

## Guardians of Virtue: The Juvenile Court and Female Delinquency in Early 20th-Century Los Angeles

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*This article analyzes the origins and implementation of a policy and a formal institutional apparatus to discipline female delinquents in early 20th-century Los Angeles. The data derive from original case files of delinquent girls on whom petitions were filed in 1920. The authors seek to shed new light particularly on (a) the juvenile court's basic operations, (b) the social and institutional setting in which modern responses to female delinquency emerged, and (c) the characteristics of the girls petitioned to court. They conclude that the juvenile court held sway in the administration of female juvenile justice until the dawn of the modern women's movement.*

In this article we analyze the origins and implementation of a policy and a formal institutional apparatus to discipline female delinquents in the early 20th century. We focus on a single city, Los Angeles, and on the key institutions which labeled, processed, and punished delinquents, notably the juvenile court, detention centers, reform schools, and the police.

The article is in two parts. In part one, we use Los Angeles to illustrate: (a) the growing public concern about unregulated female sexual behavior in the Progressive Era; and, (b) the creation of new institutions to identify, monitor, and punish working-class female youth for sexual activity. In part two, we examine the decision-making process in juvenile court for female delinquents. More specifically, we analyze (a) the social backgrounds of the girls, (b) the behaviors that brought them into court, and (c) the process and results of adjudication.<sup>1</sup>

This article forms part of a larger study of juvenile delinquency and its treatment in Los Angeles between 1900 and 1960. The data derive from original case files drawn from the archives of Los Angeles Juvenile Court,<sup>2</sup> the present analysis includes data on all the girls ( $n = 220$ ) on whom

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186

delinquency petitions were filed in a single year, 1920. We have excluded girls who appeared in court solely on petitions of dependency, neglect, or abuse; that is, those against whom no status or criminal offense was alleged. We deal only with girls whom the court considered to be "delinquent" in some clearly discernible way, even if the alleged misconduct was nothing more than a status offense.<sup>3</sup>

This article seeks to expand the very sparse body of historical scholarship on female delinquency. Whereas our central argument largely reinforces recent interpretations (Schlossman and Wallach 1978; Sheldon 1981), we have sought to add to knowledge about: (a) the basic operations of the juvenile court, (b) the social and institutional setting in which modern responses to female delinquency emerged, and (c) the characteristics of the young women whose lives the new juvenile justice system touched in varying degrees of intrusiveness. In addition, we have sought to call attention to the importance of studying the origins and results of reform in criminal justice at the local, judicial level (Schlossman 1977). The three key historical books on women and crime—*Daughters of the State* (1983), by Barbara Brenzel; *Their Sisters' Keepers* (1981), by Estelle Freedman; and *Partial Justice* (1985), by Nicole Rafter—deal primarily with state penal institutions. Although obviously important, state correctional institutions form the end point of the criminal justice system and deal with only a small number of female offenders. Inevitably, they provide a skewed vantage point for assessing the judicial decision-making process which led some women and girls and not others to be incarcerated. By analyzing system operations at the local, judicial level, one can probe more deeply into societal definitions of female deviance and examine the backgrounds and treatment of the much broader female population that came in contact with the criminal justice system.

### PART ONE: THE RESPONSE TO THE "SEX DELINQUENT" IN PROGRESSIVE ERA LOS ANGELES

In the first decades of the 20th century, social workers, penologists, and psychologists identified the young female "sex delinquent" as a major social problem that required a forceful public response. They expressed grave concern about the apparent rise in illicit sexual activity among working-class female youth in American cities (Alexander 1988; Kunzel 1988; Odem 1989).

Though often exaggerated, these changes in behavior were not simply a figment of reformers' imagination. Modern urban conditions had given rise to a revolution in sexual mores among working-class female youth as they

moved increasingly out of the domestic sphere into the public world of work and amusement. Instead of domestic work, the primary form of female employment throughout the 19th century, young female wage-earners were taking advantage of new job opportunities in department stores, offices, and factories. As store clerks, office workers, and waitresses, working girls experienced greater freedom from family control and encountered many opportunities to meet and date young men outside of their local neighborhoods. The new forms of urban recreation — especially dance halls, amusement parks, and movie theaters — further encouraged sexual expression and casual mingling among young men and women. Los Angeles, with its growing entertainment industry, string of coastal amusement parks, and vast unsupervised beaches offered untold opportunities for social and sexual experimentation among urban youth (Peiss 1986; Lunbeck 1987; Meyerowitz 1988).

Two social movements — the eugenics and social hygiene campaigns — served to heighten public anxiety about the sexual activity of working-class female youth during the Progressive Era. To early 20th-century civic leaders illicit sexual activity by female youth presented medical and biological as well as moral threats to society. Eugenicists identified the “sex delinquent” as a major threat to the genetic purity of the American population through the propagation of individuals alleged to be mentally or biologically inferior. The illicit sexual activity of female youth was regarded *ipso facto* as a sign of inherent mental inferiority. Hence, young female “sex delinquents” became a prime object of the eugenicists’ most prominent policy instrument — sterilization — a procedure that was implemented more widely in California than in any other state (Schlossman and Wallach 1978).

The “sex delinquent” supposedly threatened society through the spread of venereal disease, as well as through the propagation of defective children. Informed by new discoveries regarding the pathology of syphilis and gonorrhea, Progressive Era physicians and public health advocates (known as “social hygienists”) launched a national campaign to combat venereal disease through social hygiene education and the repression of illicit sex. Influenced more by prevailing social attitudes than medical reality, social hygienists identified the “immoral” woman as the primary locus of infection and called for compulsory testing and detention of prostitutes and young female sex offenders (Brandt 1985).

According to civic leaders and court officials, the newly defined problem of the female “sex delinquent,” with its attendant medical and biological dangers, demanded a forceful public response and new methods of sexual regulation. During the first 2 decades of the century, cities and states throughout the country developed innovative measures to control and rehabilitate

delinquent girls. Women civic leaders and social workers in Los Angeles were at the forefront of this movement and through their efforts Los Angeles became an exemplar of “modern” thinking and practice regarding the treatment of female delinquency. The city was the first in the country to hire female police officers to deal with girls under arrest and female judges to hear girls’ cases in juvenile court. Los Angeles also took the lead in instituting new rehabilitative methods by establishing a juvenile detention center and a girls’ reformatory that became nationally known for their therapeutic methods.

These reforms served to broaden the powers which middle-class women could exercise over the administration of female juvenile justice. Advocates of reform in Los Angeles argued that women and not men should handle all aspects of the female delinquency problem — from prevention programs to judicial processing to correctional treatment — in order to provide working-class female youth with the maternal sympathy and supervision they supposedly lacked. The end result of defining the problem as a major issue in social policy was the creation of a wide range of new professional opportunities for educated women — as police officers, probation officers, court referees, and reform school superintendents. In these various roles female professionals sought to implement a self-consciously “modern” approach by applying “scientific diagnosis” (as pioneered by social worker Mary Richmond) and “individualized treatment” (as pioneered by psychiatrist William Healy) in their work with female youth. Although these new measures were intended to benefit and protect female minors, their immediate effect was to greatly expand state control over girls’ lives and social behavior.

As in most other communities, women reformers in Los Angeles initiated the movement to establish the county’s first juvenile court in 1903. Social settlement workers Evelyn Stoddard and Dr. Dorothea Moore organized the Juvenile Court Committee (later called the Probation Committee), which included members of leading women’s organization in Los Angeles, such as the Friday Morning Club, the Ebell Club, and the Women’s Christian Temperance Union. The committee played a key role in securing the passage of the California juvenile court law and effectively lobbied for probation officers and a probation department to make the law effective. Neither the state nor county appropriated funds to hire probation officers in Los Angeles, and women’s clubs paid the salary and expenses of the first probation officer for 2 years until the county assumed the cost (McKibbin 1932; Feistman n.d.).

Intended to shield youth from the severity of the adult criminal justice system, the juvenile court law gave court and police officials extensive powers of control and surveillance over female youth. The law defined whole new areas of deviant behavior that were subject to legal control. Under the law, female minors in Los Angeles faced arrest and detention for a range

of "delinquent" activities, from staying out late, to flirting with sailors, to engaging in premarital sex. The juvenile court law provided a broad and far-reaching legal tool for apprehending and incarcerating young females who violated prevailing moral codes.

Once the juvenile court was established, court workers and reformers advocated special measures to contain sexual behavior among working-class girls and to bring them to "safety" by placing them in custody. One of the first efforts was the hiring of women police officers by the city. In 1910, more than 100 individuals petitioned the mayor to hire female police officers to handle the cases involving women and girls. They disapproved of male officers arresting and questioning female offenders, especially in sex cases, and argued that women were best suited to understand the needs of women and children in trouble with the law. The moving force behind this effort was a social worker, Alice Stebbins Wells, who argued that she could better serve her clients if she was invested with full police powers than if she worked through a charitable agency. Wells became the first policewoman in the country when she was hired by the Los Angeles Police Department on September 13, 1910. A second policewoman was hired in 1912, and by 1914 five policewomen were working in the city of Los Angeles (Feinman 1986; Los Angeles Police Department 1912, 1914).

Though women officers theoretically exercised full police powers, their actual duties differed significantly from those of male officers. Their primary function, was "protective work for women, children, and the home" (Feinman 1986, p. 82). The language of protection, frequently used by contemporaries, masked its restrictive and coercive aspects. The "protective work" of police-women entailed surveillance, interrogation, and detention of young women suspected of illicit activity. One of the major duties assigned to policewomen was monitoring the behavior of female youth on the streets and other public places in order to prevent them from "moral ruin." According to the chief of police in Los Angeles, female officers performed a valuable service in preventing delinquency among girls by "inspecting dance halls, cafes, picture shows and other public amusement places particularly in the late afternoon and night hours" and by escorting those who are "in danger of becoming delinquent to their homes and making reports to their parents with a proper warning" (Los Angeles Police Department 1914, p. 26). Girls who refused to cooperate or who appeared already "delinquent" were taken to the juvenile detention center where they were held for further examination.

The Los Angeles Police Department developed another novel response to female delinquency when it established the City Mother's Bureau in October 1914. The chief of police explained the bureau's purpose (Los Angeles Police Department 1914, p. 29):

Owing to the increase in the amount of work in the Police Juvenile Bureau, much of which is of necessity of a confidential nature, this being required to protect the names of first offenders and their families, I have decided to establish a separate bureau known as the "City Mother." It is my intention to keep this bureau in other quarters than the police station houses, so that parents—especially mothers—will not hesitate to confide their troubles to the "City Mother."

Staffed by recently hired policewomen, the bureau handled cases of delinquent and pre-delinquent children whose parents desired informal intervention from a law enforcement agency but who were reluctant to file a formal report against their children to the police. The bureau described its work as "largely preventive, forestalling crime and thereby saving the city and county hundreds of dollars annually, besides preserving that which is of far greater value—the moral welfare of our girls and boys." The bureau dealt with both boys and girls of all ages, but most of its work centered on teenage girls. In addition to meeting with parents and their children, the City Mothers conducted numerous investigations of dance halls, picture and vaudeville shows, and various other amusement resorts (Los Angeles Police Department 1917, 1920).

Women's organizations in Los Angeles advocated special treatment for female offenders within the juvenile court as well as the police station. At first all cases in court, girls as well as boys, were handled by a male judge, Curtis D. Wilbur, and a male probation officer, A. C. Dodds. The growing number of teenage girls brought to court for running away, incorrigibility and sex offenses led the Probation Committee to appoint several female probation officers to handle girls' cases. By 1913, 6 of the court's 15 paid probation officers were women (Los Angeles County 1912; Feistman n.d.).

Perhaps most impressively, the Los Angeles Juvenile Court was the first court in the country to appoint women "referees" who were invested with nearly all the powers of a judge to preside over girls' cases. The appointment of referees followed complaints by female probation officers regarding the handling of girls' cases by male judges. Arguing that questioning by male judges destroyed the girls' feminine modesty, the Probation Committee held that referees were necessary because "a woman dealing with women would naturally have a better understanding of any given case and a better conception of the method of reformation or correction than a man" ("This Court's All Women" 1915; Los Angeles Probation Department 1917).

In November 1915, Orta Jean Shontz became the first female referee on the Los Angeles Juvenile Court. A lawyer and former probation officer, Shontz was assigned to hear the cases of all girls petitioned for delinquency and of girls and boys brought to court on a dependency petition. The judge

of the juvenile court had final authority over decisions made by the referees, but the routinely approved their decisions. When Shontz resigned in 1920, Miriam Van Waters replaced her as the court's referee. During her tenure, Van Waters wrote and spoke extensively on the causes and treatment of juvenile delinquency in Los Angeles. With the publication of *Youth in Conflict* in 1925, she, along with a Denver judge, Ben Lindsey, became the nation's leading spokesperson for more sympathetic and humane treatment of delinquent youth ("This Court's All Women" 1915; "Dr. Van Waters" 1920).

The womanly approach in the courtroom may have softened the experience of appearing in court for girls, but at the same time it expanded the avenues for state intervention into their lives. Although women spokespersons for the court objected to intrusive questioning on sexual matters by the male judges, they felt no hesitancy about female judges probing for the intimate details of girls' sexual offenses. They believed that women were by nature better equipped to get the "truth" from young female offenders in court. The *Women Lawyers' Journal* praised Judge Shontz for her success in this area: "Thus far only one girl hesitated in making a clean breast of the whole matter in which she was involved" (*Women Lawyers' Journal* 1917, p. 30). The appointment of female probation officers and referees may well have facilitated a more aggressive prosecution of female juvenile offenders. In addition to playing key roles in the appointment of female referees and probation officers, the Probation Committee established a model juvenile detention facility in 1911 called Juvenile Hall that attempted to address the particular problem of female youth charged with delinquency. The Probation Committee insisted on hiring a woman as superintendent of Juvenile Hall. As Cora Lewis, chairperson of the Probation Committee, explained: "In view of the number of girls and the type of girls detained there . . . it is utterly infeasible to have a man at the head of the institution" (Lewis 1917). The hall also hired a female physician, Dr. Harriet Probasco, to provide free medical exams and to care for all girls who were detained. When a psychological clinic was established a few years later, the hall hired a female psychologist to examine the girls (Feistman n.d.).

All young women and girls sent to Juvenile Hall faced a compulsory pelvic examination to determine if they were sexually active. Based on the results of the pelvic exam, the girls adjudged sexually delinquent (those with broken hymens) were segregated from the merely incorrigible girls in order to prevent moral corruption. Female inmates also faced mandatory testing for venereal disease. Juvenile Hall officials demonstrated great vigilance in the campaign to combat venereal disease by testing all female inmates for syphilis and gonorrhea. Those with venereal infections were confined in

Juvenile Hall Hospital, opened by the county in 1915, until they were no longer infectious, a period lasting usually 1 to 3 months (Trowbridge 1919; Los Angeles Probation Committee 1929).

The growing number of young women and girls arrested and detained for delinquency prompted the establishment of several new female reformatories in Los Angeles during the Progressive Era. Prior to 1900 the major custodial institutions for young women were small, privately run Protestant homes for unmarried mothers—the Truelove Home, run by the Salvation Army, and the Florence Crittenon Home, one of 65 cooperating homes in the United States, whose stated purpose was "to care for and protect unfortunate girls who need and desire help, to restore them to home and friends or establish them in honest industry" (Los Angeles County Probation Department 1920; California Board of Charities and Corrections n.d.).

The first 2 decades of the century witnessed a major expansion of both private and public custodial institutions for girls. The House of Good Shepherd, a reformatory run by a Catholic order of nuns, the Sisters of the Good Shepherd, was founded in Los Angeles in 1904. The county reimbursed the convent for every girl placed there by the juvenile court (Poggi 1916). Several years later government officials appropriated funds for the construction of public institutions for young female offenders. In response to the demands of women civic leaders from Los Angeles and other cities, the legislature authorized the first state reformatory for girls in Ventura, California in 1914, which became widely recognized as one of the two most "progressive" girls' reform schools in the country (the other was the Sleighton Farm School in Pennsylvania).

In 1919, Los Angeles County founded the El Retiro School for Girls, an industrial school for female wards of the juvenile court, in a quiet area near the rural town of San Fernando. Through the efforts of the Probation Committee and court officials like Orfa Jean Shontz and Miriam Van Waters, El Retiro incorporated the latest in modern rehabilitative ideas for the treatment of female delinquents and soon acquired a national reputation for its innovative methods. The school was administered staffed solely by women. To avoid comparisons with traditional custodial institutions and to simulate a home-like atmosphere, El Retiro incorporated the cottage plan whereby the inmates were divided into individual surrogate families each headed by a matron. Harsh punishments such as flogging, solitary confinement, and limited diets were forbidden at El Retiro. The school permitted girls to wear their own clothes instead of institutional uniforms and introduced a system of self-government which gave the girls limited responsibility for conducting school affairs (Van Waters 1922; Los Angeles County Probation Committee 1929).

The reformatories of the Progressive Era have been portrayed by their contemporaries and by some historians as more humane and sympathetic than traditional 19th-century custodial institutions (Mennel 1973; Freedman 1981). It is, however, essential to remember that most female inmates were institutionalized for status and moral rather than for criminal offenses; that the legal and institutional paths leading to the incarceration of female delinquents were substantially broadened by the juvenile justice reforms of the Progressive Era; and that boys were far less likely than girls to have their lives scrutinized or disrupted for status and moral offenses.

Such, in brief, was the organizational backdrop to the adjudication of female delinquents in Progressive Era Los Angeles. In addition to the possibility of incarceration in state institutions, the newer policies of control relied on a variety of grass-roots methods to monitor, investigate, and punish young girls whose behavior flouted social and sexual conventions. These methods included: (a) surveillance and arrest by female police officers who were appointed mainly to keep young women under public gaze during their leisure hours; (b) additional surveillance and moral admonition by probation officers and juvenile court referees who wielded great discretionary authority to punish girls who disobeyed their advice; (c) compulsory examination for venereal disease and forced confinement in penal hospitals for those found infected; (d) detention in juvenile jail before and after a formal hearing in court, whether or not the girl was found guilty or even accused of a criminal offense; and (e) commitment to a growing number of private and public custodial facilities for girls and young women.

We turn next to an overview of the backgrounds, behaviors, and treatment of girls by the juvenile court in 1920 under the leadership of its two referees, Orta Jean Shontz and Miriam Van Waters. The analysis draws entirely on data from original case files, and includes all girls ( $n = 220$ ) who were petitioned to court for status or criminal offenses. The number of girls for whom social background data were available differed from one variable to another. In the discussion that follows, the number of cases on which percentages are based are indicated in parentheses.

## PART TWO: GIRLS IN LOS ANGELES JUVENILE COURT, 1920

### *Social and Familial Background*

In the effort to control and punish sexual delinquency, the Los Angeles Juvenile Court targeted female youth from working-class families. In these families, most male heads of households (79%,  $n = 99$ ) were employed as

skilled or unskilled laborers in a variety of occupations such as carpenter, teamster, tailor, electric car repairman, factory hand, fruit packer, and agricultural laborer. A smaller share of male household heads (20%) were employed in a variety of lower-middle-class and white-collar occupations, such as clerk, salesman, teacher, shopkeeper, and farmer. Only 1 of the girls had a father who worked in a professional occupation (as a physician).

Although information on mothers' occupations was not recorded consistently, a few general observations can be made. A fairly large share of the mothers—we estimate between one quarter and one half—were employed outside of the home. These working mothers, like the vast majority of married women wage earners in the early 20th century, were concentrated in low-paying, unskilled jobs such as domestic, laundress, and janitor.

The racial/ethnic backgrounds of the girls who appeared in court in 1920 reflected the city's unique population mix. In Los Angeles, where only one fifth of the population was foreign-born, the court dealt with a larger share of native-born Whites than juvenile courts in the East and Midwest. Of the girls, 74% were native-born Whites. Although 41% were children of immigrants or immigrants themselves, the Los Angeles Juvenile Court did not deal with the huge shares of immigrants and children of immigrants—often over four fifths—who dominated the courts and correctional systems of eastern and midwestern cities (Breckinridge and Abbott 1916; Gordon 1988).<sup>4</sup>

The character, as well as the size, of the foreign-born population was different in Los Angeles Juvenile Court. The vast majority of immigrant children and parents who appeared in eastern and midwestern juvenile courts came from European countries. In contrast, 56% of those with foreign-born parents in Los Angeles Juvenile Court came from Mexico. Latinas, nearly all of Mexican origin, comprised 22% of all girls in court in 1920. Relatively few Black girls, 5% of the total, came before the court.

There was great diversity in the regional origins of girls and their parents. The native-born girls and their families were a very mobile group. Because court officials did not regularly record birthplaces of children or their parents in 1920, it is impossible to know exactly from where all of the families came. But for those girls whose birthplaces are known ( $n = 81$ ) only 25% were born in California. The largest share of native-born migrants in the court population came from the Midwest, but significant numbers also came from western states other than California.

Girls in court had experienced considerable stress in their family histories. Only 32% ( $n = 209$ ) of the girls came from families headed by both of their natural parents. The sources of family distribution were varied. Of the parents of girls in court in 1920, 25% were divorced or separated. Even more significant was the death of one or both parents. Forty-one percent of the

families had faced a parental death. In addition, 1% of the girls' parents had never married.

Although many of the girls' parents had remarried, 53% of the girls lived in single-parent households. Whereas 16% had no female guardian, 37% had no male guardian.

Another indicator of stress in the girls' family histories was the frequency with which they had experienced formal or informal foster home placements. Of the girls, 38% ( $n = 211$ ) had previously been placed out of their own households to live, either with a relative, friend, foster family home, or in an institution. Families generally resorted to foster placements for their daughters in order to cope with economic crises or the loss or poor health of a parent.

The mean age of the girls in court was 15.4; 12% ( $n = 220$ ) were 18 years of age or older and 16% were 13 years of age or younger at the time of their initial petition. Thirty-six percent of the girls were ages 14-15, and 36% were ages 16-17.

Of the girls aged 14-17 ( $n = 127$ ), 55% were enrolled in school. This was lower than the reported enrollment rate of their Los Angeles age peers (approximately 70% of 14-17 year olds, according to census data).

Though working-class incomes were on the rise after World War I, many girls in juvenile court, as we have seen, came from single-parent families which depended heavily on the girls' wages to survive. Of the girls, 52% ( $n = 200$ ) brought before the juvenile court in 1920 were currently working or had been working (including full or part time) within the past year. Reflecting the major shifts in female employment that took place in the late 19th and early 20th centuries, most girls worked in department stores, restaurants, large factories, and offices.

As expected, older girls were employed at a higher rate than younger girls. Sixty-one percent of all 16 and 17 year olds and 92% of all 18 and 19 year olds were or had been working. Significantly fewer (32%) of the 14 and 15 year olds had entered the paid labor force. These data suggest that the typical pattern among girls in juvenile court was to leave school by the age of 16 in order to enter the working world.

### *Offense Characteristics*

Status offenses, particularly those involving sexual behavior, were by far the most common accusations made against girls petitioned to juvenile court. Of the 220 girls in court in 1920, 90% were charged with status or other noncriminal offenses. Only 6% were alleged to have committed criminal offenses (and these were relatively minor, such as petty theft and assault

without a weapon). Four percent of the girls' offenses did not clearly fit into a status or criminal offense category.

The data enable us to probe fairly extensively into the nature of each girl's offense. In every case we have determined the most serious moral or sexual allegation against a girl. On the basis of this determination, we have divided the girls into three categories: (a) those not accused of immoral or illicit sexual behavior; (b) those accused of "morally dubious behavior," which refers to conduct considered inappropriate for a girl to engage in because it might lead to sexual activity (e.g. drinking alcohol, attending dance halls and cafes unchaperoned, staying out late); and (c) those accused of premarital sex.

Of the girls petitioned to court, 63% ( $n = 218$ ) were accused of sexual activity. Of the sexually active girls, 56% ( $n = 138$ ) claimed to have engaged in sex with only one partner, often a steady boyfriend. Twenty percent of the sexually active girls ( $n = 138$ ) were pregnant at the time they came to the court's attention, or had previously been pregnant.

The health risks associated with sexual activity were serious indeed for the girls brought into juvenile court. As noted earlier, every girl admitted to Juvenile Hall was tested for venereal infections. The rate of venereal disease among girls was extraordinarily high. Thirty-five percent of all girls and 54% of the alleged sex offenders ( $n = 138$ ) tested positive for gonorrhea, syphilis, or other venereal infections. As we shall discuss below, the prevalence of venereal disease shaped how girls were processed through the court system.

Less than 1% of the girls petitioned to Los Angeles Juvenile Court appear to have been involved in prostitution. To be sure, prostitution was of great concern in Los Angeles as elsewhere in the Progressive Era, particularly in light of the major navy presence in Long Beach during and following World War I. But the leaders of the juvenile court movement had far more ambitious, preventive goals in dealing with female delinquents than the extirpation of prostitution. Through a proactive court, they sought to safeguard public health, to establish new mechanisms to monitor juveniles' social behavior, and, more generally, to instill fear among single, working-class females about the public or private expression of sexual interest or desire.

### *Processing and Adjudicating Female Delinquents*

Determining how girls came to the attention of the juvenile court is no simple matter. The initial petition (the juvenile court equivalent of a "complaint" in adult court) generally indicates only that someone in an official capacity—usually a police officer or probation officer—was the one who formally charged a girl with a criminal, status, or other conduct-code viola-

tion. We have tried to probe beyond this official procedure and to identify the *original* referral source. Our methodology has been very conservative. In order to conclude that someone other than the official who formally signed the petition was the one who, in reality, initiated court action, we had to find other clearcut, unrefuted evidence regarding who actually did so. As a result, the data we present probably understate the extent to which court action was initiated by nonlaw enforcement agents.

Even with this conservative methodology, 47% of the referrals to court ( $n = 209$ ) originated with the girl's parents, guardians, or relatives. The second largest source of referrals (27%) was law enforcement officials, principally the recently hired policewomen in the Los Angeles Police Department. In addition, 26% of the girls were referred by a school, social agency, or other source. Access to a formal juvenile court hearing was thus relatively easy for parents and other guardians who sought legal intervention against their own children.

The high rate of parental referrals suggests a need to reevaluate—particularly in the case of girls—the interpretation of the juvenile court solely as an instrument of class control wielded arbitrarily by middle-class civic leaders against working-class families.<sup>2</sup> At least during the early 20th century, many working-class parents in Los Angeles appeared to view the court as a relatively sympathetic institution to which they could turn for help in solving problems with rebellious daughters.<sup>6</sup>

Perhaps the least understood aspect of juvenile court procedure—in the past as well as the present—concerns the uses of detention (i.e., jail), both prior to and following the initial hearing. In 1920, Los Angeles Juvenile Court made ample use of pre- and posthearing detention for girls. Seventy-five percent of the girls ( $n = 214$ ) were detained, usually in Juvenile Hall, prior to their court hearing. The periods of prehearing detention varied from 1 day to more than 3 months. The use of posthearing detention was almost equally common. The court detained 67% of the girls after the court hearing ( $n = 211$ ) and prior to the initial disposition of the case. Thirty-three percent of the girls were detained for 1 to 6 months.

The frequency of posthearing detention was clearly linked to the high frequency of venereal disease among girls who were petitioned to court. The court followed a policy of confining all venereally infected girls in Juvenile Hall Hospital where they could be forced to receive treatments until they were no longer infectious. After their period of hospitalization, most girls were then released on probation to their guardians. Juvenile Hall functioned informally as part of the city's Health Department, an indication both of the juvenile court's broad legal mandate and of the wide range of social welfare

functions which courts were often called upon to perform in early 20th-century American cities.

In adjudicating girls' cases the juvenile court had three major dispositional options: (a) probation with guardians or relatives, (b) placement in a private home, or (c) incarceration in a variety of public and private institutions.<sup>7</sup> Fifty-four percent of the girls received probation as their initial disposition. However, this statistic is somewhat misleading because only 26% of the girls were released on probation *immediately following* their initial hearing. Why was this so? Because, as we saw earlier, the majority of the girls were sent first to Juvenile Hall prior to the formal disposition of their cases, often to receive treatment for venereal disease over a period of weeks or months.

Girls not released on probation were sent to a variety of out-of-home placements, both in private homes and in institutions. A common form of placement was assignment to a private home to work as a domestic. Frequently these girls attended school part time and devoted the rest of their time to household chores and childcare. Placement as a domestic served several purposes. First, it provided domestic training and maternal supervision, both of which were considered essential to the rehabilitation of female delinquents. Second, it provided a virtually cost-free means for government to monitor the behavior of rebellious girls whose own homes were considered unsuitable. Third, this form of placement addressed the complaint of middle-class housewives about the shortage of domestic help during this period.<sup>8</sup>

How likely was it for girls to be placed in a custodial facility? This question seems essential to ask if we are to be at all precise about the extent to which the new mechanisms of juvenile (and especially female) surveillance actually intruded into the homes of working-class families. To answer this question we have employed two methods of calculation. First, we have determined what share of girls were sent to a long-term custodial facility (not including posthearing detention) as their initial disposition. Second, we have calculated the total share of girls who were institutionalized by following each girl from initial petition to final dismissal, and determining whether she was sent to a long-term custodial facility at any time while her initial petition was still active.

These calculations reveal that on their initial disposition, 24% of the girls were committed to a custodial institution. The girl may also have been detained following the hearing in Juvenile Hall, usually to arrange transportation to the custodial facility. Following their initial disposition, but prior to their dismissal, an additional 5% of the girls were committed. In other words, 29% of the girls—three of ten—were institutionalized.<sup>9</sup> Clearly, stans and moral offenses carried a high price indeed for a substantial minority of the girls charged with delinquency in Los Angeles Juvenile Court.

## CONCLUSIONS

We have argued that in the early 20th century, pervasive assumptions about sharp gender differences provided both a scientific and a moral foundation for numerous program innovations for children and youth. The juvenile court and its allied institutions capitalized on and refined gender differences by defining delinquency in radically different ways for boys and girls, and by monitoring families—primarily working-class families—whose daughters strayed from behavioral conventions. The purported “sexual revolution” of the 1910s and 1920s appeared to bypass the juvenile court, which continued to articulate and enforce a strict code of moral behavior and decorum among adolescent working-class females.

Limitations of space preclude, for now, a systematic review of the evolution of female juvenile justice in Los Angeles after the 1920s. But a few general observations can be made.

Between 1920 and 1950, our data indicate that the overwhelming majority of girls charged with delinquency continued to be status and moral offenders, predominantly White, working-class, and from single-parent families.<sup>10</sup> Sexual activity per se still largely defined female delinquency in the eyes of the court.

The continuing tendency at midcentury to “sexualize” female delinquency, to use Meda Chesney-Lind’s (1974) term, does not appear to have been contingent on public health concerns that were unique to the Progressive Era, or to have been dependent on a distinctively prudish late-Victorian mentality. Turn-of-the-century fears about rampant venereal disease had all but disappeared by 1950: only 5% of the girls in 1950 had venereal disease, a tenfold decline since 1920. Despite the revolution that had clearly occurred in the health risks associated with teenage female sexuality, the juvenile court’s original concern for containing and punishing female sexuality remained fully operational. In 1950, nearly as large a share (26%) of girls as in 1920 were committed to long-term custodial facilities. The mindset and policy inventions of the Progressive Era, we believe, continued to dominate the practice of female juvenile justice until the dawn of the modern women’s movement.

## NOTES

1. For further discussion of these subjects, see Odem (1989).
2. The entire sample, which contains over 25,000 case files, includes all new petitions filed in 1903, 1910, 1920, 1930, 1940, 1950, and approximately two thirds of the petitioners filed in

1960. In quantity and quality, the data appear to exceed by far any that have previously been used in historical analysis.

We created two data collection instruments (on file at the Bureau of Criminal Statistics, California State Department of Justice) to gather information from the case files. The first contains 95 variables; we used it for females and males alike. The second contains 40 variables; we used it to record in considerable detail the sexual histories of the girls and the nature of their treatment in prehearing detention.

Five types of documents contained the principal data for this study: (a) standardized face sheets filled out by probation officers at intake; (b) reports of interviews with the girl and her family conducted by probation officers; (c) reports of interviews with the girl and her family conducted by police officers; (d) medical reports, usually filed by physicians after examining the girls while they were in detention; and (e) verbatim trial transcripts recorded at the initial and subsequent hearings.

In all aspects of data collection, we received expert technical assistance from staff at the Bureau of Criminal Statistics. We extend special thanks to the bureau’s chief, James Rasmussen, and to two former staff researchers, Paula Wenzel and Tom Bakke. We also thank Phoebe Cottingham of the Rockefeller Foundation for providing financial assistance for the data collection.

3. The two principal historical studies completed so far on the girls in juvenile hall fail to distinguish adequately between those petitioned for status or criminal offenses, on one hand, and those petitioned for neglect or dependency, on the other. Our study, by contrast, truly deals with girls charged with delinquency, whereas the other studies analyzed *all* girls petitioned to juvenile court, regardless of the reasons. See Schlossman and Wallach (1978); Sheldon (1981).

4. The figures on ethnicity are taken from the Los Angeles County Probation Department’s *Annual Report* (1920) and are based on *all* girls who appeared in court in 1920 both dependent and delinquent ( $n = 357$ ). We have relied on this source because the case files did not consistently record ethnicity and place of birth.

5. For an excellent critique of social control theory, see Gordon (1988). In her work on the history of family violence, Gordon argues that working-class and immigrant women used welfare agencies to challenge traditional male authority in the family. She found that immigrant women in Boston often initiated the intervention of child protection agencies in the early 20th century to report husbands for physical abuse or failure to support the family.

6. For further discussion of the role of parents in the juvenile justice system, see Odem 1988, Chapter 5.

7. All of the statistics on adjudication derive from a 40% sample of the cases ( $n = 90$ ).

8. On the shortage of domestic servants, see Katzman (1978); Sutherland (1981).

9. This includes both girls who were institutionalized following their initial hearing, and girls who were institutionalized after having been returned to court at a later date while the initial petition was still active (usually while the girl was on probation).

10. We are currently analyzing equivalent data to those included here for the years 1930, 1940, and 1950, and will report our findings in subsequent publications.

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