exhibited in the state legislature.

APPENDIX A - Abbreviations

ACA	-	American Correctional Association
CAP	-	Chicago Area Project
CAR	-	Community Adjustment Report
CCCCJPC	-	Chicago-Cook County Criminal Justice Planning Committee
CCDCC	-	Cook County Democratic Central Committee
CCUO	-	Chicago Committee on Urban Opportunity
CTA	-	Chicago Transit Authority
CYW	-	Commission on Youth Welfare
DCFS	-	Department of Children and Family Services
DCJD	-	Department of Corrections Juvenile Division
DHR	-	Department of Human Services
DMH	-	Department of Mental Health
DOC	-	Department of Corrections
DYS	-	Department of Youth Services
FACES	-	Program F-A-C-E-S (Freedom-Alternatives-Confrontation-Equality-Success)
HEW	-	Department of Health, Education, and Welfare
HUD	-	Department of Housing and Urban Development
IJR	-	Institute for Juvenile Research
ILEC	-	Illinois Law Enforcement Commission
IYC	-	Illinois Youth Commission
JOSP	-	Juvenile Offender Services Program
JYDP	-	Joint Youth Development Program
LEAA	-	Law Enforcement Assistance Administration
MINS	-	Minors In Need of Supervision
NCCD	-	National Council on Crime and Delinquency
OEO	-	Office of Economic Opportunity
OJD	-	Office of Juvenile Delinquency
OJJDP	-	Office of Juvenile Justice and Delinquency Prevention
UDIS	-	Unified Delinquency Intervention Service
YDDPA	-	Youth Development and Delinquency Prevention Administration
YSB	-	Youth Service Bureau

**APPENDIX B - Juvenile Crime Rates**

Between 1960 and 1975, juvenile arrests for violent crimes have risen 293% (Strasburg 1978: 13). Although this can be partially attributed to an unprecedented 52% increase in the size of the adolescent population in the U.S. during 1960s, the arrest rates per 100,000 population over this period show clearly that violent criminal activity among juveniles has greatly intensified.

**Arrest Rates for All Violent Crime\* by Juveniles Under 18 Years Old**

\* The violent offenses included are murder and nonnegligent manslaughter, forcible rape, robbery, and aggravated assault.

\*\* Total arrests by age are not available for 1962.

Sources: U.S. Department of Justice, Federal Bureau of Investigation, Uniform Crime Reports, 1960-77; U.S. Department of Commerce, Bureau of the Census, Current Population Reports, Series P-25.

APPENDIX C - Mayors of the City of Chicago in the 20th Century

Richard Daley	-	Democrat	1955 - 1976
Martin Kennelly	-	Democrat	1947 - 1954
Edward Kelly	-	Democrat	1933 - 1946
Anton Cermak	-	Democrat	1931 - 1932
William Thompson	-	Republican	1927 - 1930
William Dever	-	Democrat	1923 - 1926
William Thompson	-	Republican	1915 - 1922
Carter Harrison II	-	Democrat	1911 - 1914
Fred Busse	-	Republican	1907 - 1910
Edward Dunne	-	Democrat	1905 - 1906
Carter Harrison II	-	Democrat	1901 - 1904

APPENDIX D - Governors of the State of Illinois in the 20th Century

Daniel Walker	-	Democrat	1973 - 1976
Richard Ogilvie	-	Republican	1969 - 1972
Samuel Shapiro	-	Democrat	1968
Otto Kerner	-	Democrat	1961 - 1968
William Stratton	-	Republican	1953 - 1960
Adlai Stevenson	-	Democrat	1949 - 1952
Dwight Green	-	Republican	1941 - 1948
Henry Horner	-	Democrat	1933 - 1940
Louis Emmerson	-	Republican	1929 - 1932
Len Small	-	Republican	1921 - 1928
Frank Lowden	-	Republican	1917 - 1920
Edward Dunne	-	Democrat	1913 - 1916
Charles Deneen	-	Republican	1905 - 1912
Richard Yates	-	Republican	1901 - 1904

APPENDIX E - Recommendations for Improvement of the Juvenile Justice System

Table of Recommendations

- Formulate police department guidelines for handling of juveniles
- Train police officers in handling of adolescents
- Limit police custody of juveniles to instances where there is objective specific suspicion
- Maintain confidential records of all frisks and extended interrogations of juveniles
- Limit stationhouse adjustment of cases by police
- Provide alternatives to adjudication through Youth Services Bureau
- Increase referrals to community agencies
- Employ voluntary preliminary conference at intake
- Adopt consent decree as alternative to adjudication
- Narrow juvenile court jurisdiction over noncriminal matters
- Restrict prehearing detention and provide separate detention facilities for juveniles
- Provide particularized notice in advance of hearings
- Provide counsel wherever coercive action is possible
- Divide court hearings into adjudicatory and dispositional proceedings

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Source: The U.S. President's Commission on Law Enforcement and Administration of Justice (The Challenge of Crime in a Free Society, 1967: 294).

APPENDIX F - Signed Agreement between Directors of DOC and DCFSAGREEMENT BETWEEN THE DIRECTORS OF THE DEPT. OF CORRECTIONS AND THE DEPT. OF CHILDREN AND FAMILY SERVICES

December 14, 1973

Designated staff of the Department of Children and Family Services and the Department of Corrections met on December 13 and 14, 1973, and agreed to the following:

1. That the ILEC dollars (some discussion of capturing foundation dollars) be used primarily to reduce commitments to the Department of Corrections. It was agreed that DCFS would administrate monies and develop alternative programs for the Juvenile offenders. These programs should be developed for those children at the point of commitment to DOC, with special attention being paid to the most difficult cases. Given substantial funding (1.4 to 1.6 million -- federal dollars -- and some DCFS purchase of service monies) the project would aim to reduce commitments to DOC by 25% (270 to 300 kids the first year).
2. That the project measure its effectiveness by continually checking its impact on the commitment rate to DOC. If the project were to fail to achieve the objective to reduce commitments to DOC, the resources for alternative dispositions developed through project funding would be turned over to DOC to be available for children previously committed and residing in DOC institutions.
3. However, in the greater likelihood, when the project has demonstrated its success in diverting children from commitment to DOC, the DOC would not budget for service for youngsters thus diverted but rather support the allocation of funds to DCFS to continue and to expand the development and use of such alternative resources.
4. Simultaneously, DOC would continue to develop and use community-based resources as alternatives for service to children committed to DOC, thereby reducing further the use of institutions. The ILEC portion and field services would work jointly to avoid duplication of services during the project period and if successful would be added to DCFS.
5. Present statutes should be amended to provide for the release of children from a DOC facility by administrative decision; thus freeing the Parole Board to meet the demands of increased responsibility for decisions on adult offenders.
6. DOC will provide at institutional level a screening mechanism for case review to insure referral of every appropriate candidate to project.

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Jerome G. Miller, D.S.W.  
Director, Department of Children and Family Services

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Allyn R. Sielaff  
Director, Department of Corrections

APPENDIX G - Letter of Support for JOSP

June 3, 1974

Donald Santorelli, Administrator  
Law Enforcement Assistance Administration  
U.S. Department of Justice  
633 Indiana Avenue, N.W.  
Washington, D.C. 20530

Dear Mr. Santorelli:

I am writing in reference to the Illinois Department of Children and Family Services application for funds to develop effective rehabilitation alternatives to existing juvenile corrections programs in Illinois.

I believe that the application effectively documents the problems of juvenile recidivism and the cost to the citizens of our state in terms of safety, property and tax funds.

I fully support Dr. Miller and the Department of Children and Family Services in the effort to develop more effective rehabilitation alternatives for juvenile offenders.

I can assure you such alternatives will receive full utilization both from the juvenile courts and the pardon and parole board.

In addition as the effectiveness of these programs are demonstrated, it is my intention to ask the Illinois legislative for ongoing fiscal support as a regular state budget expenditure.

One of the major efforts of my administration of Illinois State Government has been to develop program objectives for Juvenile offenders which truly serve to reintegrate the youth into a constructive pattern of living. I'm sure you agree that only in this way can we significantly cut down on juvenile crime.

This particular project is one which interests me very much personally, and I hope to be able to phone you in a week or so to discuss our plans for Juvenile Justice in Illinois on a more informal basis.

Sincerely,

Dan Walker  
Governor

DW:jb

FOOTNOTESCHAPTER I

1. The 'State' refers to a type of society where coercive force and economic control are monopolized by a governing body. The term indicates a particular form of social organization in which inequalities of power and wealth among people structure leadership and access to economic goods. In the present study, care should be taken to distinguish between the State, i.e., the federal government and its national jurisdiction throughout U.S. society, and any regionally designated and legally constituted subunit of the federation of such units, the United States, such as the state of Illinois.
2. The term, 'complex societies,' simply refers to those societies in which significant institutional domains such as religion, economics, and politics have become separated and are clearly bounded instead of being mediated through a single, central set of relationships, namely kinship. Such societies are associated with bureaucratic states and are usually characterized by a high degree of diversity in occupation, stratification, religious and political affiliation, race and ethnicity, and economic specialization (Fox 1977).
3. One of the major difficulties in initiating this kind of fieldwork within the boundaries of one's own society is the fact that, for the first time, informants may act as critics of the published findings. In addition, occupants of upper echelon positions in the social structure are usually sensitive to possibly damaging implications of these inquiries and quite expectedly shy away from anthropological observation and questioning.
4. If one tries to understand bureaucracies and treats aspects of their behavior as dependent variables, i.e., as things to be explained, one discovers that public agencies are subject, in the main, to different sets of constraints and pressures than private agencies. Bureaucracies are "owned" by the state which claims to represent society as a whole. These organizations are sometimes rather different from privately owned organizations in the ways that their goals are set and the ways that they obtain legitimacy. In addition, they differ in the processes by which they are controlled and changed. Finally, bureaucracies are to a much greater extent dependent for their financing upon taxes collected by various units of government. Frequently, the immediate recipients of services are not those who provided monies for their operation.
5. It is important to take note of one major definitional distinction made in the sociological literature on complex organizations. A failure to acknowledge this difference might result in some conceptual confusion. The terms organization or formal organization on the one hand and bureaucracy on the other are not synonymous. The former refers to any form of social grouping which is established in a more or less deliberate or purposive manner for the attainment of a specific goal. Here, purposiveness, or goal

specificity, seems to be the crucial criterion differentiating organizations from other types of social units. In contrast, bureaucracy refers to a specific type of formal organization, distinguished by a set of defining characteristics. These characteristics, identified systematically by Max Weber (1946: 196-244), include such markers as specialization, hierarchical authority, impersonality of relations, recruitment on the basis of ability (which can be interpreted as either a democratic or oligarchic tendency), belief in the correctness and rationality of rules, and an obedience to the "legitimate" domination of the legal order.

6. The majority of attempts to arrive at a precise formulation of the concept has come from sociology and political science (Anton 1963; Banfield 1961; Bell 1965; Bierstedt 1950, 1967; Dahl 1957, 1963; Goldhamer and Shils 1939; Lasswell and Kaplan 1950; Mill 1956; Oppenheim 1958; Perry 1963; Polsby 1963; Simon 1953; Weber 1947; Wrong 1965) although anthropologists have increasingly realized the need to use the concept in their models of socio-cultural systems (Adams 1966, 1970a, 1970b, 1975; A. Cohen 1969, 1974; R. Cohen 1965, 1970; Leeds 1973a, 1976, 1978; Smith 1966; Southall 1965).

7. This domain includes the definition, detection, control, and transformation of juvenile behavior that has been deemed unacceptable by those formal agencies of the state, the courts and legislatures, designated for that purpose. Those people who are stigmatized for engaging in socially deviant activities must develop complex relations with the administrative apparatus of government. The social status of these individuals is altered as they progress through the rehabilitative process. Each phase of this progression is characterized by certain expected rules of behavior, vis-a-vis, the representatives of the state. Exit from the system is supposedly marked by the disappearance of all vestiges of stigma initially attached to them when they entered the juvenile justice system.

8. Chicago has long been the leading industrial, marketing, and financial center not only of Illinois but also of the entire midwest. For the past several decades approximately one half of the total population of Illinois has resided in greater, metropolitan Chicago. Since the ascendancy of the Democratic Machine in the 1930's, the Republican Party has been largely ineffectual in Chicago municipal elections. Although Chicago theoretically possesses a weak mayoral system (Banfield 1961; Banfield and Wilson 1963), machine mayors have always run city government with an iron fist. Most elected state legislative officials from Chicago have voted as a bloc and in accord with the commands of Democratic leadership in city hall. This has given the Machine a major voice in all decisions made in the legislature. During his tenure as mayor from 1955 until 1976, Richard J. Daley was considered a king-maker in national circles, and all serious Democratic hopefuls for the presidency paraded to Chicago for his endorsement. When a Democrat occupies the White House, a flood of federal funds is expected and indeed flows into Chicago.

9. As Mitchell suggests (1966: 56-57), one can think of a social field as a series of inter-connecting relationships which are not necessarily bound to specific localities. The unit of observation is the role and role set out of which are derived the relevant relationships and institutional complexes.

10. In the sense of political organization, 'informal political structure' is defined as sets of regular and persistent relationships which become legitimized through the repetition of a pattern of interactions rather than as a consequence of the relations' being legitimized by a law, contract, or a governing body.

## CHAPTER II

1. About one-half of the heads of families of this part of the population had been born in Maryland, Virginia, North Carolina, South Carolina, and Georgia. The remaining one-third of the state's population -- those not born in the South -- was divided almost equally between persons of foreign birth of New England and Middle Atlantic states origin. All of these inhabitants, whether from other states or from abroad, were predominantly of English, Irish, Scotch, or Scotch-Irish descent.

2. After 1845, large numbers of northwest European migrants poured into the U.S. In 1853, when direct rail connections were opened between the East Coast and the Midwest, Chicago's population jumped from 40,000 to 60,000. This European influx into the Chicago area continued unabated until the outbreak of the First World War in 1914. At that time foreign-born residents constituted over 50% of the city's population. However, by the last quarter of the 19th century the principal source of immigration had changed. After 1875, southern and eastern Europe supplied most of the new immigrants. These successive waves of foreign-born immigrants were eventually followed by swelling stream of Blacks from the South.

3. In 1950, less than 4% of all Blacks in Illinois lived in rural areas (Garvey 1958: 10). They were concentrated in two southern cities in the state, East St. Louis and Cairo, with 33.5% and 36.3% respectively. The other concentration was in the major metropolitan center of the state, Chicago, with 14.1%.

4. In 1960, first and second generation Europeans made up, respectively, 12% and 24% of Chicago's total population (DeVise 1966: 5). This total (36%) considerably exceeded the 1960 Black population total in Chicago (23%).

5. The Greater Chicago Metropolitan Area is defined to include the Illinois Counties of Cook, DuPage, Kane, Lake, and Will.

6. Of these residents, the Poles were the largest in number (111,376), followed by the Germans (96,512), Italians (83,556), Swedes (56,128), Lithuanians (59,753), and Czechoslovakians (43,185).

7. Recently arrived immigrant groups were almost totally unfamiliar with American ways and institutions and found it difficult to solve the problems that arose in everyday life. In this situation, the machine provided humanized and personalized assistance for those in need and also provided a route of social mobility for persons to whom other routes were closed. Those inducements were channeled through the person of the precinct

captain who lived in the local neighborhood, was known on a first-name basis, and could be turned to as a friend when in need of help or advice. All this person asked for in return was the political allegiance of those he helped.

8. Two groups of people have traditionally been active in reform in Chicago politics. First, there were liberal, middle-class political activists to whom involvement in the political life of the city was almost a vacation; second, there were the business elite, "gentlemen-in-politics," who were active in political reform as a result of participation in various commissions and "betterment" associations of one kind and another. Both groups were basically composed of Republicans.

9. The collapse of machine politics in many U.S. cities as a viable form of structural centralization of power is directly related to the rise of the reform movement. The roots of the movement in any city can usually be traced to a group/groups of individuals active in community service organizations. Such groups are frequently recruited from the business elite in the respective cities. For example, the Yankee elite which ran Northern cities throughout most of the 19th century was displaced in the post Civil War period from control of local government by machines which had coopted the immigrant vote. This group of elite businessmen and capitalist owners of industry withdrew to another sphere where they could exert influence. This sphere of activity was the set of community service organizations in which the elite planned and supported public service endeavors in its own way. Municipal reform was perhaps the principal activity in which this elite was dedicated.

From its beginnings to the present the municipal reform movement has had as its goals, the elimination of corruption in government, increased efficiency in government, and the attempt to make local government in some sense more democratic (Hofstadter 1955). These goals rose out of a set of assumptions which viewed local government simply as the businesslike management of essential public services. Here, the task of discovering the content of the public interest was therefore a "technical" rather than a political issue. It follows from this assumption that public affairs should be placed entirely in the hands of the few "best qualified" persons whose training and experience equipped them best to manage the public business.

10. At the beginning of 1928, both parties held important elected positions in units of government throughout the state. In that year, the Republicans controlled the city hall, the two U.S. senatorships, the governor's office, and many of the county offices. In contrast, the Democrats controlled the county board, a majority of aldermen, and a disproportionate share of the state and congressional representatives. While the Democrats were in a position to take advantage of the general swing of public sentiment in their favor after 1929, it took several years for them to reap the full benefits of these gains. The first notable Democratic victory was in 1930 when the Republicans lost control of the county treasurer's office, the county board, and the board of tax assessors. Each of these victories meant important additions to patronage which the Democrats could use to their advantage. In 1931, the Democrats captured practically all of the city hall jobs when

they won the position of mayor in a great civic uprising. Only a few judges and five county commissioners from the townships remained in the Republican hands (Allswang 1969: 2-9).

11. Riding the crest of his mayoral victory in the 1931 election, Cermak convinced the National Democratic Party to hold the 1932 convention in Chicago. At this convention Roosevelt received his first nomination to run for the presidency. Cermak, who controlled the Illinois delegation, made the mistake of holding back the Illinois votes even after it became clear that Roosevelt would win the nomination. When Cermak finally allowed the delegation to give its belated support to the Roosevelt nomination, it was of no consequence. This series of events was not lost upon FDS and his convention lieutenants (Gottfried 1962: 300-306).

12. O'Connor in his study about Daley estimates that the Mayor of Chicago had approximately 30,000 patronage jobs at his disposal (1975: 131). Wolfinger claims that the patronage jobs under Daley's control were in excess of 35,000 (1974: 91).

13. During his first term as governor, Horner had major disagreements with the Chicago Machine. He ran for reelection in 1936 without its support and won by a narrow margin.

14. In the two-man race, Walker won a 52% majority in spite of the Machine's strategy to nominate a "blue-ribbon" candidate. Walker's opponent, Paul Simon, had long been identified with the independent reform movement in Illinois politics. Walker's primary victory was rooted in the 1968 National Democratic Convention disorders in Chicago. Walker was selected by the National Committee on the Causes and Prevention of Violence to investigate those disorders. A special commission headed by Walker concluded that Daley shared much of the responsibility for the "police riots" that occurred during the disorders. This controversy caused liberal Democrats to encourage Walker to challenge the Daley forces by seeking the gubernatorial nomination.

15. Local governments operate in a specific state-local governmental system developed by the state. Local governments possess a particular mixture of administrative and fiscal responsibility assigned them by statute and constitution. Without home rule, municipalities must get permission from the state legislature for every possible change in procedure including personnel regulations, salaries, and administrative organization. Local governments which have been granted home rule powers have much more freedom in these and other areas. Chicago's city government operated under a legislative, fiscal strait jacket until 1972 when a home-rule provision in the new Illinois's Constitution received court approval.

16. Banfield says that the President of the Board can appoint some 11,000 patronage workers (1961: 16). O'Connor asserts that he controls as many as 15,000 jobs.

17. The main reason for this startling growth of the gubernatorial staff over the past several administrations in Illinois is the unprecedented growth

in state government, beginning with Fiscal Year 1970 (Michaelson 1974: 14). Following his inauguration in 1960, Kerner requested \$330,000 for staff support. This was the first significant departure from the tradition of meager appropriations for Illinois gubernatorial staffs. Kerner employed fifteen individuals on his staff, or more than twice the number used by his Republican predecessor, William Stratton. In the budget for Fiscal Year 1970, the next governor, Ogilvie, asked for an appropriation of \$740,000 for his staff, an increase of approximately \$300,000 over the staff budget of his predecessor, representing almost a doubling of the staff. Ogilvie's last state budget (for Fiscal Year 1973) requested a total of \$1,197,400 for sixty-six full-time staff members. When Walker took office as Governor in January, 1973, he had sixty-three persons on the payroll of his personal staff.

### CHAPTER III

1. The new state statute introduced three changes affecting children who had violated the criminal laws and were eligible for placement in the school. These changes were (1) the Chicago Reform School became eligible to receive male youths convicted of any non-capital offense, not just misdemeanors or non-criminal offenses as before, (2) the minimum age of commitment was lowered to seven years of age, and (3) all Cook County courts having criminal jurisdiction and all Chicago magistrates were empowered to commit convicted juveniles to the school (White & McNulty 1974: 3).
2. Large numbers of the children being committed to the school were only guilty of destitution. The decision of 1870, *People vs. Turner*, stated that this was an insufficient and illegal reason for committing children to reformatories. This decision cast a shadow over the credibility of the entire school and its practices. The principal legal repercussion was that the state legislature repealed statutes which gave courts jurisdiction over "misfortune" cases.
3. In 1876, 180 boys were housed in the reformatory, and by 1882, the number had risen to a total of 250 inmates (Platt 1969: 105). The overcrowding continued, and by 1898, just prior to the establishment of the juvenile court, 300 boys were confined at the State Reform School at Pontiac (Hurley 1970: 12).
4. One previous, but half-hearted effort was made to pass a juvenile court act when a bill was introduced in the House in 1891. This measure never made it to the Senate for consideration (Hurley 1907: 15).
5. The major exception was the philanthropic, charity work pursued by a number of the elite feminist groups in Chicago, most notably the Chicago Woman's Club. These groups generously provided financial support for a variety of civic activities designed to ameliorate the "social problems" of the poor. Much of this work focused on underprivileged children, and the prevention of delinquency had its earliest roots in these efforts.

6. Boys were committed up to seventeen years of age, and girls were committed up to an age of eighteen. Above these ages youths who were to be committed to state custody were viewed legally as adults and qualified as candidates for adult facilities (White & McNulty 1974: 8).

7. The Youth Commission Act of 1953 stated that the Commission should consist of three individuals. The governor named one as chairman and chief executive of the IYC programs and as legal custodian of all wards committed by the juvenile court. The other two would serve as hearing officers supervising reformatory placements, transfers, and discharges, reviewing all cases at least once a year, and coordinating the total program of delinquency prevention, correction, and rehabilitation. The increased work resulting from a rapidly rising rate of court commitments led to a legislative amendment in 1955 to raise the number of commissioners to five.

8. This component was headed by an individual at the level of superintendent. Administrative Services had responsibility for fiscal procedures, auditing records, preparing payrolls, administering personnel policies, serving as chief purchasing agent, and overseeing the managing practices of all the reformatories and other services of IYC. This component also included a centralized records and statistics section and a public information service.

9. The first camp was opened on an experimental basis in the summer of 1953, only a few weeks after the Youth Commission Act was signed into law.

10. When the IYC was established in 1954, there were thirty-four juvenile parole agents, transferred from the juvenile parole services in the Department of Public Welfare. By 1957, there were forty-eight juvenile parole agents (Biennial Report of the Illinois Youth Commission, 1957-1958: 18).

11. The vast majority of all juvenile court cases first pass through the hands of local police departments whose action determines the kinds and numbers of juvenile cases that come to the attention of the courts. If the offense is felt to be not too serious, the police will drop the charge and release the child to parents or guardians. This procedure is known as a "station adjustment."

12. Under later federal funding channelled through Democratic President Johnson's Model Cities legislation, directed at broadening Democratic control in urban centers, two additional, umbrella agencies were opened in which probation services, parole services, and CYW participated. This enlargement brought the total of JYDC units in the city to five.

13. In 1963, the National Council of Crime and Delinquency in a study for the Citizens Committee for the Family Court pointed out that Illinois had the unique distinction of having originated the juvenile court concept but insisted on utilizing the most antiquated juvenile court law in the country. The Council suggested Illinois revise and update the Juvenile Court Act of 1899 (White & McNulty 1974: 8).

14. This is the state agency mandated to care for dependent and neglected children (discussed in detail in Chapter VI).

15. In 1965, prior to establishing the Commission, President Johnson created the temporary Office of Law Enforcement Assistance, mandated to provide financial aid in the form of grant-in-aid to local law enforcement.

#### CHAPTER IV

1. The phrase, "executive appointment process", refers to the recruiting procedures for the selection of appointive personnel. This task belongs to that elected official who has statutory responsibility for the agency that is to be staffed. Frequently, task forces and advisory groups are created to aid the elected officials develop a list of candidates from which a final choice must be made. Figures in state and municipal government who regularly have to make this kind of staffing decision include governors, mayors, and county board chairmen.

2. In juvenile corrections, the bases of criticism of the traditional training school came from three major sources: (1) the accumulating documentation of high rates of recidivism among training school graduates, (2) the development of new ideologies of treatment in the human services, and (3) the protest of those concerned with protecting the civil rights of children.

3. In the early 1960s these efforts at correctional reform stressing community-based programs were being influenced from academe by Albert Cohen's work (1955) and the differential opportunity theory developed by Cloward and Ohlin (1960).

4. Prodded by the federal agencies with stakes in delinquency activity, the Congress held hearings on delinquency legislation for six years during the 1950s. It seemed that legislators were slowly becoming sensitized to the delinquency problem, but the proposed legislation had little spark and acquired no important political support.

5. The Children's Bureau was a division of the Department of Health, Education, and Welfare (HEW), and along with the National Institute of Mental Health (NIMH), another division of HEW had traditionally been the federal agency most directly concerned with issues of delinquency. In 1952 a separate, delinquency component was established within the Children's Bureau, where the principal responsibilities were to hold conferences, to issue publications, and to send consultants throughout the U.S. in regard to the delinquency problem. One of the early, important publications coming from the Children's Bureau was New Perspectives for Research on Juvenile Delinquency, published in 1956.

6. Among the more important federal, legislative packages passed under the aegis of the Johnson administration during the 1960s and aimed at revitalizing the nation's cities were (1) the Economic Opportunity Act of

1964, (2) the Elementary and Secondary Education Act of 1965, (3) the Urban Mass Transportation Acts of 1964 and 1966, and (4) the Model Cities Act of 1966. All of this legislation is additional to the particular congressional bill with which this chapter is primarily concerned, the Omnibus Crime and Safe Streets Act of 1968.

7. The Task Force Reports, which underlay the recommendations of the official Commission Report included volumes on (1) the police, (2) the courts, (3) corrections, (4) juvenile delinquency and youth crime, (5) organized crime, (6) science and technology, (7) assessment of crime, (8) narcotics and drugs, and (9) drunkenness.

## CHAPTER V

1. Ogilvie's opponent was not Kerner but Samuel Shapiro, who as Lieutenant Governor during both Kerner administrations had succeeded Kerner to the governorship when Kerner left office near the end of his second term in May of 1968. President Johnson had offered Kerner an appointment to the federal bench as Judge of the U.S. Court of Appeals, which Kerner accepted. Shapiro was then nominated to run against Ogilvie in the gubernatorial election of November, 1968.

2. The state constitution required that a person had to be a resident for at least one year prior to being nominated as the permanent director of a state commission or department. A person might serve temporarily as acting director, but full confirmation by the State General Assembly required that one meet this qualification. It is interesting to note that this statutory clause was rescinded only a few months after the Coughlin incident.

3. In establishing conditions for the creation of regional planning groups, the federal guidelines state that the local committees must represent the following elements of the community or region: (1) the police function, (2) the court system, (3) the defense and prosecution function, (4) the executive branch of local government, (5) the corrections system, (6) parole and pardon interests, and (7) youth criminology.

4. These two reports were the "Report of a Committee on Youthful Offenders" undertaken by the State Commission on Children and issued in December, 1968, and the "Report of the Council on the Diagnosis and Evaluation of Criminal Defendants" issued in 1969.

5. Earlier in the chapter (p. 6-7) it was pointed out that a special category of delinquent, the status offender, had increasingly presented juvenile authorities with jurisdictional problems. These offenders are not truly juvenile criminals -- they have not committed acts for which an adult can be prosecuted. For the most part, they are runaways, truants, or children who are felt to be unmanageable by their parents. In Illinois these children are now referred to as MINS -- Minors in Need of Supervision -- cases.

6. The recent revision of the Illinois laws concerning the administration of criminal justice began in 1954 when the state's Supreme Court and Governor Stratton requested the Bar Association to launch a study aimed at a complete revision of the criminal laws. Much of the actual work of revision was carried out by a special legislative group, the Council on the Diagnosis and Evaluation of Criminal Defendants. In 1969, the General Assembly re-established this council. At its first meeting in November, 1969 Governor Ogilvie appeared and requested it to draft a Correctional Code for submission to the next session of the legislature. There were five major areas of concern in drafting the Correctional Code, one of which was Juvenile Justice. In June, 1972, the Code was enacted by the General Assembly. It was signed by Ogilvie in July and became effective on January 1, 1973.

## CHAPTER VI

1. In a campaign debate sponsored by the Chicago Crime Commission at its annual Law Enforcement Week Luncheon, Walker was extremely critical of Governor Ogilvie's inadequate efforts to obtain federal funds to support criminal justice programs in Illinois. He charged that Illinois ranked in the bottom quarter among states in terms of total funding received from LEAA.

2. Daley's greatest accomplishment while he served in the Senate was to engineer the phasing out of two bankrupt public transportation services -- the Chicago Surface Lines and the Chicago Rapid Transit System. Daley introduced Mayor Kelly's bill in the Senate for setting up the CTA and for providing \$87,000,000 for the bond holders of the two bankrupt systems. Certainly, the survival of the CTA had a special meaning to Mayor Daley above and beyond the immediate importance as the principal mass transit system for the City of Chicago.

3. For example, in 1969, prior to the creation of the new department and the passage of the 1972 Unified Code of Corrections 2,500 juvenile offenders committed to IYC as delinquents were maintained in nineteen institutional facilities on any given day. In contrast, by 1974, approximately 900 delinquents resided in ten institutional facilities on any given day (Sublett and Webber 1975: 23).

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