

An Analysis of Apparent
DISPARITIES IN THE HANDLING
OF BLACK YOUTH
within Missouri's Juvenile Justice Systems



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**AN ANALYSIS OF APPARENT DISPARITIES IN THE HANDLING OF BLACK YOUTH
WITHIN MISSOURI'S JUVENILE JUSTICE SYSTEMS**

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AN ANALYSIS OF APPARENT DISPARITIES IN THE HANDLING OF BLACK YOUTH WITHIN MISSOURI'S JUVENILE JUSTICE SYSTEMS

CHAPTER 1

INTRODUCTION

The juvenile justice system has a number of goals. It must respond to the varied needs of young people while maintaining its obligation to provide for the safety of the community. The system is asked to do so within a constrained set of resources, generally inadequate to meet fully the needs of all referrals. The juvenile justice system must work alongside an adult criminal system. And unlike the adult system of justice, juvenile justice must operate under a cloak of confidentiality. It also operates in the midst of a variety of services and service providers such as schools, churches, child welfare agencies and youth advocacy groups.

However, no goal can supersede the importance of meting out justice in a fair and even-handed way. The existence of disparities in case processing subverts both the effect and principle of justice. When disparities in processing exist, they serve to undermine the effectiveness of law and the justice system in ensuring compliance. Certainly, a major outcome of disparities in processing is disrespect for the law and its agents. Disparities may occur in many forms. Concerns over the effects of race, gender, age and income on case processing have been expressed in the community as well as in published research. Indeed, the disproportionate representation of these minorities in custody have periodically sparked calls for an examination of the source of these disparities.

This report has been completed in response to the concern over apparent disparities in the processing of African-American youth within the state of Missouri. A recent report, *The*

State of Juvenile Justice: A Comprehensive Plan of Action (State Juvenile Justice Advisory Group, 1988) highlighted these concerns. This plan underscored a variety of decision points in the juvenile justice system where minority youths were either processed in greater numbers or received a harsher alternative than their white counterparts. Black youths were more likely to be detained for all offense categories, and were also more likely to be held in detention (awaiting disposition). In addition, blacks were more likely to receive formal handling than their white counterparts. Despite this, they had their petitions determined to be "unfounded" at a greater rate than their white counterparts. These findings prompted the current study.

This project was designed to address the concerns raised by the apparent disparities uncovered in the report noted above. The central concern of the report is to examine processing and penalty differentials between black and white youth. Thus the current study explicitly focuses on the steps and stages through which juveniles pass while in the system. The state of Missouri is near the front of a small group of states which have given attention to these important issues. We believe that the data collected as part of this project form the basis for a comprehensive study of the issue of racial disparity in juvenile justice processing. As such the model presented here may be looked at as one which other states may choose to adopt as they become concerned about the issues of racial disparity.

There are forty-four Judicial Circuit Juvenile Courts in Missouri. These circuits include from one to five counties. Each circuit appoints at least one juvenile judge. In urban areas the position of juvenile judge usually rotates every second year; whereas in rural circuits the position has more stability. Their career experiences in Missouri have helped several rural juvenile judges to have active roles in the National Council of Juvenile Judges.

Missouri provides the salary for each juvenile court to hire one juvenile officer. Additional court personnel are paid by state and county funds based on their designated position. Three urban circuits each have large staffs, including legal intake units whose attorneys determine the legal sufficiency of referrals and file petitions, and as many as 200 supervisory deputy juvenile officers and personnel charged with maintaining case records.

Separate legal staff are not available to do intake screening, make decisions regarding legal sufficiency and file petitions in the rural circuits; there the responsibility falls to juvenile officers.

Each jurisdiction is financially responsible for the programs and operation of their circuit, although funds from the state are provided through grants. There are thirty-three court-operated detention facilities in Missouri, including those in the three urban circuits and one rural facility in our study. Individual jurisdictions have had complete discretion over staffing and operation of their facilities, although standards for operation have recently been adopted (Committee on Juvenile Detention, 1989).

Juvenile officers are empowered to dispose of referrals informally or to recommend additional intervention by the court. In the event that a petition is filed on behalf of a child and subsequently adjudicated, disposition of the juvenile may involve in home services (e.g., probation, restitution, community service, counseling) or out of home services (e.g., transfer of custody to the Division of Youth Services [DYS], the Department of Family Services [DFS], Department of Mental Health [DMH], the juvenile officer, private licensed child care, or relatives). Dispositional decisions are made at the discretion of juvenile judges.

To begin the research process of examining racial disparity in juvenile court decision making, aggregate, circuit level data available in the Plan and from the Department of Social Services are inadequate to implement the needed controls to determine whether race or some alternative variable (known as a test factor or control variable) was responsible for the differential. The composition by race of the juvenile population within each circuit was examined (State Juvenile Justice Advisory Group, 1988). From this report we selected eight circuits for study. These eight circuits accounted for more than ninety percent of all the black youths processed throughout the state. While one of the circuits declined to participate for reasons unrelated to the study (it accounted for a small percent of the total number of blacks in the state's juvenile justice system), the project team received generally good levels of cooperation from the remaining seven study circuits.

We then embarked on a massive data collection project, involving a number of individuals in seven different judicial circuits throughout the state. The state and status of record keeping had a significant impact on the efficiency with which data were collected. Some case files were quite detailed and contained a number of reports and examinations of the youth. Other circuits had much skimpier case files, focused on narrower legal issues. The results of the data collection stage can be seen in the extensive analyses which form the basis for this report.

The sample design which forms the basis for this study is relatively straightforward. We sampled a fixed number of felony, misdemeanor and status offense cases for both blacks and whites for 1987 and 1988. This sampling design allows for estimating black and white differences by circuit within each of the three offense categories (See Table 1). This 3 by 2 sampling frame provided the basis for selecting cases for inclusion within the study. The variables collected for each case included in the sample have a justification in the voluminous literature on racial disparity in criminal and juvenile justice case processing.

Table 1. Description of the sampling plan

<u>Race</u>	<u>Offense severity of the major allegation in the referral</u>		
	<u>Status offense</u>	<u>Misdemeanor</u>	<u>Felony</u>
<u>Black</u>	X	X	X
<u>White</u>	X	X	X

This constitutes the research design for the analysis. Each of the "cells" of Table 1 formed a basis for sampling cases from each of the circuits. This particular design was chosen because it will allow for a sufficient number of cases for analysis in each of the categories of particular interest.

At its most basic level, this is a "stage-specific" study. That is, we examine each stage at which a processing decision is made in the juvenile justice system, and document why

and how disparities in case processing decisions exists. However, this is not just a study of racial disparities in juvenile justice case processing. The second goal, of equal importance to examining and documenting disparities, is to offer policy recommendations designed to remedy such disparities. The goal of applied social science is not only to produce greater understanding, but also to provide a framework for change. It is this goal, translating findings into a guideline for action, that we examine in the final section of this report.

This project will enable service providers in juvenile justice and citizens in the state of Missouri to better understand how juveniles are processed. It will provide them with a means to understand the "apparent" disparities noted in the Plan. It is important to distinguish between disparities and discrimination, because these words have different meanings in the context of this report. It is possible to have disparities in processing between the races without discrimination based on race. That is, black youth may receive harsher dispositions at a particular decision point in the system, without that constituting racial discrimination. If for example, more black youths had a petition filed against them than white youths, this would constitute disparity in processing based on race. However, if it was subsequently determined that black youths were more likely to have a prior record, or were being held for more serious offenses, these disparities would have a basis independent of race. If such disparities were not attributable to more serious criminal histories or disproportionate involvement, racial discrimination may likely be concluded from such a finding. Disparities may have a variety of sources, some of which may include racial discrimination, the impact of poverty, family structure, offense seriousness, prior record, gender, or age.

In order to disentangle the effects of race and other variables on outcomes in juvenile justice, a number of statistical analyses have been performed. In each of these, the primary goal is to isolate the effect which race has on processing decisions holding other variables constant. Thus, the logic of the statistical analysis is to provide comparisons of similarly situated black and white youths. This statistical procedure (known as control) allows researchers to compare black and white youths with similar records, backgrounds and

personal characteristics. In a system free from discrimination, such youths should receive comparable outcomes. Where such similarly situated youths receive disparate outcomes, other things being equal, discrimination based on race is a plausible interpretation. A number of flow charts showing the movement of cases through the various decision points in the juvenile justice system also are presented. For each of these stages, black-white comparisons are presented. It is important to examine where such differences exist, but also to note that these flow charts only provide an "aggregate", or overall look at how cases are processed. The flow charts do not include the "controls" discussed above.

Better understanding of the sources of disparity will provide service providers and policymakers with the tools to begin to eradicate disparities which have a basis in race. This is an important first step in assuring that public confidence in the fairness and equity of the state's juvenile justice system is merited. However, merely identifying the sources of disparities will not eradicate them. Policy recommendations which carry the support of broad constituencies must be developed and successfully implemented. Studies such as the one presented here are only "first steps" toward reaching to goal of a juvenile justice system free from racial discrimination. The more difficult steps involve formulating and implementing policies which insure that such systems are free from bias.

CHAPTER 2

REVIEW OF EXISTING RESEARCH

INTRODUCTION

The literature examining race and discrimination is voluminous. In fact, interest in this topic expands over several decades (e.g., Goldstein, 1960; Arnold, 1971; Fagan, Slaughter and Hartstone, 1987). Many researchers have attempted to determine the extent to which race and other non-legal variables have an impact on decisions made in the criminal or juvenile justice system (Piliavin and Briar, 1964; Hagan, 1974; Huizinga and Elliott, 1987). Efforts to determine the extent to which race results in differential handling have produced mixed results. Some studies (e.g., Dannefer and Schutt, 1982; Fagan et al., 1987) show that black youths are discriminated against by law enforcement and other juvenile justice officials. Other studies offer either inconclusive results or no findings of systemic discrimination (e.g., Meade, 1973; Cohen and Kluegel, 1979).

Wilbanks' provocative book, *The Myth of A Racist Criminal Justice System* (1987) has intensified the controversy about race and discrimination. Wilbanks' thesis is that the criminal justice system does not systematically discriminate against poor people and visible minorities. He argues that the criminal justice system may "discriminate in favor" of black offenders. Critics (e.g., Mann, 1987) suggest that Wilbanks' findings are based upon aggregate data, an absence of qualitative research, and poorly operationally defined terms, i.e., prejudice and racism.

There remains continued debate about race and the notion of disparate treatment. In this chapter of the report, we offer a literature review that summarizes trends in the existing literature, with an emphasis on special issues and methodological approaches. Ultimately, the goal of this review is to identify trends and their significance for policy decisions. This review emphasizes the juvenile justice system and discusses the role of race in juvenile justice decisions made by the police, intake officers and judges. The presence of counsel, the effect of

detention, attitude, demeanor of the youth, family structure are all variables which may affect such decisions, and are therefore considered throughout this review. Methodological critiques of prior research are offered. The conclusion of the review calls for current empirical research investigating multiple decision stages in the juvenile justice process. Many of the recommendations identified in this review are incorporated in the study discussed in this report. Readers also are encouraged to consult a recent comprehensive review of the literature on this topic (Pope and Feyerherm, 1990).

POLICE DECISIONS ON CUSTODY AND RELEASE

The first decision point to be considered in the juvenile justice system usually occurs when police encounter youths suspected of offending. Schools, parents and social agencies also refer children to juvenile court, but these referral sources are less common and rarely studied. The variables affecting police dispositions have been examined in several studies of police decision making and, among other legal and extra-legal factors, the influence of race has been examined most often. Many authors (e.g., Dannefer and Schutt, 1982; Laub and McDermott, 1985; Fagan, Slaughter and Hartstone, 1987) have reported that, relative to their white counterparts, black youth receive "harsher" treatment by the police. Dannefer and Schutt (1982), in a study of two counties in New Jersey, suggest that race has a strong impact upon police intervention, with black youth more likely to be the objects of police intervention. Thornberry (1973:93), using the 1945 Philadelphia birth cohort data, found that "more white youths than black youths were given remedial dispositions" by law enforcement officials, i.e., more whites than blacks were released by police officers. The Thornberry study showed that of 5,362 black offenders only 59% received remedial dispositions compared to 79% of the 4,239 white youths. More recently, Fagan et al. (1987:237) found that minority youth were referred for custody at higher rates than their white or "Anglo" counterparts. The Fagan et al. study shows that police offered informal responses more often to white youths than black youths, especially when minor offenses were involved. Meanwhile, Huizinga and Elliott (1987), in comparing self-

report measures to official statistics, observe that the risk for apprehension is higher for minorities than for whites - even when both groups report similar involvement. Huizinga and Elliott (1987) go on to suggest that this disproportionality may be related to the finding that more black juveniles than whites admit their wrong-doings to the police. If black youths are detained at higher rates following their encounter with police, policy makers should explore the relationship between police contacts and subsequent system penetration (Bortner and Reed, 1985).

There have been several studies examining the effect of race, attitude and police action (e.g., Piliavin and Briar, 1964; Skolnick, 1966; Lundman, 1974; Moyer, 1981). Moyer (1981) suggests that demeanor has a stronger effect on the responses of the police to black offenders. Piliavin and Briar (1964) found demeanor and the officer's perception of the offender to be important factors. Black offenders, when compared to their white counterparts, increased the likelihood of an arrest with "disrespectful" behavior. According to Piliavin and Briar (1964), black juveniles were more likely to be seen as uncooperative and without remorse for their behavior than were whites. This negative perception had the effect of generating police antipathy toward black youths. Therefore, a major finding from the Piliavin and Briar research was the recognition that minority youths may be accosted by law enforcement officials based on skin color and preconceived notions.

Lundman's (1974) observational study of police citizen encounters in a large Midwestern city yielded interesting results. Using trained observers to code information on approximately 1,978 encounters, he found that citizen-initiated reports of crime do not result in arrest as often as police-initiated encounters result in arrests. His data show that disrespectfulness would frequently result in an arrest. Lundman, however, was unable to show conclusively that police discriminated against African-Americans. Similarly, Black and Reiss (1970) using a systematic observation strategy found a correlation between demeanor and arrest. They also observed higher rates of arrest for black youths; yet, racial prejudice could not be identified as the reason for the higher rates of arrest.

Robin's (1984) review of selected articles (Terry, 1967; Black and Reiss, 1970; Weiner and Wyle, 1971; Sullivan and Siegel, 1972) provides little or no support for differential treatment of minority youths by law enforcement officials. Even the use of aggregate census tract data resulted in the conclusion "that the police disposition process appears to be even-handed." Throughout his review, Robin (1984) argues that prior offense and severity of offense are more important in police dispositions than the race of the suspect. These control variables are an important part of the analysis which follows.

Several observations can be made regarding the status of research in police handling of juvenile cases. First, it appears that policy makers need to examine carefully citizen-initiated complaints because the presence of a complainant may influence an officer's decision to take the juvenile into custody (Robin, 1984). Confounding the matter for police is knowledge that an unfavorable decision by the law enforcement officer may result in a complaint by the citizen. Decker and Wagner (1982) point toward at least one dilemma for police. Specifically, any unfavorable decision may intensify negative feelings about the police, especially from minority groups who police may depend upon for crime control. Second, the extent to which labeling and negative type-casting affects the patrolling of minority neighborhoods should not be discounted (Skolnick, 1966; Hepburn, 1978; Morash, 1984). Third, criticism about the methodology can be identified in studies with insufficient control groups, unrepresentative and non-random sample populations (e.g., Piliavin and Briar, 1964; Lundman, 1974). Researchers and policy makers should be aware and sensitive to the methodological shortcomings in some of the existing juvenile justice literature.

INTAKE SCREENING AND DETENTION DECISIONS

The next important decisions affecting juveniles occur during the intake proceeding. Typically, an intake officer of the court reviews the case and recommends either custody or release. In some situations, the intake officer may choose from a host of options, including release to parents, secure or non-secure detention. Following Federal mandate in the

Delinquency Prevention Act of 1974 (Amended 1977) states require a detention hearing within 24 to 48 hours to establish whether continued detention is warranted or mandate release unless evidence is presented showing the necessity for continuing detention. This pre-adjudicatory process determines whether the juvenile will be placed in (protective) custody or released (often to parents) pending disposition of the case.

A few issues regarding detention are highlighted below. First, this area is extremely important because the pretrial detention of any youngster may easily involve abuses of law and power, moreso than at any other stage in the juvenile justice process (e.g., Sarri, 1974; Triplet, 1978; Bookin-Weiner, 1984). Second, detention of youths can be harmful (Sarri, 1974; Bortner, 1982). Some detained youth have attempted suicide and experienced self-inflicted physical injury. For the juvenile in custody, detention facilities may not take into consideration the importance of personal space. In fact, some researchers (Sarri, 1974; Shamburek, 1978) have presented convincing evidence of youths being harmed legally, physically and psychologically as a result of detention. Third, there is criticism that relative to disposition decisions, the rules for detention decisions remain ambiguous in many jurisdictions. Finally, the decision to detain a youth may have an impact on decisions made at a later stage of the decisionmaking process.

Despite, legal and ethical issues raised by detention of juveniles in general, there is a dearth of literature on the effect of race on the intake and placement decision (cf., Fester et al. 1970). Much of the research is based upon data almost two decades old (Frazier and Bishop, 1985). Nevertheless, some trends in the existing literature are presented. We begin with Bortner and Reed's (1985) examination of detention, screening, and dispositional outcomes in a Midwestern state. Bortner and Reed (1985) found that race had a major impact upon detention status. The negative impact of pretrial detention upon blacks and sentencing in criminal court also has been shown (cf., Kempf and Austin, 1986). Specifically, African-Americans who are detained receive harsher sentences than their white counterparts with comparable backgrounds.

Using national data on juveniles processed between 1975 and 1977, Black and Smith (1980) identified two variables most related to detention--prior record and living arrangements. Juveniles who had prior records and those not living with their natural parents were most likely to be detained. Frazier and Cochran (1986), examining the initial detention cases of more than 9,000 juveniles in a Southern state, found a relationship between the number of priors and the likelihood of detention. Frazier and Cochran also reported that black youths, rural youths, and females were generally more likely to be detained than youths who were white, urban and male.

Frazier and Bishop's (1985) study of 54,266 delinquency cases from a state agency between 1979 and 1981, yielded different findings. They were unable to demonstrate that the detention of juveniles was related to race. They found instead that being white, male and older increased the likelihood of detention. More black youths, however, than white youths who were not detained had their cases formally adjudicated. Frazier and Bishop (1985:1148) remark, "For youth who are not detained there is considerable evidence of racial disparity in the method of case disposition. For example, the predicted probability of formal disposition for a non-detained 15 year old white male is .279, while for a non-detained 15 year old non-white male, it is .347. The effect of detention is to reduce the racial difference." Meanwhile, the relationship between race and detention has been established in other studies (see e.g., Terry, 1967; Thomas and Sieverdes, 1975; Dungworth, 1978; Liska and Tausig, 1979).

Others (Cohen and Kluegel, 1979; McCarthy, 1985; McCarthy and Smith, 1986) find very little evidence to support the hypothesis that race, gender and age are related to detention decisions. McCarthy's (1985) examination of court data in Jefferson County, Alabama revealed both intake and adjudicatory decision-making to be based upon the offender's prior history and the severity of the offense.

Research on the relationship between race and intake decisions yields mixed results. Perhaps current research strategies are not sensitive to some discriminatory practices. Factors such as dress, demeanor and schooling of the alleged offender may require additional scrutiny. Frazier and Bishop (1985) suggest that there may be an idiosyncratic approach to information

sharing within the juvenile court. This observation was buttressed by their inability to develop a predictive model of who was most likely to be affected by detention. They speculate that specific "unwritten" information was being shared with the judge to assist in case disposition. If this is true, it seems logical to suggest research in this area. The extent to which legal counsel is necessary or provided at the intake stage deserves examination (cf., Fester et al., 1971; Feld, 1984), especially if the role of the intake counselor is not clearly identified and becomes one of evidence gathering.

COUNSEL AND REPRESENTATION

The U.S. Supreme Court ruled in the legendary Gault case (1967), that counsel was a right. The Supreme Court maintained that counsel was necessary to ensure protections from arbitrary justice and to guarantee due process. The Gault decision was a vehicle for passing on to juvenile offenders some of the same constitutional rights that adults enjoyed. And as will become evident, the impact of providing legal representation for the juvenile offender emerges as an important area.

Several scholars have examined the impact of counsel for the juvenile offender (e.g., Platt, 1969; Lefstein, Stapleton, and Teitelbaum, 1969; Fagan et al., 1987; Feld, 1988). Platt's seminal work (1969) regarding the history of the juvenile justice system establishes a long litany of abuses and limited opportunities for African-American youths. Many of the programs available to black youths were based upon stereotypes and social status. Black youths were not prepared for advancement, rather they were "schooled" with domestic chores and low paying service jobs. The black offender was to return to society with little optimism for advancement. Platt (1969) goes on to portray the pre-Gault era. He maintained that juveniles, both black and white were without due process and exposed to arbitrary practices within the juvenile court (cf., Berg, 1986).

Lefstein et al. (1969) found that immediately after the Gault decision many juveniles were neither properly advised nor had counsel appointed for them. Clarke and Koch (1980) in a

North Carolina study found low rates of legal representation. Similarly, Bortner's (1982:139) examination of a mid-western county's juvenile court found that fewer than 50% of the juvenile offenders were represented by counsel. Feld (1988) using aggregate data from six different states, observed considerable variation in the frequency of legal representation. In addition, Feld found that the presence of counsel often correlated with harsher penalties. Clarke and Koch (1980) analyzing over 1,000 cases in two North Carolina cities, also found that lawyers did minimize the outcome. Specifically, the type of counsel a child had (whether private, individually assigned, or specialized) did not affect whether the juvenile was adjudicated. In this study, children with counsel were actually more likely to be committed than those without counsel. Clarke and Koch suggest that the relative ineffectiveness of counsel may be related to the number of juveniles (over 70%) who had already admitted law violations before assignment of counsel. It may also be that the most serious cases tend to be assigned counsel.

Some research (e.g., Cohen and Kluegel, 1978; Clarke and Koch, 1980; Aday, 1986) offers little support for a discrimination hypothesis. Aday (1986) examined data from a Midwestern and a Southern city. A systematic sample of 250 cases were taken from each court. He stratified the sample population by gender to ensure adequate representation of female offenders. One court represented the pre-Gault structure (e.g., centralized authority and low task differentiation); the other court encouraged due process and adversarial proceedings. His basic finding was that the assignment of counsel did not have an impact upon most cases. In the traditional or pre-Gault court, attorney use was low and did not affect outcome decisions. In the due process court, attorney use was higher mostly for males and individuals with multiple offense allegations. Nevertheless, Aday suggests that assignment of counsel in these courtrooms may be "token" gestures, especially when there is already a high probability of court intervention. His argument is that contradictory findings on the consequences of using defense attorneys in juvenile court proceedings may be intrinsically related to the organizational structure of different courtrooms (e.g., Nardulli, Eisenstein and Flemming, 1988).

Unlike Aday (1980), Fagan, Slaughter, and Hartstone (1987), point toward a definite relationship between counsel, race and case disposition. Fagan, et al. (1987) suggest that type of counsel explains why more minority offenders are adjudicated. African-American youths are more likely to have public defenders and white youths are more likely to have private counsel. Controlling for similar offenses, Fagan et al. point toward the dismissal rates for white and black offenders, at 25% and 19%, respectively. The type of legal representation for African-American offenders may serve to explain why more whites than blacks have their cases dismissed.

This topic deserves more attention. There is need for more studies examining how minority youths are affected by counsel because much of the existing literature on this topic is outdated (e.g., Tappan, 1964; Handler, 1965; Lehman, 1966; Stapleton and Teitelbaum, 1972). Many ethical and legal questions also remain unresolved. Why, for example, does so much controversy and dispute exist concerning the Gault decision? Of course, part of the answer to this question lies in the different perspectives found among courts and among individual judges. Courts predisposed to treatment and rehabilitation may discourage adversarial procedures and legal challenges. One thing seems clear, many juvenile courts have developed ways of adapting to the Gault decision without fully embracing the U.S. Supreme Court's mandate. The reasons for this should be explored. The hesitancy for wholesale change within the juvenile justice system suggests at least one irony: that courts expecting lawful and appropriate behavior from juveniles still reluctantly implement a decision of the U.S. Supreme Court now more than 20 years old.

PETITIONS FILED

Another decision of importance pertains to filing petitions in juvenile court. It is important to isolate the effect of race on the number of petitions filed for juvenile offenders. The existing literature provides some insight into these questions. To begin, a report on youth processed by the Nations's courts between 1975 and 1977 noted that minorities were more likely than whites to have their cases dismissed (Smith, 1980). More recently, (Reed, 1984;

Huizinga and Elliott, 1987; Bishop and Frazier, 1988) found race to be a factor in decisions on formal juvenile court petitions. Bishop and Frazier's (1988) analysis of delinquency cases in the state of Florida over a three year period found significant correlations between race and processing decisions, including filing petitions. In 40% of the cases referred for formal processing (N=21,096), 47.3% were black youths and 37.8% were white youths. They state (1988:251), "From initial intake referral to petitioning the court, the composition of the cohort has increased from 28.4% black to 32.4% black." In the same vein, the Office of Juvenile Justice and Delinquency Prevention reported in 1985 that number of petitions filed increased by 6% for white youths and by more than 10% for black youths (U.S. Department of Justice, 1989a).

If, as identified earlier by Huizinga and Elliott (1987), blacks youths are much more likely to be arrested for serious offenses than their white counterparts, then the larger number of black youths who are arrested can also be expected to have a larger number of petitions filed against them. Fagan, Slaughter, Hartstone (1987) found that in most instances, petitions were filed against black youths for violent offenses at higher rates than white youths. Controlling for other variables such as family structure, gender and offense history did not abate this finding.

The existing literature suggests a correlation between race and court petitions filed. The issue of differential treatment, however, is not so easily identified. Allegations of differential treatment could be explained in ways other than racial discrimination (ie. behavior, not attitude). Fagan et al. (1987) suggest that many violent offenses by white youths may involve acts of sexual intimacy, and parents may be reluctant to prosecute because the victim may know the offender and refuse to assist with prosecution. Black youths, Fagan et al. (1987) argue, are more likely to use weapons, resulting in physical injury and consequently the filing of more petitions.

ADJUDICATION AND DISPOSITION

The adjudicatory phase of the juvenile justice system has received widespread attention. This phase of the juvenile justice system is the formalized process where the

allegations are found true or found not to be true. If the juvenile offender has been adjudicated as delinquent, the youth is typically judged in effect to be "guilty" of a wrong doing or inappropriate behavior. A review of the literature suggests that the percentage of blacks adjudicated is higher than their white counterparts (Huizinga and Elliott, 1987; Fagan et al., 1987).

In another study, Fagan, Slaughter and Hartstone (1987) stratified sample populations by offense types, ethnicity and identified these stratified random samples of youths at various stages within the juvenile justice system. Their data show that white youths more often than their black counterparts pled guilty to lesser charges or received indefinite postponement of the judicial decision through "continued adjudication." Except for the more serious offenses, white youths were more likely than African-American youths to have their cases dismissed. As was suggested earlier, type of counsel may explain the differential treatment of minority youths. Confounding this observation, however, is evidence that black youths who commit serious offenses are more likely to admit their guilt, while their white counterparts may plead to lesser charges with a private attorney.

Cohen and Kluegel's (1978) study of over 6,000 cases from two juvenile courts, one in Denver and the other in Memphis did not show patterns of discrimination based upon race. They found offense and prior record, and not race, were the major determinants in the severity of dispositions. Similarly, Dannefer and Schutt's (1982) examination of sample cases from the police juvenile bureau (N=1271) and the juvenile court (N=519) revealed an interesting finding. While there was little evidence to support a discrimination hypothesis at the adjudication stage, Dannefer and Schutt (1982) found that the sentencing practices of some judges was closely related to their recognition of discrimination within the criminal justice system. Specifically, Dannefer and Schutt (1982:1129) observed that some judges engaged in "bias correction" by compensating for the differential treatment of minority youths by police at the point of arrest. Meanwhile, McCarthy (1985) in a case study of a small town in rural Alabama did not find racial discrimination at the adjudicatory stage.

In another study, however, McCarthy and Smith (1986) suggest that discrimination against black and other minority youths is more pronounced at adjudication. Moreover, Thomas and Cage (1977) and Datesman and Scarpitti (1977) found that within each offense category (felony, misdemeanor, status), blacks were more likely than whites to receive the most severe disposition.

At this point, it may be useful to discuss some of the findings and contradictions identified in the literature. One issue of contention stems from the inability of researchers to agree upon like terms, i.e., bias or discrimination. For instance, the conclusion that bias does or does not exist in juvenile courts depends ultimately on one's definition of bias. Therefore, terminological preference and definition of terms may serve to confuse the issue. Another issue pertains to methodological concerns. Perhaps there is the need for researchers to employ more sophisticated statistical techniques. Use of multivariate statistical techniques might be a good beginning. Log linear analysis is well suited for the analysis of data of many criminal justice issues but requires normally distributed interval level outcome measures (Burke and Turk, 1975). Fortunately, maximum-likelihood logistic regression provides a means for examining the relationships between categorical variables, such as juvenile justice decisions, and other prior factors identified as important in theory and research (Sampson and Lauritsen, 1990).

A third issue becomes evident from Dannefer and Schutt (1982), specifically, their identification of "bias amplification" (Farrell and Swigert, 1978), suggests the need to examine the juvenile justice system as a process and not as one component. The finding that judges compensated for discriminatory decisions made by police officers points toward the need to understand various interactions within the juvenile justice system.

Fourth, the proclivity for African-American youths to admit their guilt for serious offenses at higher rates than their white counterparts requires examination as well. What situational factors predispose black youths to admit guilt at higher rates than their white

counterparts? Is the inclination to admit guilt related to penitence? Or is it a rational decision based upon distrust and suspicion?

RESIDENTIAL PLACEMENT AND CORRECTIONAL PROGRAMS

Occasionally there is the need to place a juvenile in a residential setting. This can occur after a juvenile has been adjudicated by the court. Frequently, the juvenile has exhausted the support of many field service counselors (i.e., probation officers, juvenile deputy officers, etc.). Indeed many juveniles are placed in residential programs because of both the number and nature of their offenses. Their placement over the years has traditionally been at a training school (currently referred to as youth development centers) or smaller residential homes (such as halfway houses and group homes). The placement of a youngster in one of these settings has typically attempted to add structure to their lives, to educate them, provide them with role models, teach them responsibility and to offer them "talk therapy" and guided-group counseling sessions.

Halfway houses, group homes and more recently wilderness or boot camps tend to be non-secure. Youth development centers maintain a more secure setting. These facilities are much larger and consequently, youths may not always receive the level of emotional support required. Unlike group homes and halfway houses, there is often no deliberate policy designed to facilitate successful reintegration into the community. Many issues and problems surround both the institutional and community approach; some of these include but are not limited to, poor delivery of services, mismanagement and higher than expected rates of recidivism, especially, in public-run facilities (Wilson, 1978; Krisberg and Schwartz, 1983).

On the issue of race, Fagan and McGarrell (1985) found black youths disproportionately represented in both short-term and long-term facilities. Krisberg et al. (1987) also found minority youths incarcerated at rates three to four times higher than their white counterparts. Using data from past and present *Child In Custody* (CIC) publications, they found that between 1979-1982, a larger number of minority youths than whites were placed in public

facilities. Krisberg et al. (1987:178) remark, "The number of blacks in public facilities rose by 4,269. The numbers of Hispanic youngsters in public facilities increased by 1,336. In total, minority juveniles incarcerated increased by 5,759, representing 93% of the increase in incarcerated youngsters." In fact, CIC data obtained for 1979 shows wide disparities in white versus non-white incarceration rates. According to Krisberg et al. (1987:187), "Rates of white male incarceration ranged from a high of 553.3 per 100,000 in Nevada to a low of 24.4 per 100,000 in the District of Columbia. The male minority incarceration rate was highest in the District of Columbia at 1158.3 per 100,000 and lowest in Massachusetts at 61.1 per 100,000." The rate of increase for minority males in the state of Missouri was 873.7 per 100,000 cases. Ironically, these increases took place during the peak of the era characterized by efforts not to incarcerate youths. Recent CIC data enumerating findings for the years 1975, 1977, 1979, 1983 and 1985 also verify the trend that black youths continue to be referred to public facilities at higher rates than their white counterparts (U.S. Department of Justice, 1989). Woodson (1982) argues that the net effect of the movement away from incarceration was to decrease the number of white youth from public funded facilities while simultaneously increasing the number of African-American youths in these facilities. This observation receives support from Bortner et al. (1985) who found an increase in the number of incarcerated minority offenders, especially black female status offenders.

Huizinga and Elliott (1987) point toward the large number of blacks in public institutions. Similarly, based upon conclusions from other studies (e.g., Sellin, 1935; Bullock, 1962), Quinney (1970) maintains that blacks, relative to their white counterparts, receive more severe case dispositions that result in institutional placements. Schichor and Bartollas (1990), however, examined the placement of juvenile offenders from southern California, and observed that public facilities were used less than private facilities, they found referrals were not based upon race. The same may be said of Fagan, Slaughter and Hartstone's (1987) examination of the juvenile justice process, where race was not a factor in the judicial dispositions of committed youth.

The available research literature may be divided into at least two different categories. Some identify a disproportionate number of incarcerated blacks and visible minorities (e.g., Shefflin, 1979; Taft, 1981). But a second category of research explains away the differential treatment of minority youngsters by controlling for socioeconomic factors and legal variables (Pena, 1981; Krisberg et al., 1987). One of the basic conclusions offered by researchers in both areas is that black youth and other ethnic minorities are disproportionately represented in juvenile correctional settings (cf., Vinter, et al., 1976; French, 1977; Shefflin, 1979). While there is some consensus about the disproportionate numbers of black youth within residential programs, there is considerable disagreement as to the reasons. A dominant view is that the higher rates of incarceration reflect the high rates of offending for African-American youths (Arnold, 1971; Hindelang, 1982). Offenses like assault, robbery and rapes are more likely to result in institutionalization. Some researchers point toward problems with data collection and the lack of control measures to ensure validity of findings (Arnold, 1971). The literature contains a number of conflicting and contradictory results about this issue. For example, Chiricos et al. (1972) and Jankovic (1978) report that minority and low income youth are more likely to be committed to state training schools regardless of offense. Similar findings are reported by Vinter et al. (1976) and Rodriguez and Rogler (1980).

Other studies suggest that race is not a factor (Cohen and Kluegel, 1987; Blumstein, 1982). In his study of the (adult) criminal justice system, Blumstein found only a correlation between race and incarceration. At least 80% of black disproportionality was attributable to arrests and higher rates of offending. There was little evidence of systemic discrimination. Blumstein goes on to suggest that many black offenders received preferential treatment if their offenses were against other blacks (cf., LeFree, 1980). This may be because the minority victim is devalued by the decision maker, however. Other studies have found that minority and white youth are treated alike (see for example, Hindelang, 1982).

JAILS

This subject has received considerable attention in recent years. The journal, *Crime and Delinquency*, devoted its April 1988 issue to the plight of children in jails. For many years child care advocates have been calling for the removal of juveniles from adult correctional facilities. It was not until the enactment of the landmark Juvenile Justice and Delinquency Prevention Act of 1974 that this issue became a national priority (Schwartz et al., 1988). The placement of juveniles in jails is particularly distressing because juveniles in jail can become victims of other inmates, of the staff, and of their own hands. Juveniles in adult jails may be subjected to physical and sexual abuse. A federally sponsored study found that children confined in adult institutions were eight times more likely to commit suicide than those placed in facilities designed exclusively for juvenile offenders (Office of Juvenile Justice and Delinquency Prevention, 1981).

Of particular interest is the extent to which black and white youths are found in jails throughout the country. Schwartz and his colleagues (1988:143) did not find significantly higher rates of confinement for black youth. They did find, however, that "black juvenile offenders were held longer than white juvenile offenders in municipal lockups for all types of offenses" (Schwartz et al., 1988:143). In 1984, the *Annual Survey of Jails* revealed that there were at least 95,000 juveniles admitted to the nation's jails; approximately 16% were female. Chesney-Lind's (1988:158) examination of documents obtained from a Long Beach Island Jail also identified a high percentage of youth in the facility were confined for status-related offenses. Of the 4,511 youth held at that facility, 62% were minority group members; and of this figure, 34% were African-American youths (see, e.g., Hancock, 1981; Mann, 1984; Figueira-McDonough, 1985).

This section examined the placement of youths in correctional settings and highlighted the use of jails with a special focus on race as a determinant. High numbers of minority youth are found in both correctional programs and jails (e.g., Chesney-Lind, 1988). There is a need to examine existing policies for confinement and for juvenile justice

practitioners to understand fully the impact of their decisions on minority youths. Research in this area should look beyond the simple variable of race in an effort to explain the disproportionality of minority youths in youth development centers. As court reformers have discovered, it may be necessary to include in the policy information process, the individuals who would be responsible for policy implementation. Court reformers, for example, found that failures to either modify or abolish plea bargaining stemmed directly from policy makers reluctance to include them in reform efforts. This strategy, where it does not exist, may invite meaningful discussion and ultimately initiate change, thereby, lowering the number of minority youth who are incarcerated. In a society committed to pluralism and equality, the growing numbers of minority youths who are placed in public facilities may be a harbinger for social turmoil. At the very least, policy makers ought to explore the reasons black youths are being excluded in large numbers from privately operated residential programs, some of which are not any more expensive than government funded institutions.

WAIVER

Treatment, not punishment has been portrayed as the most appropriate method of dealing with juvenile offenders. Despite this rehabilitative orientation, all states have established procedures for remanding juveniles to adult court for prosecution (Bortner, 1986:53).

Remanding a juvenile to adult court is an extremely consequential action, one that strips the youth of the protective status of the juvenile court. Several issues emerge concerning the use of waiver for juvenile offenders. One such issue surrounds growing dissatisfaction with the traditional treatment orientation (Gasper and Katkin, 1980; Feld, 1984).

Feld (1980), in his analysis of waiver, suggests that the growing popularity of the waiver decision is related to the perceived inadequacy of juvenile court sanctions. Feld, however, is critical of the waiver. He notes, "black youths are decidedly more at risk in waiver hearings than are their white counterparts" (Feld, 1980:32). He also sees the waiver process as procedurally flawed. He later maintains that, "the waiver decision involves a choice of

sentencing philosophies by determining the forum--juvenile or adult--in which guilt will be adjudicated. Efforts to rationalize the choice of forum necessarily remain vulnerable to the extraordinary discretion that runs rampant throughout both the juvenile and adult system" (1984:39).

Other scholars believe that a disproportionate number of African-American youth are affected by the waiver decision (see, e.g., Thomas and Bilchik, 1985; Bortner, 1986; Fagan, Forst and Vivona, 1987). Thomas and Bilchik (1985) found that nearly 70% of the youth prosecuted in adult court were ethnic minorities. To the contrary, Hamparian et al. (1982) found that nationally 39% of all youth transferred in 1978 were black. However, in 11 states, black youths surpassed the number of whites who were prosecuted as adults.

Clearly, black youths are disproportionately represented in the waiver process, but does this mean that black youths are discriminated against? A few studies have attempted to examine discrimination on the basis of race (Keiter, 1973; Eigen, 1981; Fagan et al., 1987). Keiter (1973) found that the likelihood for transfer was higher for blacks than for whites. Keiter observed that white youths committed more serious crimes, yet they were recommended for transfer at the same rates as their black cohorts. Eigen (1981) found race was a direct predictor of transfer in interracial homicide cases in the Philadelphia data he examined. In contrast, Fagan et al.'s (1987:276) analysis of a national data set revealed that race was not predictive of transfer "in aggregate nor site specific models."

Assuming the Fagan et al. (1987) study is correct and generalizations can be made on the basis of their data, there are some policy implications worthy of discussion. If race does not appear to be a direct factor in the waiver decision, its indirect effect may require examination. It could be that social class, isolation, feelings of powerlessness, lack of education and stereotyping are contributing factors. Second, the extent to which black youths are at least over-represented in the waiver process require the attention of policy makers. For instance, when policy makers speak of increasing the severity of juvenile sanctions, black youths may be expected to feel the effects of these policy changes. Therefore, the extent to

which blacks and other minority youths continue to be disproportionately remanded to the adult court deserves scrutiny. To do otherwise, may place them at risk once more for disparate decisionmaking; specifically, once in juvenile court and again in the adult court. Closely related to this issue is the politicized nature of the waiver and arguably the need to reaffirm the importance of rehabilitation. Stated differently, the extent to which the waiver is used to appease a public increasingly intolerant of the "corrections" ideal should be examined.

OBSERVATIONS AND CONCLUSION

Before summarizing and offering some observations about the literature, we highlight an important observation about the changing nature of the literature on race, discrimination and the juvenile justice system. Some scholars (McCarthy and Smith, 1986; Bishop and Frazier, 1988) have begun to employ a multiple-stage analysis of the juvenile justice system. Others (e.g., Bortner and Reed, 1985; Fagan, Slaughter, and Hartstone, 1987) also employ a multiple-stage approach. The multiple-stage approach represents an attempt to move beyond bivariate analyses and first-order partial correlation techniques. It involves multivariate analyses with a focus on juvenile justice officials and their decisions at each of several stages of the juvenile justice process. By carefully isolating the juvenile justice decisions, researchers can more easily identify the origins of differential treatment. Advocates of this approach argue that any analyses of the juvenile justice system must be done from a system perspective. Reporting a finding on the basis of one aspect of the juvenile justice system (e.g., the arrest stage) may result in a misleading conclusion. In fact, doing otherwise may mask significant observations. For example, Bishop and Frazier (1988:243) state, "Although, the impact of race on case processing may be small at any one stage, the cumulative effects of small and even nonsignificant race differentials at multiple processing points may be quite substantial. Single-stage analyses cannot assess such effects." Bishop and Frazier (1988:243) go on to say, "When research is restricted to a single or late stage in processing, the effects of race may be masked due to correlations between race and earlier processing decisions that predict outcomes." The

advantages, then, to the multiple-stage strategy are apparent and more studies should employ the approach.

In summarizing findings in the literature, one of the most apparent observations is that there is much variation in findings (Pope and Feyerherm, 1990). There are studies purporting to show discrimination against minorities, others suggest the opposite or no race effect, and still others suggesting that the disproportionate number of minority and black youths within the juvenile justice system is related to their higher rates of offending. **The preponderance of literature suggests either a direct or indirect race effect which may be apparent at some stages and not at others.** As such, there is a need for additional research, which utilizes multi-stage designs and rigorous statistical controls.

Second, regarding police intervention, there is reason to believe that the complainant may have impact upon how police respond to particular calls. The attitude of the offender as well as the attitude of law enforcement officer about juvenile offenders, especially African-American youths seem to require exploration. In addition, there are some police departments that use blacks as suspects in training situations. Therefore, the extent to which training, education and departmental policies have an impact upon police attitudes and the surveillance of certain neighborhoods also should be explored.

Inferences made from the literature suggest these are complicated issues. Laub and McDermott's (1985) exploratory study of crime by "young black women" suggests that the disproportionate number of black female offenders in contact with the police may be a function of discrimination, especially in light of their finding that the rates of offending for black females has declined over the years. However, they observe that the high arrest rates for black females versus their white counterparts may simply be a function of their relative higher rates of offending. The point here is that even data purporting to show discrimination at the point of arrest has to be interpreted carefully and not taken out of context (cf., Morash, 1984).

Third , Frazier and Bishop's (1988) examination of intake decision-making suggests **the need for future studies to examine the extent to which undocumented "information**

sharing" between the intake officer, prosecutor and the judge affect case outcome.

Perhaps through the use of questionnaires and observation studies, information sharing that is not easily lifted from quantitative studies can be explored. Frazier and Bishop maintain that they had difficulty identifying variables predictive of disposition outcome. Therefore, they speculate that the intake officer and the prosecutor share influential, yet unrecorded information regarding certain cases with juvenile court judges.

Fourth, the availability of counsel and the impact of Gault should be examined.

Decker and White's (1980) examination of the 1974 Juvenile Justice and Delinquency Prevention Act in the state of Missouri suggests that Gault had the unanticipated consequence of reducing legal safeguards for a segment of the juvenile justice system. For instance, they point toward the growth of a category of offenders, namely, status offenders who would not be eligible for the same legal safeguards afforded delinquent offenders. The extent to which status offenders, regardless of race, are affected by the lack of procedural safeguards deserve scrutiny. Similarly, the availability of counsel at the point of intake for juvenile offenders should be examined, especially when one considers the disproportionate number of African-American youths within the juvenile justice system.

In the same vein, there may be a need to develop a base of data measuring the extent to which the court organization discourages the legal profession from taking juvenile cases very seriously. This issue deserves examination, especially when there is literature pointing toward the use of neophyte lawyers to handle juvenile cases (Feld, 1988). Allegations that untrained and relatively inexperienced counsel represent juvenile offenders should not be taken lightly. Similarly, when and at what stage of the juvenile justice process counsel is assigned may weigh heavily in the final disposition; therefore, research in this area seems essential (cf., Feld, 1984).

Fifth, at the adjudication and disposition stage there remains the long term impact of differential handling on African-American youths. The U.S. Sentencing Project (Mauer, 1990) reports, for example, that one in four black males between ages 20 and 29 are

under correctional supervision. This revelation stresses the need for juvenile justice officials to develop meaningful intervention programs and equally important, to evaluate the extent to which differential treatment within the juvenile justice system carries over into the adult system.

Sixth, the higher frequency of referrals for black youth to public facilities, versus privately operated facilities (with presumably smaller and better qualified staff) underscores the need for additional research which accounts for the choice of placements.

Seventh, the extent to which waiver is used inappropriately should be examined. Bortner (1986), for instance, argues that waiver may be used because it is politically expedient. It creates the impression that something is being done to stem juvenile crime. This observation is especially important when one considers that there is scant evidence suggesting that juveniles remanded to adult court are any more dangerous than their cohorts (Sargent and Gordon, 1963; Gasper and Katkin, 1980; Braithwaite and Shore, 1981); nor is there much evidence suggesting that waiver to adult court improves public safety (Bortner, 1986). The point to be made here is that remands to adult court may serve only to further subject the juvenile offender to irrational decision-making at the adult court level (Feld, 1984).

Without passing judgement on whether black youths are discriminated against, one important summary can be offered, black youths are disproportionately represented throughout the various stages of the juvenile justice system. Future research and policy should be concerned with examining the environment of key actors on "stage" and behind the scene, with a focus on the kind of information used, its validity, and whether its use negatively or unfairly affects particular racial groups (cf., Petersilia, 1985).

CHAPTER 3

RESEARCH DESIGN AND METHODOLOGY

The objective of the project was to compare juvenile justice processing decisions which affect black and white youths. The necessary first step was to specify the important decisions and identify the jurisdictions in which both of these subgroups of youths are present. It was decided that decisions to refer to court would not be studied herein because of resource and time limitations necessary for this early stage. Moreover, the qualitative component needed to implement such a study, statewide, and for police, schools, and parents was not considered workable. The starting point of the study, therefore, is at referral, and all decisions following referral are examined. Source of referral served as an antecedent variable to other decisions.

The total juvenile population, as well as the percent of youths who are black, was obtained for all juvenile court circuits in Missouri (shown in Table 2). Based on this information, the eight circuits in which at least a five percent of the juvenile residents were black were selected for inclusion in this study. These circuits also reflect regional and urbanization differences (shown in Table 3). Because the proportion and number of other racial minorities (e.g., Hispanics, Asians, Native Americans) is so small throughout the state, there were insufficient cases for analysis.

Letters explaining the research project and requesting consent for participation were mailed to presiding juvenile court judges in the eight circuits. In most circuits, judges conferred with their juvenile officers or chief administrators. Ultimately, seven of the eight selected circuits agreed to participate. Only circuit 13, representing the counties of Boone and Calloway and including the city of Columbia, did not to participate in the study.

Table 2. Percent black within the juvenile age population by juvenile court circuit ¹

Circuit	Total Juv. pop.	%Black ²
21 (St. Louis County)	248,704	16
16 (Jackson)	159,538	26
22 (St. Louis City)	110,525	61
11 (Pike, Lincoln, St. Charles)	56,544	2
23 (Jefferson)	45,434	1
31 (Greene)	44,440	2
7 (Clay)	35,495	1
13 (Boone, Calloway)³	29,412	8
24 (Washington, St. Fran., Madison, St. Genev., Perry)	28,992	-
20 (Osage, Gasconade, Franklin)	27,970	1
5 (Andrew, Buchanan)	26,023	3
25 (Pulaski, Texas, Phelps, Maries)	25,172	4
17 (Johnson, Cass)	24,397	3
26 (Morgan, Camden, Laclede, Miller, Moniteau)	22,452	-
29 (Jasper)	21,979	1
30 (Benton, Hickory, Polk, Webster, Dexter)	17,933	-
35 (Stoddard, Dunklin)	17,680	7
39 (Lawrence, Barry, Stone)	17,385	-
42 (Crawford, Dent, Iron, Reynolds, Wayne)	16,700	-
32 (Bollinger, Cape Girardeau)	16,432	5
33 (Scott, Mississippi)	16,353	16
43 (DeKalb, Clinton, Caldwell, Daviess, Livingston)	15,133	1
40 (Newton, McDonald)	14,866	-
34 (New Madrid, Pemiscot)	14,831	30
19 (Cole)	14,394	4
12 (Montgomery, Warren, Audrain)	14,226	5
37 (Shannon, Oregon, Carter, Howell)	13,898	-
15 (Lafayette, Salina)	13,754	4
6 (Platte)	13,365	1
36 (Butler, Ripley)	13,196	5
18 (Cooper, Pettie)	12,958	5
10 (Monroe, Ralls, Marion)	12,413	5
28 (Vernon, Barton, Dade, Cedar)	12,055	-
4 (Atchison, Holt, Gentry, Worth, Nodaway)	11,270	-
27 (Bates, Henry, St. Clair)	10,770	-
38 (Taney, Christian)	10,555	-
44 (Ozark, Douglas, Wright)	9,442	-
2 (Adair, Knox, Lewis)	9,265	-
8 (Ray, Carroll)	9,042	-
14 (Randolph, Howard)	8,726	7
9 (Sullivan, Linn, Chariton)	7,615	-
3 (Harrison, Mercer, Grundy, Putnam)	7,455	-
41 (Macon, Shelby)	5,858	2
1 (Schuyler, Scotland, Clark)	4,970	-

¹Based on Figure 3, *The State of Juvenile Justice: A Comprehensive Plan of Action*, p. 95; original source: U.S. Census data for 1980. Presented in descending population order. Bold represents circuits selected for inclusion in the study.

²No percentage is noted for circuits in which black youth represent less than one percent of the total juvenile population.

³Declined to participate.

The absence of circuit 13 was not considered detrimental, in part, because the characteristics which qualified it for selection, including its north central location, medium sized population, and low percentage of black youths, were represented elsewhere in our sample.

Table 3. Description of selected circuits

Circuit	Region	Total Juv.	#Black	%Black
Metropolitan				
22 (St. Louis City)	E	110,525	67,023	61
16 (Jackson)	W	159,538	42,090	26
Suburban				
21 (St. Louis County)	E	248,704	39,120	16
Medium Size				
33 (Scott, Mississippi)	SE	16,353	2,660	16
13 (Boone, Calloway)	NC	29,412	2,380	8
35 (Stoddard, Dunklin)	SE	17,680	667	7
More Rural				
34 (N Madrid, Pemis.)	SE	14,831	4,431	30
14 (Randolph, Howard)	NC	8,726	588	7

The next task was to identify all juvenile court referrals within each of the eight study circuits in order to establish a sampling frame. It was decided that information on referrals for 1987 and 1988 should be obtained to assure a sufficient number of cases for analysis, as well as potential variation across decisionmakers. This information is not routinely available within each circuit. However, in accordance with Missouri Revised Statute 211.322, each of Missouri's forty-four judicial circuits collect and report individual case data on the nature of juvenile court referrals to the state. These data are collected on a standardized data form (see Appendix A1 for a copy of the form) and the records are maintained by the Missouri Department of Social Services. This source was considered the best available from which to identify the population of referral cases.

The Department of Social Services granted our request for these data. Information for Jackson county, which represents Kansas City and the surrounding metropolitan area, was

not available due to technical problems with a transitional computing system during the years of interest. Comparable data were obtained directly from Jackson county, however. These data served to identify the referral population and were used subsequently as the sampling frame for our original data collection effort. Some descriptive analyses of these data also were made and can be compared to findings in *The State of Juvenile Justice: A Comprehensive Plan of Action* (State Juvenile Justice Advisory Group, 1988) which were based on 1986 data from this source.

SAMPLING

The sampling procedure utilized a design which stratified the referral population by race, offense seriousness, and circuit. Only felony, misdemeanor and status offense referrals were considered because the focus of the study was on violations; referrals for which abuse, neglect and administrative issues were the most serious were deleted from the sampling frame. The remaining population was arrayed within a 3 by 2 table (see Table 4). Individual versions of this table were created for each of the seven participating circuits. Proportionate random sampling was used to select a fixed number of cases within each category (50 cases for urban circuits and 25 cases for rural circuits). When the population included fewer referrals, all cases were chosen.

Table 4. Description of the sampling frame,
with the circuits aggregated

<u>Race</u>	<u>Offense severity of the major allegation in the referral</u>			<u>Total</u>
	<u>Status offense</u>	<u>Misdemeanor</u>	<u>Felony</u>	
<u>Black</u>	5,913	10,062	5,741	21,716
<u>White</u>	7,911	9,778	3,668	21,357
<u>Total</u>	13,824	19,840	9,409	43,073

The objective of the original sampling plan was to obtain a total of 600 referrals in the metropolitan and suburban circuits and 300 referrals in the medium sized and more rural

circuits. Because a large number of cases leave the system early without having a petition filed, a second supplementary sampling was made of cases which progressed to the stage where a petition was filed. The same random procedures within the six categories were used for the supplemental samples. The intention was for the supplemental samples to be half the size of the original samples, or 300 in the urban sites and 150 in the rural sites. According to this design, it was possible for one referral to be included in both samples. In this situation, information for the referral was recorded twice.

For some of the analysis, it was appropriate to examine only cases included in the original sample. The report will distinguish findings based on the original from the overall sample when both are presented.

DATA COLLECTION

Judges, juvenile officers, administrators and information systems personnel greeted the project staff warmly and cooperated with our requests for court files. The files needed were identified from lists of the sample referral cases which were sent to the circuits in advance of data collection. The lists included identification numbers from the Social Services data. Names of the youths were never recorded and the project staff adhered to a strict agreement of confidentiality regarding the records. All data were collected within the court; files were never removed. This further insured confidentiality.

Two trained data collection teams, including principal investigators and advanced students in criminal justice recorded the necessary information onto a standardized coding form (see Appendix A2). Data collection was supervised in all circuits by the project director. Small recording differences were observed across all circuits; however, a brief orientation to the files and recordkeeping procedures from the chief administrators facilitated consistency in data collection. It was our policy to take the information from any available documentation. This was particularly necessary for personal information, such as substance abuse, mental health problems, and learning disabilities. The frequency and severity of prior referrals, adjudications,

dispositions and commitments were recorded. This information was typically available within jurisdiction only so youths who had records in other locations were seldom known. The date of any subsequent referral to the same juvenile court, that which occurred soonest after the referral under study in the case of multiple referrals, also was recorded to measure recidivism before data collection concluded in 1990. This measure of recidivism is considered to be conservative because youths who reached the age of majority before subsequent violations would have been processed in criminal court instead of juvenile court.

The sample cases for which data were actually collected ($n=2,620$) was much less than the original than the goal of 4,500 (900 in each of the urban courts and 450 in each rural court). This occurred because the population of cases within some of the race and offense categories was much smaller than the number requested by the sampling design. This was especially true of black felony and status offense referrals to rural courts.

Circuits maintained different policies for disposal of cases where youths had reached age seventeen. Files for "aged out" youths are physically destroyed in most circuits. While some circuits destroy only the social history records for these youths, it was still possible to retrieve information on the violations and processing decisions in these circuits. And, a few circuits had older files stored in a separate area of the court (to which we obtained access). As a result of a statewide policy to maintain files involved in abuse and neglect referrals longer than other referral types, some of the sample referrals for older youths actually were retrieved in nearly every circuit. It was our policy to record information for as many referral cases in our samples as was physically possible in each circuit. And indeed, files were borrowed from judges, juvenile officers, probation supervisors and clerical staff.

Circuits also varied in their ability to locate files. This situation appeared to be independent of urbanization, and more likely the result of administrative difficulties with recordkeeping procedures. For example, each of the urban courts utilizes a very distinct computerized database, as well as different document files with social and legal information. The nature of these information systems varies considerably. Circuit 16 maintains files that are

highly organized, with documents indexed and color coded according to type. Circuit 16's system enabled us to expend less data collection time and locate a high proportion of our sample. Circuit 22 operates with a much smaller records staff and little space for files. In this court, the files were retrieved through an equally efficient manner. The actual files are physically smaller, and include all children from one family who have been seen by the court. More information is documented on computerized records and the documents include specially prepared forms which summarize information in a concise manner. Circuit 21, the suburban county of St. Louis, differs significantly from the other two because it receives referrals from police departments operating in more than fifty municipalities and maintains community-based juvenile officers in offices scattered throughout the county. This court maintains thorough records, including much more documentation than either of the other two urban courts. Locating and recording data for each referral was quite time-consuming in this court because of the volume of information and the absence of an organizational structure within the files. The large files are stored in crowded space, and also move between the decentralized offices. Location of sample cases was made more difficult by this unique aspect of the suburban court.

Operating without assistance from a computerized database, the rural courts also differ in their records systems. Each of these rural circuits include two counties. The chief juvenile officers in Circuits 14 and 33 maintain one principal location of service and records. In Circuit 34 two juvenile officers coordinate their work and records from separate offices in each county. In Circuit 35, the two counties operate autonomously and with separate systems. With the possible exception of one circuit, these courts are less bureaucratic, and the files reflect less official forms. The files in many of these circuits did contain considerable annotated comments by juvenile officers.

The problems of attrition and variation in records across circuits would not appear to be problematic because there is no indication of systematic deletion of cases which would bias the samples. Juvenile officers in one circuit confided that records were not sent to the Department of Social Services for all referrals to their court because the procedures were

considered too time consuming. There did not appear to be any systematic process to distinguish referrals that were sent to the state from those that were not (and consequently, had no chance of being selected in our sample). This situation may exist elsewhere as well, but was not brought to our attention.

Despite the smaller number, there is reason to be confident that the random selection procedures assure the study cases are representative of all referrals processed. The study cases compare favorably on many dimensions with the population depicted through the Social Services data (see Appendix A3). As such, the findings of the research are considered generalizable to the referral populations in participating circuits.

OTHER SOURCES OF DATA

In addition to the case file information from the seven participating circuits and the Social Services population data, two other sources of data were utilized in this project. First, descriptive criteria for the study jurisdictions were obtained from the U.S. Bureau of Census, 1980. These allow us to describe the population characteristics of each county in greater detail. Such information allows us to better understand the social make-up of each county as well as its resource base.

Second, a survey instrument used elsewhere (Hartstone, Slaughter and Fagan, 1986) was adapted for use in Missouri (see Appendix A4). The questionnaire was designed to elicit opinions from juvenile court personnel about appropriate goals for the juvenile justice system, current operations, and the abilities of existing systems to achieve the objectives. Surveys, postage-paid return envelopes and a cover letter were sent to judges, juvenile officers, intake legal counsel and chief administrators in all forty-four circuits. Requests were made to chief juvenile officers to distribute copies of the survey to other staff within their court who could provide informed opinion. Notice of a meeting of Missouri juvenile law enforcement officials prompted the decision to expand the survey distribution to police. Copies were handed out at the meeting. Other copies, marked to distinguish them from those distributed at the meeting,

were mailed to sheriffs, police chiefs and juvenile units within urban police departments. Although the survey was designed for the courts and many items were not relevant to police, their input and overview of the system was considered important. This information is utilized as one context in which to interpret the study findings.

OPERATIONALIZATION OF KEY CONCEPTS

The majority of the variables for which data were collected, the coding scheme utilized and the frequency distribution for the weighted cases from the overall samples are shown in Appendix B1 (see Appendix A3 for comparison with social services data). For some analyses recoded versions of these variables were used.

The source and extent of consistency in recording information varied by item and circuit. Generally, information about the referral violation was obtained from police or school reports. Gang involvement was noted only when it was acknowledged as such by the police or court. Prior juvenile records were jurisdiction-specific and consistently available in every circuit. Personal data on the youths were obtained from these records and documents prepared by juvenile officers during intake interviews. If the child had undergone testing or evaluation of some time (and this was typically only in urban courts), these records also provided data on the youths. Some items, such as personal demeanor, were rarely obvious, with the exception of the "face sheet" used in circuit 22 where this item appears outright. As such, demeanor was typically coded as cooperative unless something in the file stated differently (eg. youth attempted to flee or resist the police, talked in a defiant manner to juvenile court personnel or was combative to family, teachers or other youth). Remorse was handled in a similar fashion; remorseful youths cried, expressed regret or volunteered restitution or repairs.

The percentage of the referral cases for which information about that variable was either missing from the files or irrelevant to that case is presented in rank order in Appendix B2. Many of the variables fall into the latter situation. For example, because the proportion of all cases which advance to disposition is so small, the type and length of commitments is relevant

for only a few of all cases. Few victims were injured, therefore, the victims' race and extent of their injury does not apply to most referrals. Courts rarely document the information for some items, such as the rationale used by judges for detention or disposition. In these situations where information is known for very few cases, the variable cannot be used in analysis of all cases to understand the processing decisions.

TECHNIQUES OF INVESTIGATION

In an effort to establish a baseline for racial disproportionality in processing, the flow of cases through the stages of juvenile justice processing are depicted by flow charts. These flow charts are based on the weighted version of the original sample (without the supplemental cases). These graphic depictions of the movement of cases allow for a comparison of the proportion of black and white youths at each stage.

The sample cases were weighted back to the population in accord with the expected distribution of cases. This weighting scheme followed the 3 by 2 sampling design (shown earlier in Table 4). Using the total number of cases in the original sample for each circuit, it was possible to calculate the number of cases which were expected in the race and offense categories. When fewer cases than expected within the cell were actually obtained, those cases were assigned weights in excess of their value of one. When the sampling procedures more cases than expected, each case was given a value of less than one. The results of this procedure are shown in Table 5.

Table 5. Overview of the weighting scheme

	<u>Black Felony</u>	<u>White Felony</u>	<u>Black Misd.</u>	<u>White Misd.</u>	<u>Black Status</u>	<u>White Status</u>	Total
Circuit 14							
population	11	66	45	276	4	98	500
original sample	4	23	42	115	2	26	212
expected in sample	5	28	19	117	2	42	
weight assigned	1.25	1.22	.45	1.02	1	1.62	
Circuit 16							
population	1,514	1,280	2,218	2,473	1,829	2,400	11,714
original sample	45	48	46	42	46	48	275
expected in sample	36	30	53	58	44	56	
weight assigned	.8	.64	1.11	1.33	.96	1.24	
Circuit 21							
population	1,646	1,670	3,600	5,135	1,365	3,464	16,880
original sample	55	43	50	43	35	50	276
expected in sample	27	27	59	84	22	57	
weight assigned	.49	.63	1.18	1.95	.63	1.14	
Circuit 22							
population	2,427	390	3,535	884	2,586	1,324	11,146
original sample	109	75	85	62	96	86	513
expected in sample	112	18	163	41	119	61	
weight assigned	1.03	.24	1.92	.66	1.24	.71	
Circuit 33							
population	56	120	232	428	97	399	1,332
original sample	7	9	9	12	18	19	74
expected in sample	3	7	13	24	5	22	
weight assigned	.43	.78	1.44	2	.28	1.16	
Circuit 34							
population	75	76	417	366	22	110	1,069
original sample	14	24	12	36	13	17	116
expected in sample	8	8	45	40	2	12	
weight assigned	.57	.33	3.75	1.11	.15	.71	
Circuit 35							
population	12	66	15	216	10	116	435
original sample	23	23	15	38	14	49	162
expected in sample	5	25	6	83	4	44	
weight assigned	.24	.96	.4	2.18	.29	.9	
Total population	5,741	3,668	10,062	9,778	5,913	7,911	43,073
Total sample	257	245	259	348	224	295	1,635

Initial analyses are intended to identify the nature of referrals to juvenile courts in Missouri. Distributions of important decisions made in the juvenile justice process are

presented. Similarly, characteristics of the jurisdictions, the youths and their cases are specified. This descriptive information is summarized for the total weighted sample (original and supplemental samples combined), as well as separately by race, level of urbanization, and circuit. The prevalence of subsequent referrals at the time of data collection also is identified.

Tabular analysis is used to examine processing decisions and outcomes within the context of other criteria, most notably race, urbanization and offense severity. This portion of the analyses begins the statistical controlling procedures discussed earlier. By controlling for more than one factor at a time, tabular analysis enables us to discern more accurately the impact of race when other variables are held constant. If black and white youths with similar social and legal backgrounds are processed differently, then that disparity in treatment may be based on race.

However, there is a limit to the number of variables that can be controlled simultaneously with tabular procedures. To overcome this difficulty, a more rigorous multivariate technique is needed. The juvenile justice decisions of interest in this study are conceptualized as having two attributes, usually whether or not a juvenile was processed at a particular stage of the system. These dichotomized outcome measures enable use of maximum-likelihood logistic multiple regression techniques to identify the models best able to explain each of the juvenile justice decisions, as well as recidivism. Logistic regression models also provide estimates of the independent contributions that each variable makes to these explanations. The coefficients may be interpreted as changes in the log odds of the decision outcome associated with a unit change in the predictor variable. The coefficients tell us how much the dependent variable changes when the independent variable makes a unit changes. Independent variables include different levels of measurement so both raw logistic coefficients and the ratios of the coefficient to standard error ($B/S.E.$), which can be interpreted similarly to ratios in ordinary least squares regression. (For additional information on this technique, see Aldrich and Nelson, 1984; Sampson and Lauritsen, 1990).

ADVICE FROM OUTSIDE EXPERTS

Preliminary findings from this study were sent to five noted specialists in the area of juvenile justice research and policy. These consultants included the following:

Dr. Roy Austin, from The Pennsylvania State University, Department of Sociology. Dr. Austin has published many articles on differential involvement in juvenile delinquency by race, gender and family structure.

Dr. Jeffrey Fagan, from The Rutgers University, School of Criminal Justice. Dr. Fagan has conducted research on juvenile court processing and on youth involvement with violence, substance abuse, and gangs.

Dr. Barry Feld, from the University of Minnesota, School of Law, is well known for his articles on the impact of counsel in juvenile court proceedings and the effects of juvenile waiver. Most recently he has completed research on differential processing by geographic location of juvenile courts in Minnesota.

Ms. Donna Hamparian manages a private consulting firm in Ohio which specializes in contract research and planning for the juvenile justice systems in Ohio. She also has conducted many studies of national juvenile justice processing for the Office of Juvenile Justice and Delinquency Prevention in Washington D.C.

Dr. Carl Pope, from the University of Wisconsin-Milwaukee, School of Social Work, has published widely in the area of juvenile justice. With Dr. William Feyerherm, Dr. Pope has recently completed a review of studies on racial disparity in criminal and juvenile justice processes.

A two-day meeting was convened at the University of Missouri-St. Louis with the research team, the consultants, the State Juvenile Justice Specialist and a representative from the Missouri Juvenile Justice Association. Discussion centered on the analysis, findings and plausible recommendations for policy change. The findings presented herein include suggestions made at that meeting.

CHAPTER 4

INITIAL FINDINGS

When the minority representation in the juvenile population of Missouri is compared to juvenile court referrals, black youths are overrepresented in every circuit (shown in Table 6). As we attempt to determine whether these minority youths are differentially processed by the juvenile court from their white counterparts, analysis begins with a description of the youths sent to court, characteristics of their referrals, and the progression of their cases through the system. These descriptive comparisons enable us to understand whether the referrals are substantively different on dimensions other than race. The findings from this initial analysis are presented in this chapter.

Table 6. Description of selected circuits

Circuit	Region	Total Juv.	#Black	%Black	%Black among referrals	
					<u>original sample</u>	<u>social services</u>
Metropolitan						
22 (St. Louis City)	E	110,525	67,023	61	76	77
16 (Jackson)	W	159,538	42,090	26	47	n/a
Suburban						
21 (St. Louis County)	E	248,704	39,120	16	41	39
Medium Size						
33 (Scott, Mississippi)	SE	16,353	2,660	16	34	71
13 (Boone, Calloway)	NC	29,412	2,380	8	n/a	25
35 (Stoddard, Dunklin)	SE	17,680	667	7	8	9
More Rural						
34 (N Madrid, Pemis.)	SE	14,831	4,431	30	76	48
14 (Randolph, Howard)	NC	8,726	588	7	16	12

CHARACTERISTICS OF THE YOUTHS⁴

Demographic information about the youths and their prior history with the juvenile court are shown in Table 7. The majority of the youths were male, although somewhat less so for all status offense categories. The youths typically were teenagers between ages 13 and 15 whose first referral to juvenile court was at age 12 or 13. Urban youths were usually in the eighth grade, while rural youths were slightly younger and a year or so lower in school. In all categories, indications of alcohol abuse were noted more among white than black youths. This pattern also was shown to a smaller extent for mental health problems.

Black youths, more so than whites, lived with only one parent, typically their mother. This difference by race was less pronounced or slightly reversed in rural courts. The parents of black youths expressed less willingness to supervise and were considered less able to do so than parents of white youths in all categories.

White youths had more than one prior referral more often than blacks in all urban categories, and for rural status offenses. Black youths had multiple priors more often in only the rural misdemeanor group. Black youths less often than whites had been on probation before. Meanwhile, urban youths had more prior DYS placements, but no real difference by race was shown.

Overall these findings compare favorably with both the 1987 and 1988 referral populations from the social services data (see Appendix A3) and with the 1986 referrals described earlier in the Plan (State Juvenile Justice Advisory Group, 1988). As examples, the referrals consistently involved many more males than females and for roughly half of the youths in each of these data sets this was their first referral to juvenile court. Differences by race, are shown for circuits 33 and 34. In the former case, black youths are underrepresented in our sample and in the latter case they are overrepresented. This discrepancy is the result of our inability to collect data for some of the selected cases in these circuits. In both circuits black youths remained overrepresented in the sample cases.

⁴Results are based on the total samples weighted according to their populations.

Table 7. Descriptive information for characteristics of the youths
 Percent of referrals with each attribute,
 by race, urbanization and offense severity subgroups

Urban & suburban						Medium sized & rural					
Black			White			Black			White		
Felony	Misd.	Status	Felony	Misd.	Status	Felony	Misd.	Status	Felony	Misd.	Status
(n=253)	(n=423)	(n=281)	(n=145)	(n=327)	(n=285)	(n=66)	(n=349)	(n=21)	(n=107)	(n=352)	(n=148)
male											
88	73	60	92	80	54	84	83	64	90	82	55
age (average, standard deviation)											
15.1	14.5	14.6	14.8	14.5	14.5	14.6	14.4	12.9	14.1	13.6	13.6
(1.4)	(2.1)	(1.7)	(1.9)	(1.9)	(1.6)	(2.1)	(1.9)	(2.9)	(1.9)	(2.6)	(2.1)
school years (average, standard deviation)											
8.6	8.3	8.4	8.3	8.2	8.1	7.6	7.5	6.6	7.5	6.8	7.4
(1.3)	(1.4)	(1.2)	(1.8)	(1.5)	(1.5)	(2.1)	(2.3)	(2.9)	(2.5)	(2.5)	(2.0)
live with only one parent											
46	45	51	41	43	41	38	31	37	45	35	39
live with mother only											
43	43	46	33	38	37	37	31	35	39	30	34
age at first referral (average, standard deviation)											
13	12	12	13	13	13	13	13	12	12	12	12
(2.5)	(3.2)	(3.4)	(3.1)	(2.5)	(2.3)	(2.5)	(2.3)	(2.7)	(3.0)	(2.7)	(2.8)
more than one prior referral											
53	43	44	68	46	48	44	33	22	43	26	37
prior probation											
23	15	12	27	16	18	9	6	0	16	12	12

Table 7. Descriptive information for characteristics of the youths
 Percent of referrals with each attribute,
 by race, urbanization and offense severity subgroups (continued)

Urban & suburban						Medium sized & rural					
Black			White			Black			White		
Felony	Misd.	Status	Felony	Misd.	Status	Felony	Misd.	Status	Felony	Misd.	Status
(n=253)	(n=423)	(n=281)	(n=145)	(n=327)	(n=285)	(n=66)	(n=349)	(n=21)	(n=107)	(n=352)	(n=148)
prior DYS placement											
15	8	7	13	5	11	8	4	6	4	6	9
more than one prior adjudication											
16	14	16	25	13	19	3	4	3	3	7	1
under official supervision at time of referral											
16	17	23	25	12	24	6	5	10	16	13	16
mental health problems											
11	10	15	22	15	26	8	3	7	19	8	12
learning disabled											
7	9	12	17	12	10	14	9	3	8	5	7
alcohol abuse indicated											
6	4	6	19	22	21	5	5	1	17	12	18
parent(s) willing to supervise											
40	40	44	67	62	55	26	21	37	47	53	46
parent(s) able to supervise											
36	40	38	66	59	49	26	22	31	47	51	44

THE NATURE OF THE REFERRALS

The types of violations for which the youths were referred to juvenile court are described in this section of the report. First, information about the offense, including the presence of weapons, co-offenders, victims, evidence, and demeanor of the youth, is presented. These data were obtained primarily from police reports and summaries of intake interviews. Next, descriptive comparisons are provided for youths whose major allegation involved violence or a status offense because these special categories of violations may differ substantively from other violations in how they are processed by juvenile court.

Approximately 20 percent of the major allegations were for felonies, 52 percent for misdemeanors and 26 percent for status violations. There were witnesses to the violation among the urban referrals more often than among the rural. Racial differences, however, were shown only within the rural courts; witnesses identified blacks more than whites in felony cases and less than whites in misdemeanor cases (shown in Table 8). When evidence of the offense was in the youths' possession, it was more likely to be observed for black youths in every category except rural misdemeanors. The presence of a weapon differed by race among only the rural felony referrals, with black youths possessing more weapons. Referrals for theft or damage of higher valued property occurred in urban courts, with white youths having a slightly higher rate than black youths. More felony referrals involved co-offenders; less so for blacks than whites in rural courts. Blacks in urban courts had companions for misdemeanor referrals more often than their white counterparts. Few injured victims were noted. However, felony referrals for black youths more often than whites were apt to include injured victims. Black youths were more likely to have black victims; white youths were more likely to have white victims.

Other racial differences at referral also are shown in Table 8. Lastly, black youths were less likely to admit involvement in the urban courts for all referral categories. This also was true for misdemeanor referrals in rural courts. There, however, black youths were more likely to admit guilt than were whites for felony and status cases. Notations regarding threats

Table 8. Descriptive information for referral violations
 Percent of referrals with each attribute,
 by race, urbanization and offense severity subgroups

	Urban & suburban						Medium sized & rural					
	Felony (n=253)	Black Misd. (n=423)	Status (n=281)	Felony (n=145)	White Misd. (n=327)	Status (n=285)	Felony (n=66)	Black Misd. (n=349)	Status (n=21)	Felony (n=107)	White Misd. (n=352)	Status (n=148)
weapon(s) was present	9	9	2	10	13	2	28	3	0	4	7	4
property theft or damage over \$125	25	11	2	39	19	7	10	4	7	21	5	4
co-offenders were involved	54	43	8	58	38	7	35	17	11	42	28	10
a victim was injured	18	17	1	8	15	1	13	3	0	2	6	0
black victim(s)	23	20	1	4	4	0	12	0	3	0	1	0
white victim(s)	14	7	3	21	21	4	2	1	0	5	4	1
youth admitted involvement	46	36	24	51	45	31	41	17	31	32	35	17
evidence of offense in youth's possession	52	48	12	43	43	3	43	27	9	19	31	2
witness identified youth	67	63	20	62	65	26	37	32	30	28	46	36
youth made threats	8	7	2	5	8	2	7	0	0	1	0	0

Table 8. Descriptive information for referral violations
 Percent of referrals with each attribute,
 by race, urbanization and offense severity subgroups (continued)

	Urban & suburban						Medium sized & rural					
	Felony (n=253)	Black Misd. (n=423)	Status (n=281)	Felony (n=145)	White Misd. (n=327)	Status (n=285)	Felony (n=66)	Black Misd. (n=349)	Status (n=21)	Felony (n=107)	White Misd. (n=352)	Status (n=148)
youth was remorseful	14	6	5	22	18	7	9	1	3	1	1	1
youth was hostile	4	4	3	4	6	5	10	1	3	0	3	5
youth was upset	4	5	5	8	13	4	7	6	0	0	5	7
youth showed willingness to have treatment	17	11	10	21	12	16	2	2	3	7	1	1
youth showed willingness to provide restitution	14	6	0	19	15	2	0	2	0	19	5	0

made by youths were rare, but found slightly more often for black felony referrals. Indications of remorse were documented especially well in Circuit 22, but sporadically in most other circuits. Among felony and misdemeanor referrals in urban courts, white youths appeared more remorseful than their black counterparts. Youth generally showed more willingness to have treatment and provide restitution to victims in urban courts.

Referrals for violence

Characteristics of the 520 youths and their cases for which any of the three most serious allegations at referral was a violent offense (including robberies, assaults, weapon-related offenses, sexual assaults, and homicide) are compared across categories of race and type of court (shown in Table 9 and Figure 1).

Violence was much more likely to involve males. Over 60% of the violent cases in each court involved black youths. The black youths were a lot less likely than whites to have alcohol abuse problems. And, compared to rural white youths, the majority of rural black youths lived with neither parent, rarely had prior involvement with the court, and seldom were detained. Among the violent offenders, rural blacks were least likely to recidivate. Significant rural/urban difference also are shown for several criteria. Violent offenders referred to urban courts had a more co-offenders, more multiple violations, and more representation by counsel. Misdemeanor assaults were the most prevalent referrals in every category. For those youth with prior referrals, assaults, burglary and stealing were among the most common.

Figure 1. Selected Violent Referrals By Race and Court Urbanization

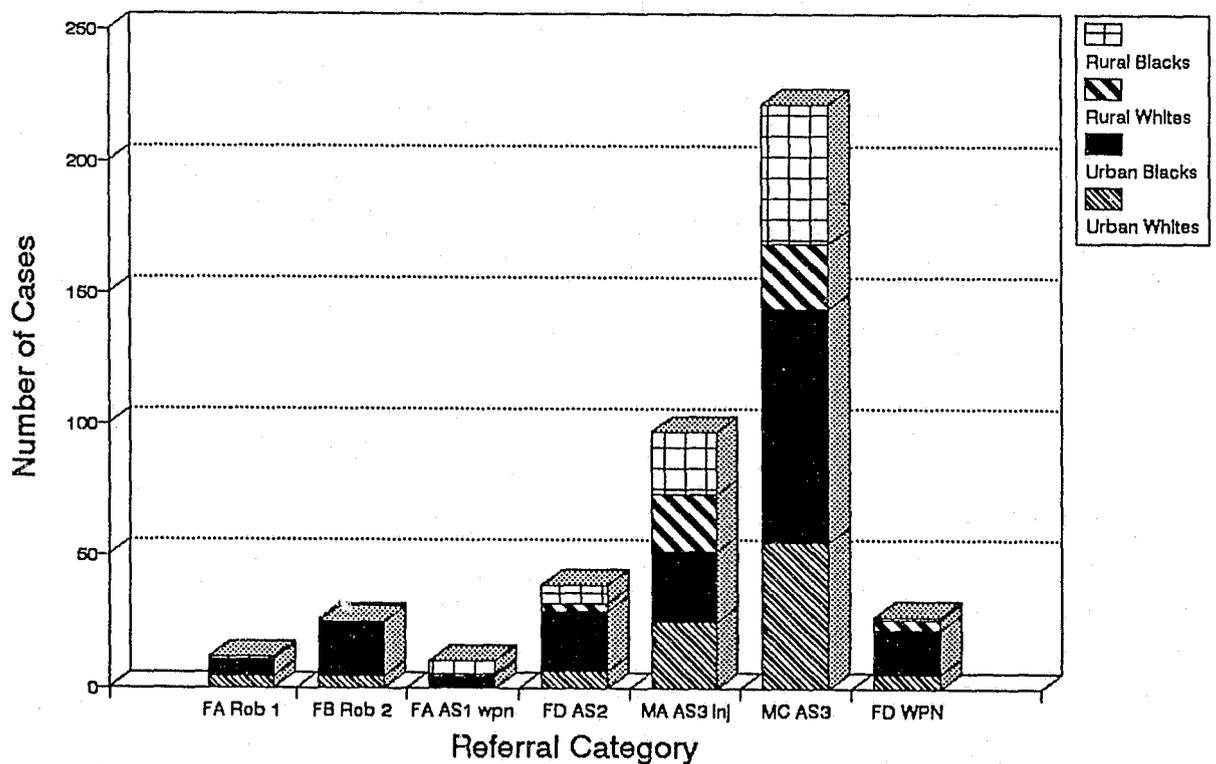


Table 9. Description of referrals for violence

	Rural		Urban	
	Black (n=102)	White (n=62)	Black (n=234)	White (n=123)
Male	84.7	85.7	78.3	83.8
Female	15.3	14.3	21.7	16.2
Live with 2 parents	7.0	37.3	32.7	44.7
Live with 1 parent	21.2	36.3	43.4	45.3
Other living arrangement	71.8	26.4	23.8	10.0
Alcohol abuse	7.9	24.2	4.2	24.7
No prior referrals	67.7	33.0	39.5	34.3
Co-offenders	3.1	10.6	41.5	38.7
Only 1 violation	83.7	98.3	65.8	54.8
Counsel	1.1	11.5	41.5	39.0
Detained	13.1	30.2	36.9	33.5
Recidivism	19.3	47.9	50.4	66.1

Referrals for status violations

Youths for whom the most serious referral was a status offense are compared across categories of race and court (shown in Table 10 and Figure 2). Urban/rural differences are more apparent than variation by race. Status referrals to urban courts more often had prior records, detention and legal counsel. Urban courts also had a higher rate of truancy. Race is significant, however, in that very few black status violators abused alcohol. There also is a gender difference by race; black females were less often than white females to be referred for status offenses. The proportion of rural black status referrals was small, but most of them involved behavior injurious to self or others and this differed from all other subgroups. Prior referrals included a variety of offenses, primarily misdemeanor thefts and other status violations.

Figure 2. Selected Status Referrals By Race and Court Urbanization

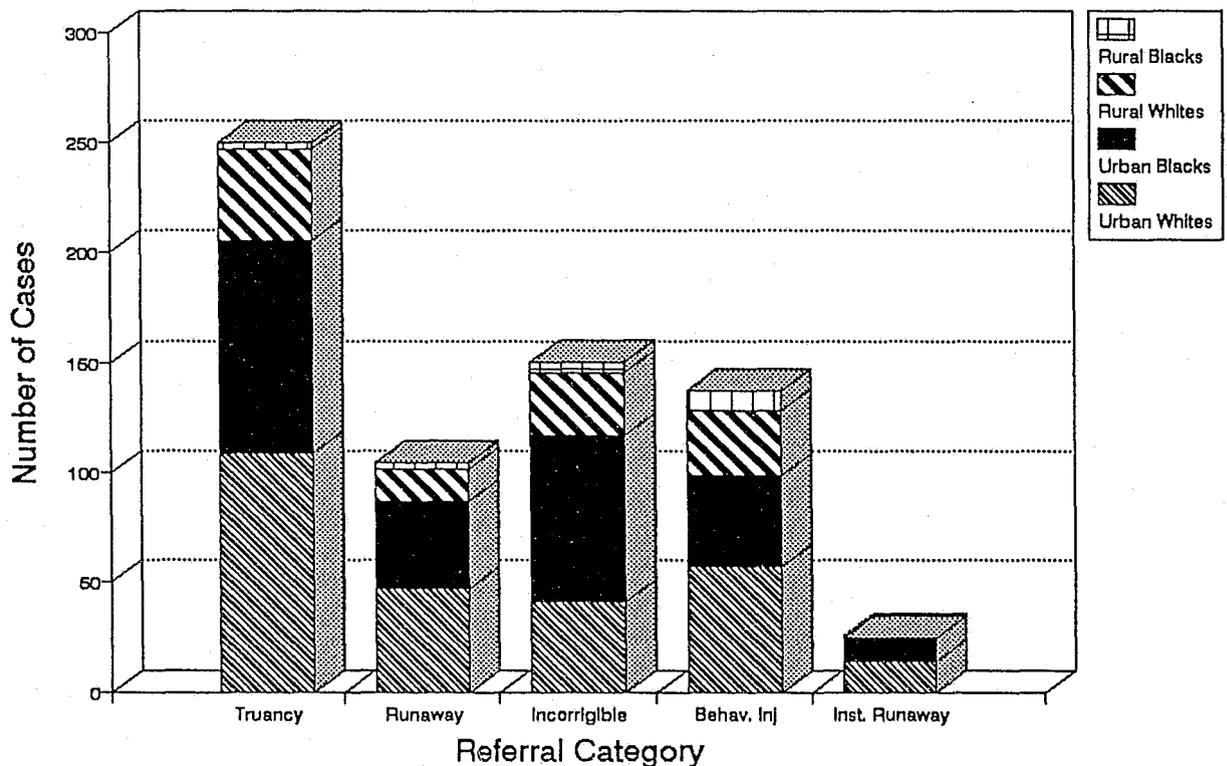


Table 10. Description of referrals for status offenses

	Rural		Urban	
	Black (n=21)	White (n=148)	Black (n=281)	White (n=285)
Male	64.0	54.8	60.4	53.9
Female	36.0	45.2	39.6	46.1
Live with 2 parents	37.9	37.7	18.5	35.6
Live with 1 parent	37.2	39.3	51.2	41.1
Other living arrangement	25.0	23.0	30.3	23.4
Alcohol abuse	1.4	18.2	5.8	21.3
No prior referrals	63.6	42.3	27.3	28.5
Co-offenders	15.6	11.4	11.4	12.0
Only 1 violation	93.2	95.2	77.9	81.6
Detained	5.5	19.8	26.7	25.0
Counsel	4.8	2.7	41.6	39.3
Recidivism	35.8	52.3	51.8	55.7

CHARACTERISTICS OF THE JUVENILE SYSTEMS

The findings discussed next highlight characteristics of the juvenile justice proceedings that precede some decisions and follow others. Specifically, comparisons of the source of referrals, number of violations, legal representation, number of court appearances and types of dispositions are provided.

Police were the source of most referrals (shown in Table 11). This was not true for youths with status offenses, however, for whom schools and parents more often made the referrals. Most youths were referred for only one violation. For misdemeanor referrals, urban whites were more apt than blacks to have multiple violations, but the opposite was true in rural courts. Black youths with felony referrals also were more likely than whites to have more than one violation in the rural courts.

Table 11. Descriptive information for characteristics of the juvenile justice system
 Percent of referrals with each attribute,
 by race, urbanization and offense severity subgroups

	Urban & suburban						Medium sized & rural								
	Black Felony (n=253)		Misd. (n=423)	Status (n=281)	White Felony (n=145)		Misd. (n=327)	Status (n=285)	Black Felony (n=66)		Misd. (n=349)	Status (n=21)	White Felony (n=107)		Misd. (n=352)
Police referral	93	88	30	91	92	41	94	87	36	81	78	39			
Referred for more than one violation	32	18	18	5	32	17	36	13	6	18	7	5			
2 or more court appearances	29	16	18	25	16	17	5	2	9	10	2	9			
Counsel attended court	45	31	42	54	31	39	11	4	5	12	3	3			
Parent attended court	29	15	31	38	22	30	17	8	15	0	9	10			
Dropped or acquitted	14	14	9	10	10	6	9	1	0	0	0	0			
Waived to criminal court	2	0	0	2	1	0	2	0	0	3	0	0			
Adjudicated for most serious offense	28	19	31	33	20	34	37	26	18	58	21	34			
Adjudicated for a lesser offense	8	3	3	13	5	3	2	0	0	0	1	0			
Adjudicated for more than one offense	20	8	14	32	17	13	8	5	0	18	1	4			

Urban youths were more likely than rural youths to make several court appearances. Urban youths also were much more likely to be represented by counsel. The only race difference in representation was shown for urban felony referrals, where black youths were less often represented by counsel. These youths also were less likely to have parents present at court. Few cases were waived to criminal court and this did not vary by race.

More judicially reviewed cases were dropped in urban courts. This outcome was similar for felony referrals of black youths in rural courts. Black youths were less likely than whites to be adjudicated for the most serious offense in felony cases. In rural courts, black youths were more likely to be adjudicated for status offenses. The reverse was true for misdemeanor referrals in rural courts, where white youths were more likely to be adjudicated. More adjudications for lesser offenses occurred in urban cases. In most categories, whites more often than blacks were adjudicated for more than one offense.

The result of the disposition decision is shown in Table 12. White youths more often than black youths were placed on probation for felony and misdemeanor referrals. In rural courts only, black youths received more DYS commitments following felony and misdemeanor referrals. Those commitments also included a higher (30%) proportion of out of home placements, particularly among the felony referrals.

The information presented thus far about the youths, their cases and some of their experiences with the juvenile court is useful for helping to understand the important processing decisions made by the court. While the purpose of this study is to examine the direct influence of race in the decision making process, the extent to which other factors such as offense type, number of prior referrals, legal counsel, gender and urbanization interact with race to affect the outcome also is very important. Criteria associated with race may contribute to the overrepresentation of black youths within the juvenile justice systems and it will be valuable to distinguish which factors are most influential. For example, the higher rates of co-offending or the lower rates of legal counsel or parental support at court may have an adverse impact upon black youths in urban settings. Similarly, the potential for more negative outcomes may occur

Table 12. Descriptive information for most serious violations at referral, petition and adjudication
 Offenses which contribute at least five percent to the total,
 for felony referrals by race and urbanization

Urban & suburban		Medium sized & rural	
Black	White	Black	White
Most serious offense on referral			
FB,robbery 2 FD,Assault 2 FC,Burglary 2 FC,Stealing FC,vehicletheft FD,Tampering 1 FD,unlawful use of weapon	FB,Burglary 1 FC,Burglary 2 FC,Stealing FD,Tampering 1	FA,Assault w/weapon FD,Assault 2 FC,Burglary 2 FC,Stealing FC,vehicle theft FD,Property damage 1	FC,Burglary 2 FC,Stealing FC,vehicle theft FD,Tampering 1 FD,Property damage 1
Most serious offense on petition			
FB,Robbery 2 FD,Assault 2 FC,Burglary 2 FD,Tampering 1	FB,Burglary 2 FC,Stealing FD,Tampering 1	FC,Burglary 2 FA,Assault w/weapon FC,Stealing	FC,Burglary 2 FC,Stealing FC,vehicle theft FD,Property dam.1
Most serious offense adjudicated			
FD,Tampering 1 FC,Burglary 2	FC,Burglary 2 FC,Stealing FD,Tampering 1	FC,Burglary 2	FC,Burglary 2 FC,Stealing FC,vehicle theft FD,Property damage 1

for rural blacks because of their higher rate of felonies, possession of weapons and multiple referrals. Before the relative effects of these variables on juvenile justice decisions are examined, the important decision stages will be described.

THE PROCESSING DECISIONS

The important decision stages in the juvenile systems are examined four ways. First, the flow of cases at each stage, including the distribution of race, is identified. Second, the decisions and their consequences are examined in greater detail for race, urbanization and severity of referral. Third, offense type is compared for the most serious allegations across decision stages. Fourth, descriptive comparisons are made for the stage at which cases left the juvenile court.

The discussion turns first to charting⁵ the proportion of cases by race that were processed at each decision stage. Figure 3 depicts the juvenile justice processing for all of the youths. Race differences are shown at detention, dismissal, and informal supervision. Twenty-three percent of all youths were detained. Among those detained, they were slightly more often black youths than white (53% black, 47% white). Twenty-seven percent of all referrals were supervised informally by juvenile officers. Among those handled informally, more of them involved white than black youths. Black youths moreso than whites had cases which progressed to an adjudication hearing but were then dismissed.

The movement of cases through the systems are shown independently for level of court urbanization in Figures 4-7 to determine whether processing differences across jurisdictions can be observed. In metropolitan courts 27% of the youths were detained, but only 10% were supervised informally by juvenile officers. More blacks than whites appeared at every decision in the city courts. There was less detention and more informal handling in the suburban county. Black youths, however, were not overrepresented in the suburban court. In the medium sized circuits, higher rates of detention (36% of all referrals) and informal

⁵These flow charts are based on the original samples (weighted) so that attrition of cases resulting from each decision can be observed.

Figure 3

JUVENILE JUSTICE PROCESSING, ALL CASES

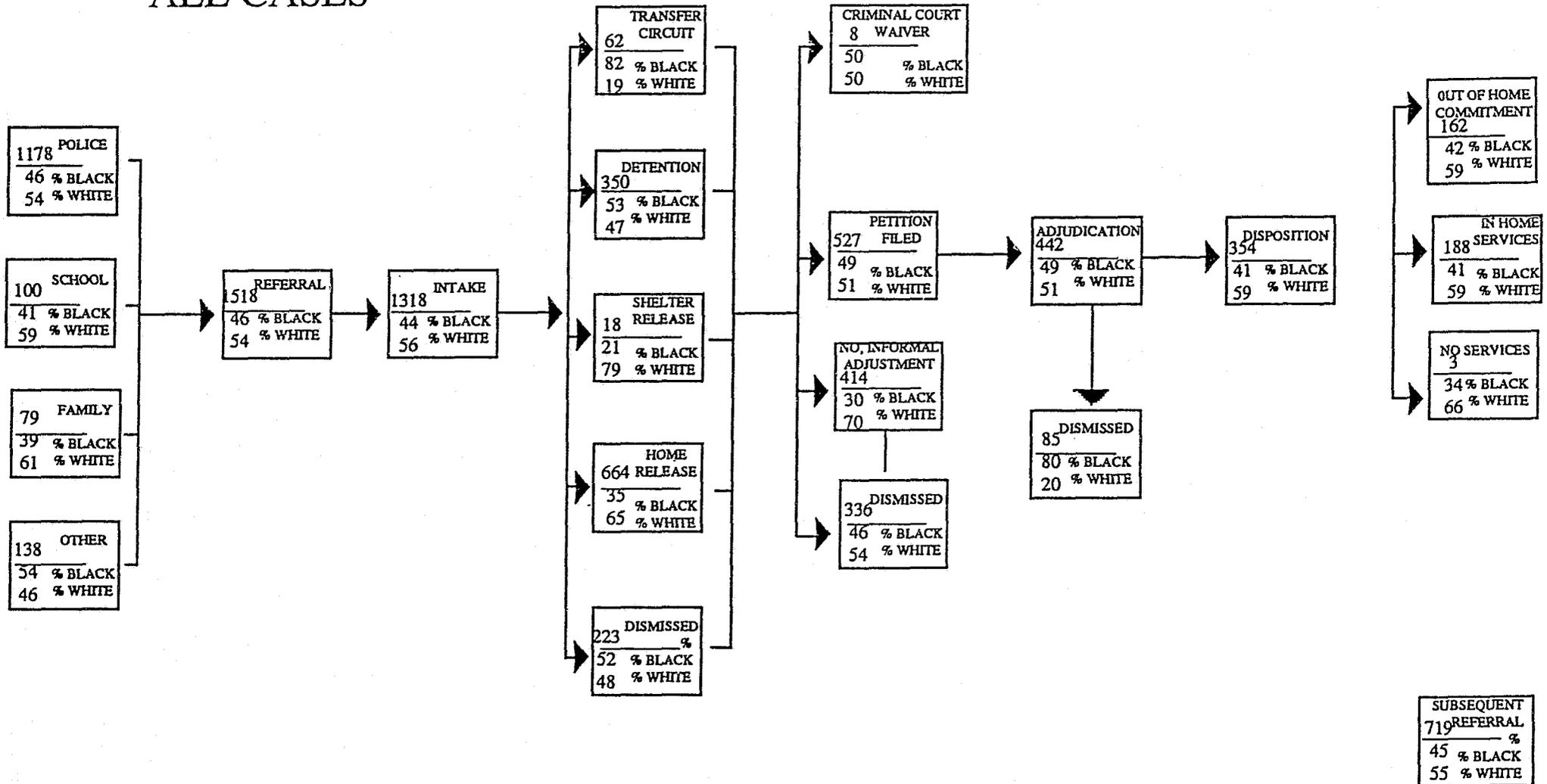


Figure 4

JUVENILE JUSTICE PROCESSING, METROPOLITAN

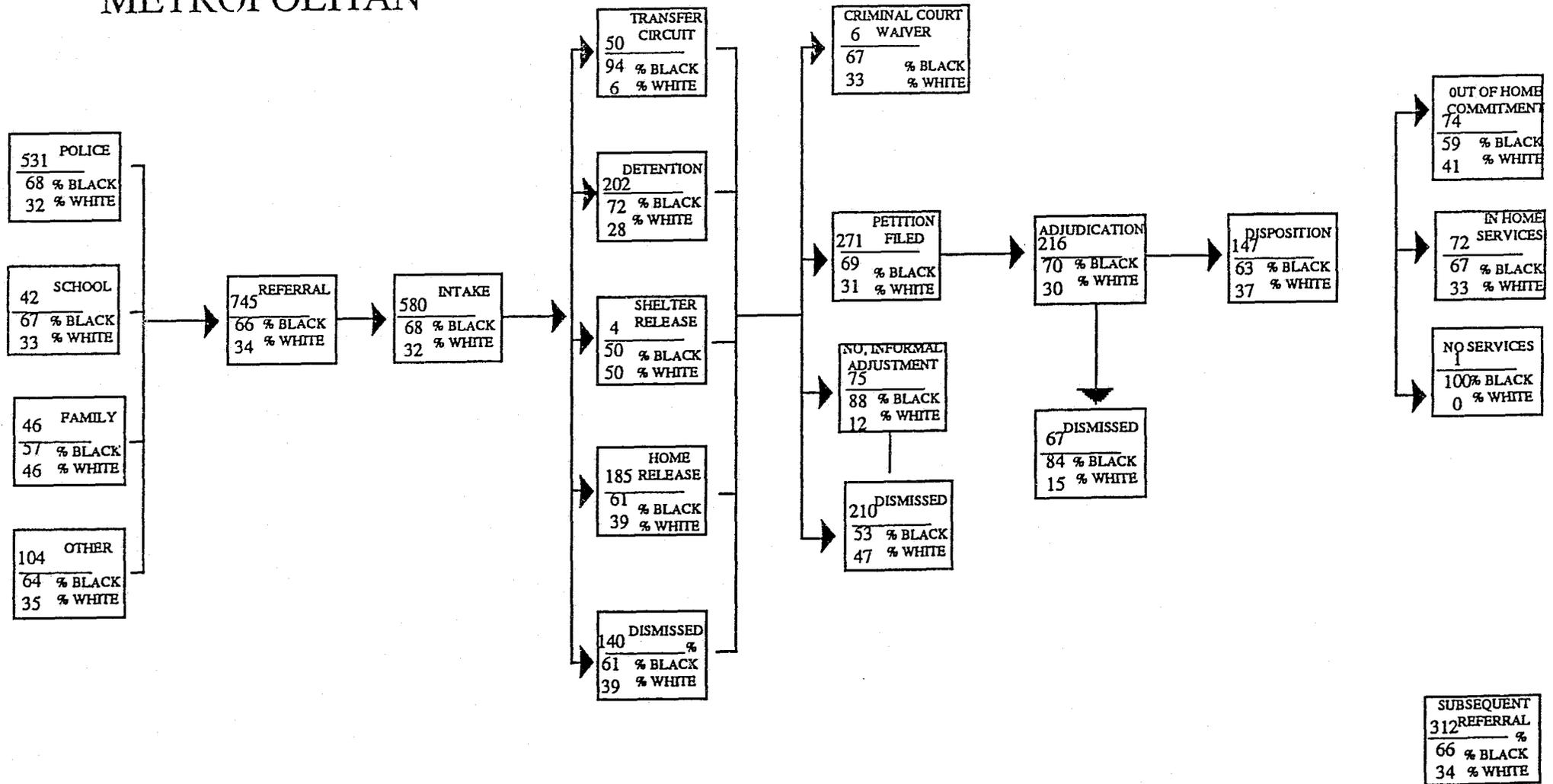


Figure 5.

JUVENILE JUSTICE PROCESSING, SUBURBAN

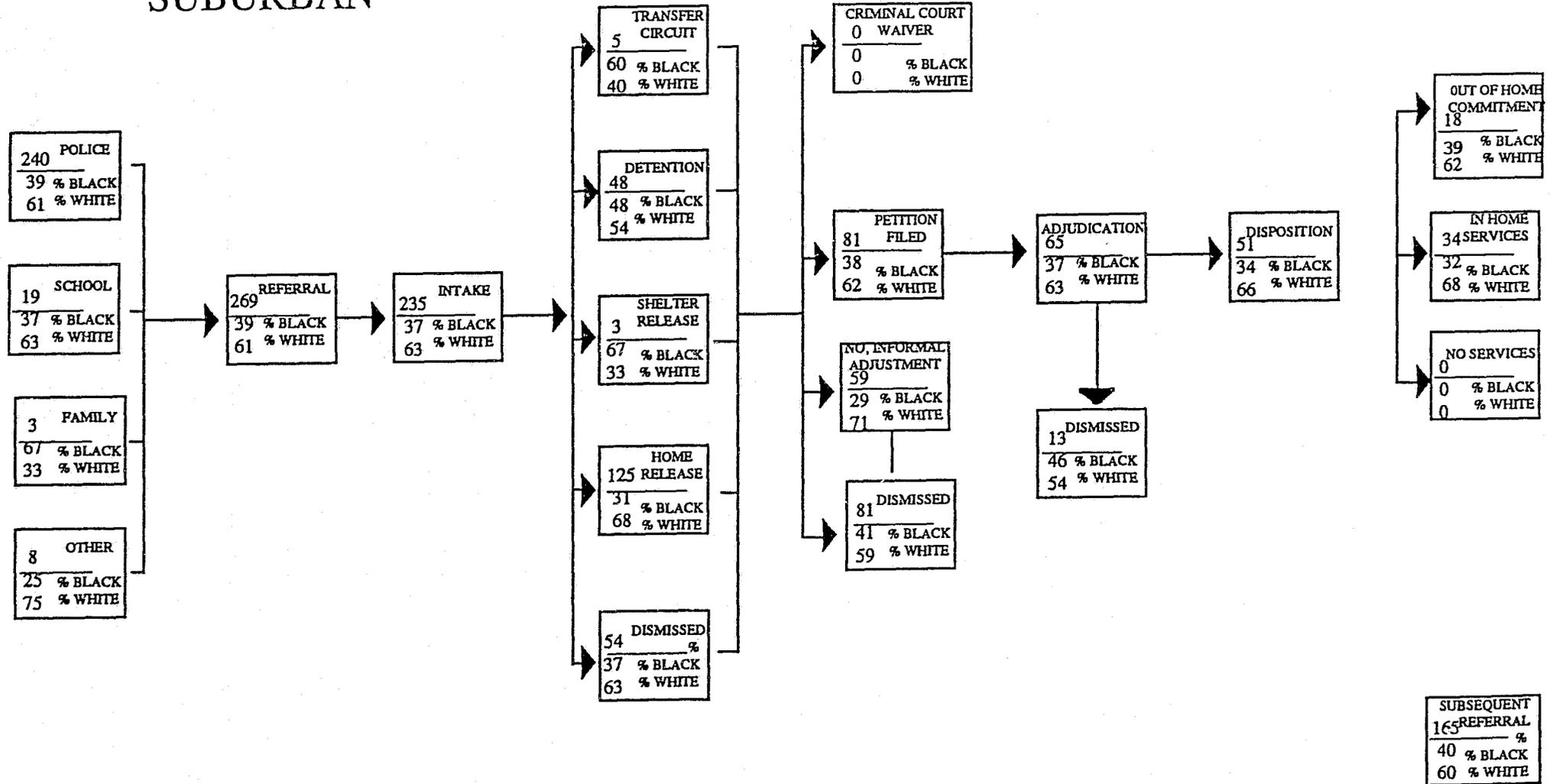


Figure 6.

JUVENILE JUSTICE PROCESSING, MEDIUM

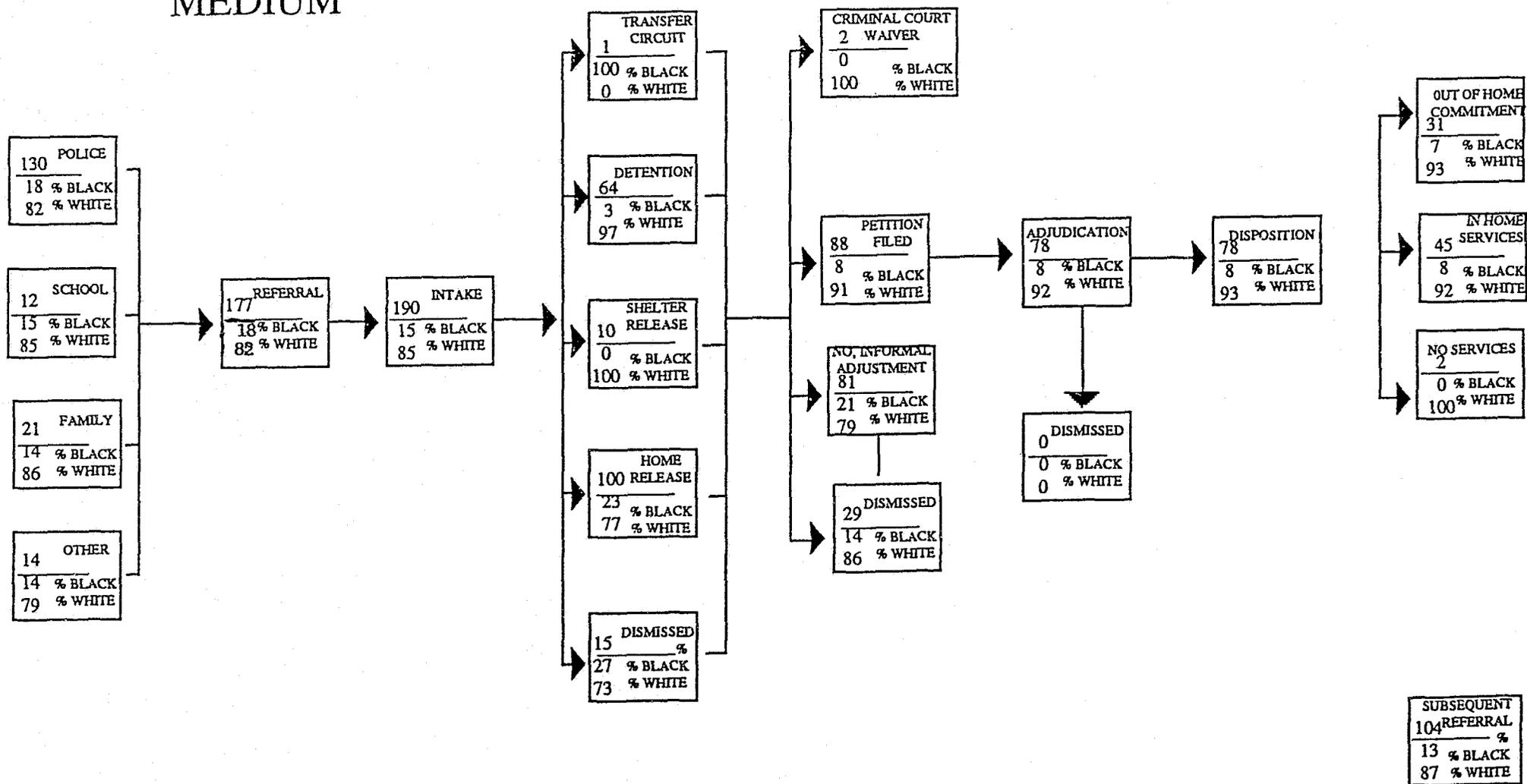
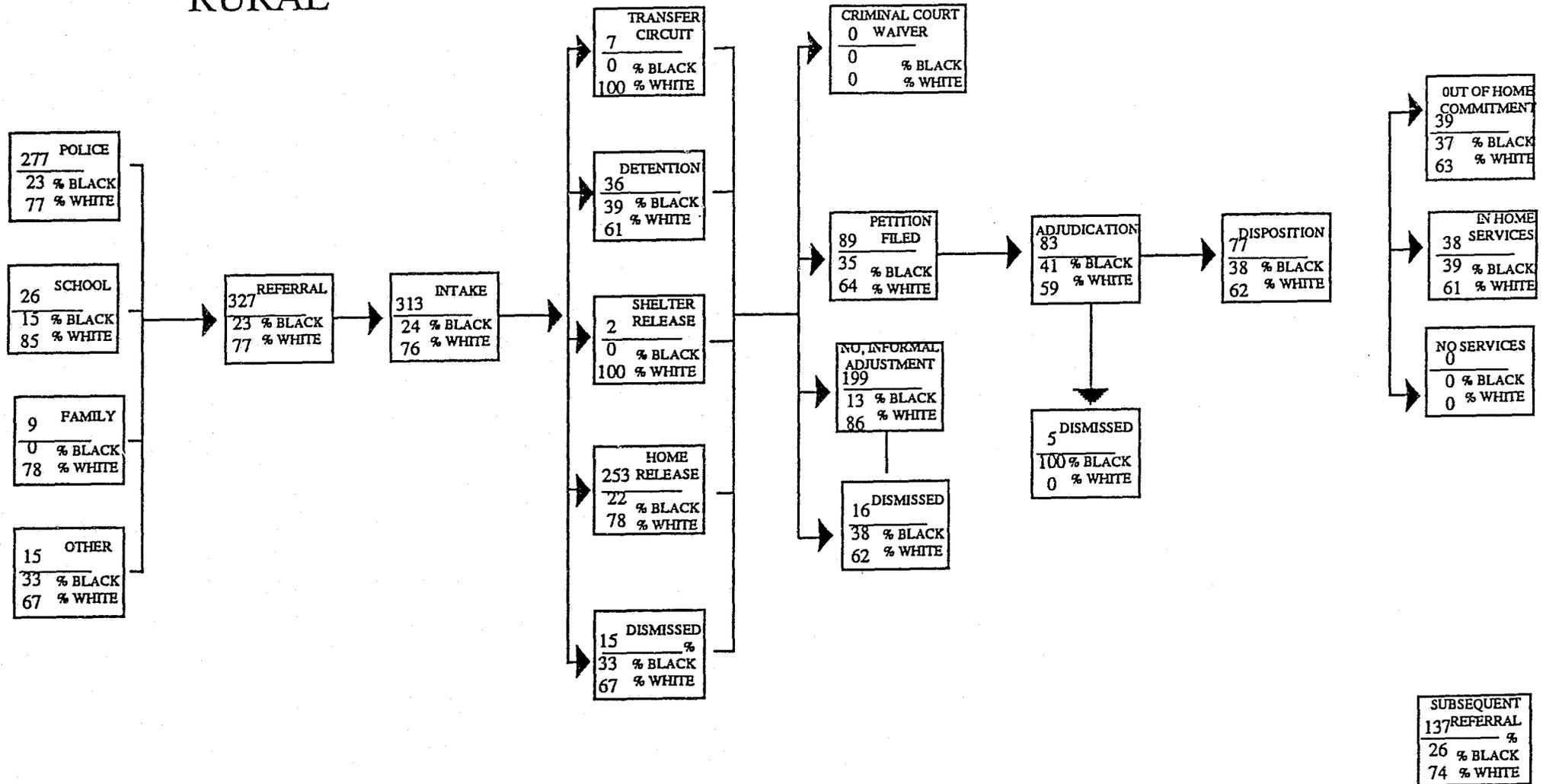


Figure 7.

JUVENILE JUSTICE PROCESSING, RURAL



supervision (46%) are shown. In these courts overrepresentation of black youths also is not evident. In rural circuits nearly three-fourths of all cases were handled informally by the juvenile officers and almost all other cases received a disposition. Rural courts detained very few youths.

The proportion of black and white youths at several major juvenile justice decisions are shown in Figure 8 for the population from the social services data. Although not every decision stage is available in these data, they do facilitate a comparison with the sample cases. For instance, the population also had a higher proportion of those detained who were black. More waivers went to black youths. Petitions, adjudications and dispositions were given more to blacks as well. However, dismissals and informal handling also were given to more black youths. In many respects these data compare most similarly with the sample data for the metropolitan courts. This is to be expected because of the higher proportion of urban cases represented in the population. These findings also approximate closely those based on 1986 social services data presented in the Plan (State Juvenile Justice Advisory Group, 1988).

DECISION OUTCOMES AND RECIDIVISM

We now move to an examination of the outcomes in case processing.⁶ Distributions of important decisions made in the juvenile justice process are shown in Table 13 separately by race, urbanization and severity of the major allegation at referral. Three decisions which affect a large proportion of any cases (dismissal, petition, detention) are subsequently examined (Table 14). In the latter analysis, the three decisions are viewed as cumulative in their severity. As such, any case for which a petition is filed, is not considered dismissed (even if dismissal occurred at adjudication), and any detention is not included among those with a petition. The intent of this exercise is to isolate the effects of more restrictive decisions.

Cases were processed informally by juvenile officers more often in the medium sized and rural courts for both blacks and whites, especially if the most serious allegation was a

⁶These results are shown for the weighted total samples.

Figure 8.
**SOCIAL SERVICE,
 ALL CASES**

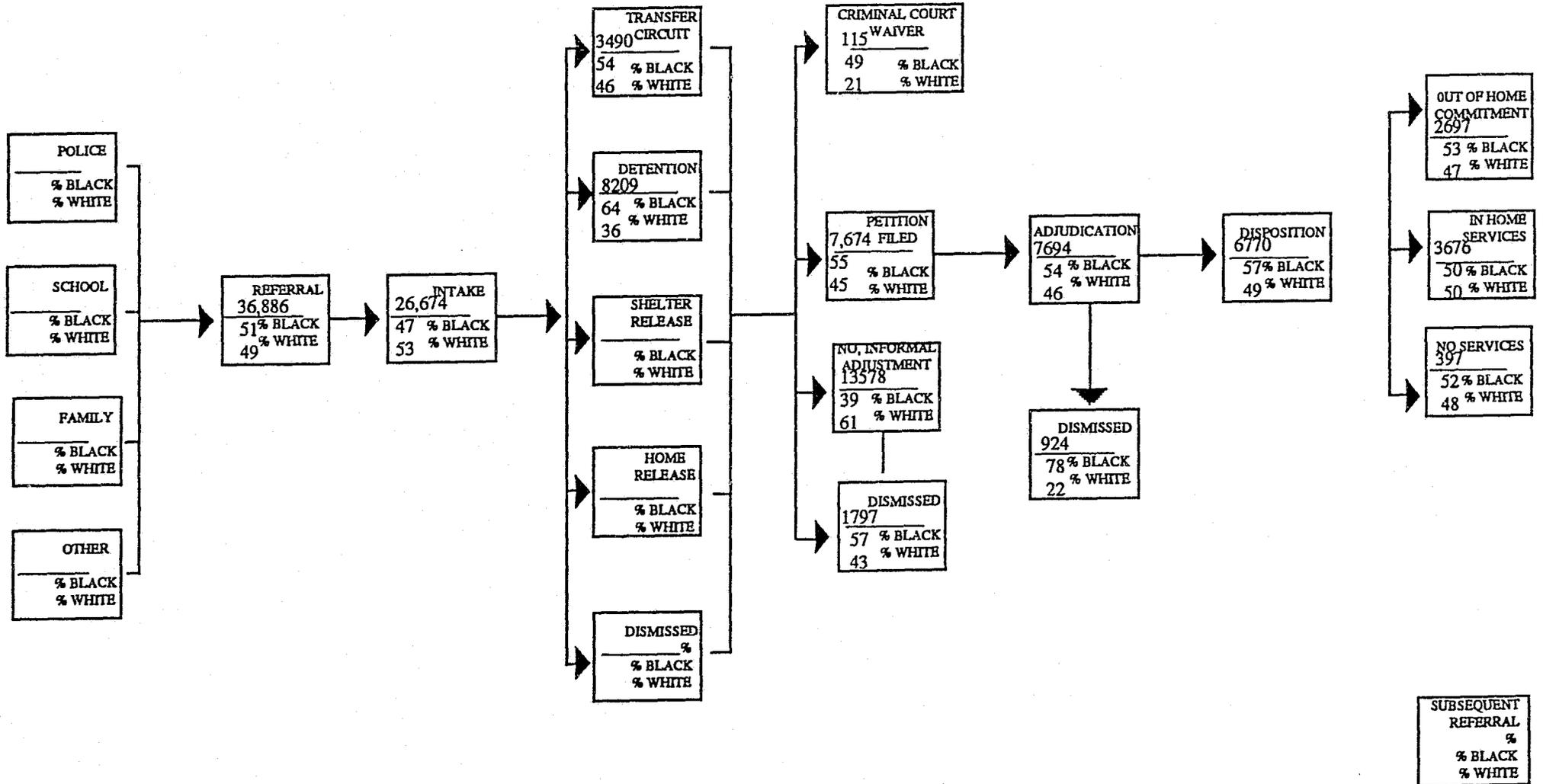


Table 13. Descriptive information for juvenile justice decisions and recidivism
 Percent of referrals with outcome
 by race, urbanization and offense severity subgroups

	Urban & suburban						Medium sized & rural					
	Black Felony (n=253)	Black Misd. (n=423)	Status (n=281)	Felony (n=145)	White Misd. (n=327)	Status (n=285)	Felony (n=66)	Black Misd. (n=349)	Status (n=21)	Felony (n=107)	White Misd. (n=352)	Status (n=148)
Handled informally	10	27	34	14	26	25	37	60	34	26	62	50
Detained	47	25	27	25	16	25	23	8	6	41	19	20
Case was dismissed	36	47	34	38	47	39	17	12	27	11	7	17
Petition was filed	70	48	52	71	48	54	53	28	25	64	28	35
Case was adjudicated	38	22	35	47	26	38	39	26	18	58	24	34
In home disposition	26	15	23	33	20	22	8	14	15	35	20	14
Out of home disposition	15	9	16	16	9	17	33	11	12	26	5	19
Recidivism	57	48	52	55	53	56	44	31	36	37	37	52

misdemeanor. Urban courts rarely handled felony referrals informally for either blacks or whites. Status offense referrals in urban courts for blacks were handled informally more often than for whites; however, the opposite was true of rural courts.

Cases were more often dismissed at some stage prior to adjudication in urban courts. Blacks were somewhat less likely than whites to be dismissed, particularly males, and those with felony or status referrals. Referrals for black youths were dismissed more often in the medium sized courts, especially among females, and less often in the most rural courts.

Black youths with felony referrals, and to a lesser extent misdemeanors, were detained more often than white youths in urban courts. There was no race difference in the detention of females in the suburban court. In rural courts black youths were detained less often than whites for each type of referral. However, black females in the most rural circuits were detained more often than the white females.

No initial difference by race is shown for the decision to file a petition in urban courts. More petitions were filed for felony referrals, followed by status offenses, than for misdemeanors. Black females in the suburban county had a higher rate of petitions than white females in that circuit. In rural courts, blacks had fewer petitions filed for felonies and status referrals. In the medium sized circuits the situation reverses for males where blacks were much more likely than whites to have a petition filed.

There either was no difference or cases were adjudicated less often for blacks than whites regardless of severity of the referral or location of the court (shown in Table 13). White youths with a felony referral had their cases adjudicated most often. With the exception of felony cases for white youths in rural courts, urban courts were slightly more likely to utilize in home dispositions. For felony and misdemeanor referrals, blacks received in home dispositions less often than white youths in all courts. Urban courts imposed out of home dispositions at roughly the same rate for felonies and status offenses for all youths. In rural courts, out of home dispositions were given to more black youths with felony and misdemeanor referrals than whites, but more white youths than blacks for status referrals.

Youths in urban jurisdictions were somewhat more likely to have had a subsequent referral to juvenile court than their rural counterparts. Within the urban jurisdictions, this was less true for blacks than whites whose referral was for a misdemeanor. Within rural courts, recidivism by white status offenders was most common, followed by blacks with felony referrals. These findings suggest strong rural/urban differences.

Table 14. Percent of referrals distributed in three decisions cumulative severity

	Dismissed		Petition		Detained	
	Black	White	Black	White	Black	White
Total %	23	25	41	43	36	32
Rural	18	18	57	52	25	31
Medium sized	18	11	70	37	12	53
Suburban	23	30	38	42	39	28
Metropolitan	24	32	37	45	39	23
Rural female	3	18	58	71	39	12
Rural male	20	18	57	48	22	35
Med. female	40	8	58	62	3	30
Med. male	11	11	74	27	15	62
Sub. female	24	34	42	29	34	37
Sub. male	23	28	37	46	41	26
Metro. female	25	26	32	39	43	25
Metro. male	24	31	38	48	38	22

Attrition by severity

It is interesting to compare the types of offenses which were the most serious at individual decision stages. From this analysis we are able to discern less variety in offenses as cases progressed further in the system. Among felony referrals, Table 15 shows first the classification of each violation which accounted for at least five percent of all referrals. (Within the offense classification scheme, "A" is considered the most serious.) Referrals vary to include robbery, assault, theft, burglary, etc. Progressing to the stage of petition, less variety in offense is shown, and by adjudication burglary was most common. This "funneling of cases" may occur for several reasons. For example, plea negotiations may explain the narrow focus. Or,

Table 15. Descriptive information for outcome of the disposition decision
 Percent of referrals with each attribute,
 by race, urbanization and offense severity subgroups

Urban & suburban						Medium sized & rural					
Black			White			Black			White		
Felony (n=253)	Misd. (n=423)	Status (n=281)	Felony (n=145)	Misd. (n=327)	Status (n=285)	Felony (n=66)	Misd. (n=349)	Status (n=21)	Felony (n=107)	Misd. (n=352)	Status (n=148)
Outright release at disposition											
1	2	4	1	2	2	2	1	0	1	2	1
suspended commitment											
3	1	1	3	23	1	2	0	0	9	1	0
DYS commitment											
6	4	7	9	1	9	30	9	1	21	5	9
non-DYS commitment											
2	1	2	4	5	5	5	7	3	6	0	5
juvenile detention at disposition											
3	1	1	0	1	1	0	0	0	0	0	2
suspended sentence											
2	1	0	0	0	1	0	0	0	0	0	0
restitution											
3	2	0	7	4	0	0	2	0	7	3	0
community service											
2	2	1	5	5	2	0	0	0	0	0	0
social service placement											
0	1	2	1	1	1	0	3	7	1	0	3
therapy or mental health placement											
0	1	0	0	1	2	0	0	1	2	2	2
Placed on probation											
27	15	22	34	19	22	10	13	15	41	20	14

out of home, private residential care

2	1	3	3	0	5	0	2	3	1	0	2
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out of home, court residential care

2	1	3	3	2	3	0	0	0	0	0	0
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out of home, DYS placement

9	5	7	10	0	9	30	7	1	8	5	8
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out of home, DFS placement

0	1	0	0	1	0	5	3	5	7	0	8
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perhaps youths who burgle are seen by juvenile court supervisors as most in need of attention. Maybe investigation or adjudication is easier than for burglary cases. Whichever explanation is correct, there does not appear to be a race effect.

The situation for misdemeanor referrals is shown in Table 16. Again, the diminishing list of offenses is immediately apparent. Within urban courts the constricting decision seems to have occurred at adjudication, whereas for rural courts the decision was made earlier at the stage of petition. In all cases, stealing was the most common. Perhaps, the interests of the victim in cases of theft are greater than for other types of misdemeanors.

Table 17 shows the most common status offenses at each of the three processing stages. There are fewer violations designated as status offenses. Across this category of offense, there also is greater latitude in interpretation of behavior. The latter explanation may account for the presence of "incorrigibility" and "behavior injurious to youth or others" in all categories at adjudication. In addition, fewer vehicles for negotiation may exist in the process for violations based on youthful status.

This form of attrition in severity at three important decision stages merits some concern. If some type of charge inflation or plea negotiation is at work, it may undermine the intended philosophy of the juvenile court. Police opinions on court processing of juvenile cases may help explain the greater variety of referrals. Existing standards used to initiate a petition by juvenile officers in rural courts and legal intake unit staff in urban courts should be examined. These findings pose interesting questions for the juvenile justice systems. Explanations for the attrition are only speculative and would require additional data for confirmation.

The court stage at which the case left the system

This final section describing the juvenile justice decisions examines the procedural stage at which cases left the systems. Referrals were most often rejected by juvenile officers in rural courts for black youths with alleged status violations (shown in Table 18). Generally, more cases exited following the intake decision in rural courts. In these courts, felony and

Table 16. Descriptive information for most serious violations at referral, petition and adjudication
 Offenses which contribute at least five percent to the total,
 for misdemeanor referrals by race and urbanization

Urban & suburban		Medium sized & rural	
Black	White	Black	White
Most serious offense on referral			
MA,assault 3 w/ injury MC,assault 3 MA,stealing MA,tampering MB,property damage 3	MA,assault 3 w/ injury MC,assault 3 MA,stealing MA,property damage 2 MB,property damage 3 M,liquor intox.minor	MA,assault 3 w/ injury MC,assault 3 MA,stealing MA,tampering 2 M,trespass 1 M,liquor intox,minor	MA,assault 3 w/ injury MC,assault 3 MA,stealing MB,property dam. 3 M,liquor intox. minor MB,peace dist.
Most serious offense on petition			
MC,assault 3 MA,stealing MA,tampering 2	MA,assault 3 w/ injury MC,assault 3 FC,burglary 2 MA,stealing MA,property damage 2 MB,property damage 3	MA, stealing	MA, stealing
Most serious offense adjudicated			
MA,stealing		MA,stealing	MA,stealing

Table 17. Descriptive information for most serious violations at referral, petition and adjudication
 Offenses which contribute at least five percent to the total,
 for status offense referrals by race and urbanization

Urban & suburban		Medium sized & rural	
Black	White	Black	White
Most serious offense on referral			
truancy incorrigibility runaway behavior injurious	truancy incorrigibility runaway behavior injurious institutional runaway	truancy incorrigibility runaway behavior injurious	truancy incorrigibility runaway behavior injurious other status
Most serious offense on petition			
incorrigibility truancy runaway behavior injurious	incorrigibility truancy behavior injurious	incorrigibility behavior injurious	incorrigibility truancy runaway behavior injurious other status
Most serious offense adjudicated			
truancy incorrigibility behavior injurious	truancy incorrigibility runaway behavior injurious	incorrigibility behavior injurious	truancy incorrigibility runaway behavior injurious

Table 18. Descriptive information for stage at which the case left the juvenile justice process
Percent of referrals by race, urbanization and offense severity subgroups

	Urban & suburban						Medium sized & rural					
	Felony (n=253)	Black Misd. (n=423)	Status (n=281)	Felony (n=145)	White Misd. (n=327)	Status (n=285)	Felony (n=66)	Black Misd. (n=349)	Status (n=21)	Felony (n=107)	White Misd. (n=352)	Status (n=148)
Case left system at :												
referral												
4		8	6	4	10	9	3	2	22	5	3	6
intake												
22		39	39	21	37	33	30	66	36	23	62	54
petition												
10		5	4	5	4	2	3	3	0	8	1	3
first court appearance												
12		8	3	6	6	5	7	0	0	3	3	2
adjudication hearing												
13		14	18	19	17	19	4	0	0	2	0	0
disposition												
11		4	2	5	4	2	0	4	5	0	1	6
completed disposition												
21		14	24	34	15	22	38	22	29	52	20	25
transfer to another jurisdiction												
4		4	2	3	4	3	5	0	0	2	1	1

misdemeanor cases left more often for black youths than white youths, while more whites than blacks left for status violations. Decisions not to file petitions were made in urban courts for felony referrals for blacks more often than whites. Black youths with felony referrals also left the system more often than whites after making only one court appearance, regardless of location. Adjudication hearings were the stage where the case left the system much more often in urban than rural settings. However, dispositions were more often completed in rural courts. Black youths with felony referrals were less likely than similar whites to have their case closed following successful completion of disposition in both courts. As shown, race differences were not prevalent across all stages in the process, but some variation is observed within offense severity and especially court type.

THE JURISDICTIONS

We have observed differences in the types of referrals and how they are handled across the juvenile court circuits in this study. In view of these initial findings, information describing many of the economic, social and demographic characteristics of the study circuits were obtained to help understand the nature of these jurisdictions. This information is shown in Table 19 for the eleven Missouri counties included within the eight circuits chosen for the study.

The percent of each county population with at least high school education ranges from 39 to 74 percent. The range for unemployment is 7 to 16 percent. Families below the poverty line span from 4 to 25 percent. Suburban St. Louis county is the most affluent, most educated, and distributed more local funds to health care. The city of St. Louis has the highest number of crimes, and contributes the highest proportion of local funds to police services. The population in the city is less educated, more impoverished generally and has more children and female-headed families below the poverty line. This jurisdiction also has the highest proportion of black residents. Jackson county, including Kansas City and surrounding suburban areas, is situated between St. Louis county and St. Louis city on many dimensions. Jackson is similar to St. Louis county with an educated population, higher median family income, and expenditure of

Table 19. Characteristics of the jurisdictions

	14 Randolph	14 Howard	16 Jackson	21 St.Louis co.	22 St.Louis	33 Scott	33 Mississippi	34 Pemiscot	34 New Madrid	35 Stoddard	35 Dunklin
% population with at least 12 years of schooling	61.4	61.4	70.7	73.9	48.2	51.4	41.5	39.3	41.8	46.2	42.1
% unemployment	6.7	9.6	9.7	7.8	10.8	11.8	13	15.2	11.9	12.9	16
% population who are urban	52.7	29.8	96.4	97.7	100	58.7	56.9	47.7	32	24.3	44.7
% population who are black	6.2	8.3	20	11	46	8	19	26	16	2	6
% population who are white	93	91	78	88	54	92	81	73	84	98	93
% population aged 5 to 17	19	19	20	21	19	23	24	24	24	21	22
number of female-headed households	682	274	27,814	31,843	32,930	1,508	708	1,280	948	792	1,492
% births to mothers under age 20	19	20	19	10	25	20	30	30	31	25	28
# of serious crimes per 100,000	1,609	866	8,957	4,710	13,795	3,696	6,389	722	6,389	89	1,572
median family income	16,834	15,589	20,995	25,265	15,265	15,803	11,355	12,078	13,139	13,139	12,033
median household income	13,252	12,025	16,887	22,127	11,511	12,886	10,373	9,142	12,078	10,885	9,775
% households under \$10,000	39	42.9	28.8	16.7	44.1	40	48.4	54	49.8	46.3	51

Table 19. Characteristics of the jurisdictions (continued)

	14 Randolph	Howard	16 Jackson	21 St.Louis co.	22 St.Louis	33 Scott	Mississippi	34 Pemiscot	New Madrid	35 Stoddard	Dunklin
% population below the poverty line	13.5	11	11	4.9	21.8	16.7	25.7	15.2	27.4	17.6	23.6
% children below the poverty line	15.8	14.4	14	5.9	33.7	20.7	34.5	46	34.7	17.7	28
% families below the poverty line	9.5	8.7	7.9	3.5	16.6	13.3	19.7	25.1	21.9	13.3	18.7
% female-headed families below the poverty line	26.3	24	24.7	14.9	36.6	38.6	51.8	55.6	56.5	33.3	42.6
per capita income	7,874	5,780	10,514	13,319	10,336	7,242	6,766	6,363	6,162	6,986	6,435
\$ per capita	5,982	5,780	7,610	9,215	5,879	5,565	4,943	4,431	4,742	5,125	4,846
% intergovernmental revenue from state	57	76	47	76	51	87	62	82	84	84	81
% direct general expenditures on local government per capita	56	45	36	59	34	70	56	53	76	69	56
% of local \$ to health & hospitals	1.3	27.3	5.9	11.6	3.8	.8	1.5	27.5	1.6	1.4	19.1
% of local \$ to public welfare	.2	.3	.3	.1	.7	1.0	.3	.1	.1	.5	.1
% of local \$ to police	4	3.7	7.9	7.3	9	4.9	3.3	2.5	3.5	4	3.8

local funds on police. It compares more closely with the city of St. Louis in terms of female-headed households below the poverty line, per capita income, intergovernmental revenue from the state, direct general expenditures on local government and health services. Southeastern rural jurisdictions, located in "the bootheel" of Missouri, have less educated populations, higher unemployment, and fewer financial resources. These jurisdictions also have more births to younger mothers, and more families, children, and female-headed families below the poverty line. The centrally located circuit, 14, is more similar to the urban courts with a more educated population, lower unemployment, and less poor families. This circuit looks more like the southeastern circuits in terms of having a primarily white population, smaller number of female-headed families, fewer serious crimes, and less money spent on health and police services.

These indicators reveal the considerable variation across the courts on many dimensions. The jurisdictions vary from an affluent constituency to the very poor. The absence of local resources in the rural south and their distance from services available in other areas is quite pronounced. Variation among urban counties also is evident. These characteristics provide an important backdrop for understanding both the range of problems and potential for meeting them. The discrepancy in available resources precludes the youths in Missouri from receiving uniform treatment across the state. If the empirical findings presented in the next chapter show negative outcomes of court decisions overrepresenting minority youths in courts with fewest resources, then this issue will have an important role in our discussion of potential recommendations for policy change.

This chapter has presented the descriptive findings concerning the youths referred to juvenile court, the nature of their referral violations, the characteristics of the systems they encountered and the decisions made by juvenile officers and judges that affected them. Some differences directly according to race have been observed. Other race differences appeared within categories of other legal and demographic criteria. The relative importance of both race especially true in the most rural jurisdictions, where 71% of white youths but only 59% of black

youths were informally processed. This is one of the few notable black-white differences found for informal processing.

CHAPTER 5

THE ROLE OF RACE IN JUVENILE COURT DECISION MAKING

Racial differences in the processing decisions observed originally are examined in greater detail in this chapter. The distinctions between the rural and urban courts shown previously are controlled so that the role of race in juvenile court decisions is not hidden within court type.

The discussion in this chapter is based on two types of analyses. First, the proportion of referrals affected by each decision is shown. This information is presented for all cases, race and court subgroups, and within categories of demographic and offense characteristics. Only variables for which missing data are not problematic are included herein. Variables identified as important in this analysis will be included in the second type, statistical models of the decisions. These subsequent analyses will reveal the relative influence of race and related factors on the processing decisions. If juvenile court decision making is affected by race when other demographic, offense and structural criteria are considered, then the findings will be considered to show disparity. If this disparity disadvantages black youths, these outcomes will merit concern.

FINDINGS IN MORE DETAIL

The decision stages are examined separately and in more detail within this section of the report. The proportion of cases receiving each outcome is shown for six important decisions. This information also is presented for youths who had a subsequent referral to juvenile court.

Informal supervision

Over one-third (35%) of all cases were handled informally, and without a judicial decision. Higher rates of informal supervision occurred within the rural jurisdictions, apparently regardless of most youth, referral or system characteristics (shown in Table 20). This was and

related variables on the juvenile decisions described in this section will be examined in the next chapter.

Among rural youths who were informally processed, white parents were much more likely to express their willingness to provide supervision. This resulted in higher rates of informal handling for white youth. Another notable black-white difference comes for informal processing by referral source. In this situation, however, black youths from rural circuits referred to the court from schools were much more likely to have their cases informally supervised (87%) than their white counterparts (51%). In rural courts, black youths with less than three prior referrals also were informally supervised more often than similar whites. Youths without prior juvenile court involvement were more likely than others to be handled informally in all courts.

Table 20. Percent of Youths Processed Informally

	<u>All</u>	<u>Black</u>	<u>White</u>	<u>Urban</u> <u>Black</u>	<u>Urban</u> <u>White</u>	<u>Rural</u> <u>Black</u>	<u>Rural</u> <u>White</u>
referrals (weighted n)	(2,784)	(1,407)	(1,377)	(970)	(766)	(437)	(611)
overall percent	35	34	37	24	24	55	53
Youth Characteristics							
male	35	32	37	20	23	56	54
female	37	34	34	35	25	55	47
rural	65	59	71			59	71
medium sized	34	37	33			37	33
suburban	28	26	29	26	29		
metropolitan	23	24	20	24	20		
lives w/ both parents	33	33	33	24	23	53	47
lives w/ mother only	30	23	38	19	23	37	60
alcohol abuse	19	6	23	6	25	6	19
drug abuse	14	7	17	9	16	4	21
other pending case	14	8	20	9	19	3	24
currently supervised	13	10	16	9	8	12	28
no prior referrals	49	44	55	43	54	61	58
1 prior referral	31	30	32	25	32	90	31
2 prior referrals	26	28	24	28	24	45	23
3 prior referrals	22	17	26	16	27	49	25
4+ prior referrals	15	15	16	15	14	23	25
Referral Characteristics							
police referral	36	33	39	21	24	56	59
school referral	40	46	36	35	23	87	51
parent referral	25	17	31	15	22	50	43
felony, most serious	17	15	19	10	14	37	26
misdemeanor	43	42	45	27	26	60	62
status offense	34	34	33	36	25	34	50
witness identified	32	23	42	18	26	37	65
youth made admission	29	21	35	15	24	44	55
evidence	36	34	39	27	27	53	58
2+ co-offenders	32	16	40	21	29	42	59
parent willing to supervise	32	22	39	20	24	32	62

Detention

Less than one-fourth of all youths referred to juvenile court were detained. The distribution of detention according to characteristics of the youths, their referrals and experiences within the system are shown in Table 21. Within nearly every category, black youths were detained more often than white youths, overall. This outcome was accentuated in

urban courts but reversed in rural courts where categories show whites detained more often than blacks.

Table 21. Percent of Youths Detained

	<u>All</u>	<u>Black</u>	<u>White</u>	<u>Urban Black</u>	<u>Urban White</u>	<u>Rural Black</u>	<u>Rural White</u>
referrals (weighted n)	(2,784)	(1,407)	(1,377)	(970)	(766)	(437)	(611)
overall percent	23	25	22	31	21	10	23
Youth Characteristics							
male	23	24	22	31	20	10	26
female	23	26	20	30	23	13	14
rural	10	10	9			10	9
medium sized	33	7	38			7	38
suburban	26	32	21	32	21		
metropolitan	27	31	20	31	20		
lives w/ both parents	24	28	22	26	18	34	29
lives w/ mother only	24	27	21	32	19	9	23
alcohol abuse	37	42	36	55	28	10	51
other pending case	39	46	33	52	30	13	41
currently supervised	49	46	52	51	47	9	61
no prior referrals	13	15	11	16	8	2	24
1 prior referral	19	22	16	23	9	12	51
2 prior referrals	34	31	36	32	23	9	71
3 prior referrals	34	35	33	36	28	16	43
4+ prior referrals	39	41	37	42	34	18	56
Referral Characteristics							
police referral	24	27	21	35	21	11	21
parent referral	23	30	16	32	22	3	9
felony, most serious	37	42	32	47	25	23	41
misdemeanor	18	18	17	25	16	8	19
status offense	24	25	23	27	25	6	20
witness identified	28	32	23	39	24	10	22
admission	26	30	23	36	22	7	24
evidence	26	29	22	35	19	12	26
2+ co-offenders	18	24	12	30	12	0	13
parent willing to supervise	20	23	18	27	17	5	20
System Characteristics							
detain, incapacitate	76	79	73	77	70		
detain, protect youth	79	77	81	76	80		
detain, gen. welfare	82	79	86	78	81		
1 court appearance	34	36	33	47	29	12	38
no counsel	27	13	35	20	49	7	32
public defender	48	53	40	54	39	49	74
court appointed	31	31	30	32	25	27	57
private counsel	29	39	22	37	20		74

	<u>All</u>	<u>Black</u>	<u>White</u>	<u>Urban Black</u>	<u>Urban White</u>	<u>Rural Black</u>	<u>Rural White</u>
(Following Detention)							
dismissed	33	37	26	39	26	11	
adjudicated lesser offense	27	38	18	37	20	63	
adjudicated most serious	40	39	40	49	38	18	43
adjudicated for 1 offense	42	40	43	49	43	18	43
adjudicated for 2 offenses	33	37	29	43	26	9	47
in home disposition	30	32	28	40	24	5	35
out of home disp.	50	48	52	62	51	20	53
outright release	23	21	26	19	0		100

Case dismissed

Nearly one-third of all referrals were dismissed and rates of dismissal varied considerably by court type (Table 22). For the overall black, white and rural categories, cases for black youths were somewhat more often dismissed. Exceptions to this pattern where referrals for blacks were less often dismissed include private counsel, females, the city courts, parental referrals, status offenses, and when the decision was made by a juvenile officer.

Table 22. Percent of the Referrals That Were Dismissed

Overall, 15% were dismissed at referral, 45% at intake/placement, 9% at petition stage, 10% at first court appearance, 15% at adjudication hearing, and 3% at disposition.

	<u>All</u>	<u>Black</u>	<u>White</u>	<u>Urban</u> <u>Black</u>	<u>Urban</u> <u>White</u>	<u>Rural</u> <u>Black</u>	<u>Rural</u> <u>White</u>
referrals (weighted n)	(2,784)	(1,407)	(1,377)	(970)	(766)	(437)	(611)
overall percent	30	32	28	40	42	14	10
Youth Characteristics							
male	29	32	26	41	40	14	11
female	32	33	32	39	49	11	7
rural	10	13	7			13	7
medium sized	13	12	13			12	13
suburban	38	40	37	40	37		
metropolitan	42	41	45	41	45		
lives w/ both parents	35	43	31	56	44	18	12
lives w/ mother only	33	36	30	43	45	15	9
alcohol abuse	25	27	24	37	36	1	4
other pending case	18	18	18	22	23	0	0
currently supervised	26	27	25	30	29	8	18
no prior referrals	33	38	29	38	33	30	13
1 prior referral	35	38	33	40	36	0	21
2 prior referrals	28	34	21	35	30	0	0
3 prior referrals	27	33	23	33	30	11	9
4+ prior referrals	28	28	29	29	30	2	17
Referral Characteristics							
police referral	31	37	30	43	45	12	9
school referral	29	31	27	37	39	10	12
parent referral	34	30	37	30	58	29	13
felony, most serious	30	32	26	36	38	17	11
misdemeanor	29	31	26	47	47	12	7
status offense	33	34	32	34	39	27	17
witness identified	35	41	29	47	41	19	10
admission	22	26	18	30	26	10	5
evidence	32	36	26	42	39	17	6
2+ co-offenders	41	46	36	54	50	15	6
parent willing to supervise	34	42	29	47	43	23	7
System Characteristics							
parent at hearing	40	49	34	49	37	21	5
juvenile officer dismissed	38	39	37	55	64	12	12
judge dismissed	23	27	19	31	27	15	6
1 court appearance	20	24	17	33	22	5	7
no counsel	21	30	16	70	52	0	9
public defender	21	24	17	25	18	18	0
court appointed	17	21	12	24	14	0	5
private counsel	19	13	24	13	25	0	0

A Petition was filed

The tendency for more petitions to be filed in urban than rural courts was shown previously. Overall, petitions were filed for 56 percent of the referrals. Petitions were filed for black youths more often than whites in rural and suburban circuits, and across all categories for youths who lived only with their mother, or had problems of alcohol abuse (shown in Table 23). This general pattern also holds for youths with other cases pending, currently supervised, accounts from witnesses, admissions by youth, and the presence co-offenders. This race effect was not suppressed by the presence of a parent willing to provide more supervision.

Table 23. Percent Who Had A Petition Filed

	<u>All</u>	<u>Black</u>	<u>White</u>	<u>Urban Black</u>	<u>Urban White</u>	<u>Rural Black</u>	<u>Rural White</u>
referrals (weighted n)	(2,344)	(1,158)	(1,186)	(784)	(639)	(375)	(547)
overall percent	56	58	54	68	66	37	40
Youth Characteristics							
male	56	59	53	71	67	37	38
female	54	53	55	59	61	38	48
rural	28	33	23			33	23
medium sized	59	56	60			56	60
suburban	63	69	59	68	59		
metropolitan	69	68	70	68	70		
lives w/ both parents	58	58	58	67	63	24	50
lives w/ mother only	62	70	52	76	65	57	35
alcohol abuse	78	87	75	84	73	93	80
other pending case	84	90	78	89	77	97	84
currently supervised	80	88	74	89	80	78	61
no prior referrals	35	41	30	41	30	32	29
1 prior referral	57	60	54	64	53	10	62
2 prior referrals	69	66	73	66	69	55	82
3 prior referrals	78	84	72	84	69	100	78
4+ prior referrals	77	78	77	78	79	66	57
Referral Characteristics							
police referral	54	58	50	70	62	39	35
school referral	56	54	57	68	70	4	43
parent referral	66	73	59	76	64	26	54
felony, most serious	76	76	76	80	77	61	76
misdemeanor	46	48	43	62	58	33	30
status offense	60	65	57	66	68	37	40
witness identified	60	68	51	72	66	54	28
admission	67	73	63	77	75	57	41
evidence	55	57	51	61	60	46	38
2+ co-offenders	59	65	47	67	59	50	46
parent willing to supervise	60	70	54	72	66	62	37
System Characteristics							
parent at hearing	74	74	74	74	76	79	50
detained	84	84	83	85	90	69	76

The Case was Adjudicated

An adjudication hearing was held for 38 percent of the referrals. In 81 percent of these hearings, youths were adjudicated as delinquent (shown in Table 24). Nearly all rural cases with a hearing were adjudicated. Overall and with urbanization controlled, blacks were less often adjudicated than whites. Black youths were adjudicated more often than white youths only when private counsel was retained in urban courts, which was fairly uncommon.

Table 24. Percent of those with a Hearing Who Were Adjudicated

	<u>All</u>	<u>Black</u>	<u>White</u>	<u>Urban Black</u>	<u>Urban White</u>	<u>Rural Black</u>	<u>Rural White</u>
referrals (weighted n)	(1,071)	(543)	(528)	(414)	(329)	(129)	(199)
overall percent	81	75	87	70	80	93	99
Youth Characteristics							
male	82	76	88	70	82	93	99
female	79	74	85	69	75	92	100
rural	95	92	100			100	100
medium sized	100	100	100			100	100
suburban	75	71	79	71	79		
metropolitan	74	69	81	69	81		
lives w/ both parents	78	60	83	63	72	47	99
lives w/ mother only	81	77	87	71	81	95	100
alcohol abuse	89	86	90	77	82	100	100
other pending case	93	93	93	91	90	100	100
currently supervised	87	80	95	77	92	100	100
no prior referrals	72	65	83	63	77	100	100
1 prior referral	80	69	88	68	85	100	100
2 prior referrals	83	76	89	76	82	100	100
3 prior referrals	85	78	91	78	86	100	100
4+ prior referrals	85	83	88	83	86	100	100
Referral Characteristics							
felony, most serious	81	73	89	79	81	82	100
misdemeanor	78	74	83	61	71	96	99
status offense	86	79	91	71	87	100	100
witness identified	78	74	84	68	78	94	99
admission	88	84	91	82	87	95	100
evidence	78	72	86	65	80	93	100
2+ co-offenders	69	62	78	55	68		
parent willing to supervise	82	78	84	75	78		
System Characteristics							
detained	83	75	91	73	83	96	100
parent at hearing	80	71	86	71	86		
1 court appearance	85	79	91	71	86	96	99
no counsel	83	69	91	30	48	100	100
public defender	79	76	83	76	83	82	100
court appointed	84	79	89	75	87	100	95
private counsel	80	87	75	87	74	100	100

Disposition out of the home

Judges gave out of home dispositions to 39 percent of the adjudicated youths (shown in Table 25). This disposition was given to blacks more often than whites, and especially in rural courts. Alcohol abuse, a pending case, no prior record, a misdemeanor, and police referral were associated with this outcome. Black youths with co-offenders, court appointed or private counsel in urban courts also had higher rates of out of home dispositions. In rural courts, black youths were more often than whites removed from their homes if they were male, lived with only their mothers, had witnesses or admitted their involvement, or had legal counsel.

Table 25. Percent of those Adjudicated with an Out of Home Disposition

	<u>All</u>	<u>Black</u>	<u>White</u>	<u>Urban Black</u>	<u>Urban White</u>	<u>Rural Black</u>	<u>Rural White</u>
referrals (weighted n)	(923)	(436)	(487)	(317)	(283)	(119)	(204)
overall percent	39	42	37	38	36	54	37
Youth Characteristics							
male	40	44	37	39	38	57	36
female	35	35	36	36	33	34	40
rural	55	62	46			62	46
medium sized	32	30	33			30	33
suburban	27	29	26	29	26		
metropolitan	41	40	43	40	43		
lives w/ both parents	31	23	33	24	27	18	41
lives w/ mother only	37	35	39	33	41	42	35
alcohol abuse	52	59	50	57	43	61	57
other pending case	53	58	47	53	48	78	46
currently supervised	60	58	61	58	59	54	65
no prior referrals	19	27	12	28	13	11	8
1 prior referral	15	17	13	18	17		25
2 prior referrals	33	33	32	34	36	17	25
3 prior referrals	45	44	47	45	48	14	44
4+ prior referrals	61	60	61	58	59	100	82
Referral Characteristics							
witness identified	36	38	33	32	30	54	39
admission	35	37	34	36	37	39	28
evidence	41	43	40	43	41	35	35
2+ co-offenders	29	36	21	36	25	0	32
parent willing to supervise	30	34	28	27	29	57	25
felony, most serious	42	46	38	38	33	45	43
misdemeanor	33	41	26	36	30	45	21
status offense	45	41	47	40	43	45	57
System Characteristics							
police referral	41	45	36	39	36	56	36
parent at hearing	40	38	41	34	40	52	44
detained	52	51	52	48	56	80	47
1 court appearance	39	45	33	33	36	63	29
no counsel	26	2	36	0	33	2	37
public defender	40	39	41	38	43	69	0
court appointed	41	46	38	42	34	60	56
private counsel	38	42	34	40	34	100	26

Recidivism

Nearly half of all the referrals in this study also had at least one subsequent referral to the same juvenile court before data collection concluded in 1990 (shown in Table 26). This is a very conservative measure of recidivism because the follow-up period is so short, and the criteria (court referral) requires penetration into the system beyond that of contact with authorities. Further, this conservative measure of recidivism does not include youths who reached the age of majority and had subsequent violations officially processed in criminal court. Nor does it include referrals from other jurisdictions. Given these concerns, the rates of subsequent referrals are high.

Recidivism was highest among youths in suburban St. Louis county, followed by the two city courts. Black females were the least likely to have a subsequent referral in every jurisdiction. Within the rural courts, the rate of recidivism was more than twice as high for white females than black. Black youths without legal representation had a subsequent referral more often than their white counterparts.

If the juvenile court can be considered responsible for delinquency prevention measures (an issue of debate, Horowitz, 1977), then associations between post-adjudication outcomes and subsequent referrals merit some attention. In this context, recidivism was higher for black youths than whites with in home dispositions, but much lower for those with outright release at disposition. Community service, restitution, suspended sentences, and placements to the Division of Family Services appear to have been less successful for black youths. Among those youths placed with the Division of Youth Services, recidivism was higher for urban whites. Probation seemed more effective in rural areas. However, the small number of cases on which these post-adjudication findings are based requires that they be interpreted cautiously.

Table 26. Percent of the Youths with a Subsequent Referral

	<u>All</u>	<u>Black</u>	<u>White</u>	<u>Urban</u> <u>Black</u>	<u>Urban</u> <u>White</u>	<u>Rural</u> <u>Black</u>	<u>Rural</u> <u>White</u>
referrals (weighted n)	(2,784)	(1,407)	(1,377)	(970)	(766)	(437)	(611)
overall percent	47	46	48	51	54	33	41
Youth Characteristics							
male	49	50	48	57	55	36	40
female	40	32	48	36	51	20	44
rural	33	30	35			30	35
medium sized	48	52	47			52	47
suburban	66	68	65	68	65		
metropolitan	47	47	48	47	48		
lives w/ both parents	47	48	47	54	52	36	38
lives w/ mother only	55	56	54	57	57	50	49
alcohol abuse	72	70	73	79	74	49	70
other pending case	56	57	54	62	62	27	33
currently supervised	69	68	71	70	75	52	63
no prior referral	33	31	34	33	35	15	40
1 prior referral	51	54	48	56	50	26	40
2 prior referrals	60	60	59	60	61	45	56
3 prior referrals	63	56	70	55	60	84	87
4+ prior referrals	68	68	69	68	69	74	67
Referral Characteristics							
police referral	48	48	48	53	57	37	36
felony, most serious	52	55	48	57	55	44	37
misdemeanor	42	40	45	48	53	31	37
status offense	53	51	55	52	56	36	52
witness identified	55	56	54	56	58	56	48
admission	55	56	54	56	62	54	41
evidence	47	47	47	47	51	48	40
2+ co-offenders	47	50	43	48	52	58	23
parent willing to supervise	55	59	52	61	55	51	46
System Characteristics							
parent at hearing	54	60	49	60	50	48	37
detained	55	53	58	54	67	41	49
1 court appearance	58	61	55	59	63	64	44
adjudicated only 1 offense	57	59	55	61	64	53	47
adjudicated for 2+ offenses	72	75	69	75	71	78	63
in home disposition	63	67	59	70	65	59	50
out of home disp.	63	66	60	66	68	66	48
outright release	54	49	61	48	48	0	0

	<u>All</u>	<u>Black</u>	<u>White</u>	<u>Urban Black</u>	<u>Urban White</u>	<u>Rural Black</u>	<u>Rural White</u>
Post-disposition characteristics							
probation disposition	62	66	59	68	67	59	49
community service	73	83	68	83	67	0	0
mental health place.	36	0	34	100	0	0	41
other therapy	73	68	75	100	91	0	0
restitution	52	84	36	77	51	100	16
social service	73	71	77	53	100	92	56
suspended sentence	69	69	0	71	68	50	0
DYS commitment	56	57	54	62	88	52	50
other commitment	85	84	96	84	56	85	82
suspended commitment	72	78	66	76	74	0	55
private residential	72	73	71	67	71	90	71
court residential	87	88	86	88	86	0	0
DFS	65	73	60	0	0	88	50
DMH	58	0	40	0	0	0	40
placed w/ relative	29	59	0	0	0	0	0
vocation w/ commit.	52	57	49	57	49	33	41
education w/ commit.	61	50	72	64	81	32	55
comm. serv. w/ prob.	66	71	61	76	71	45	39
vocation w/ prob.	43	21	60	21	55	82	0
education w/ prob.	70	75	66	74	71	77	49
counsel w/ prob.	65	65	65	63	72	74	49
left at referral	42	38	45	43	41	14	51
left at intake	35	30	40	35	44	23	37
left at petition	42	38	50	41	61	22	29
left at 1st court	54	58	49	56	55	77	31
left at adjud. hrg	63	63	63	64	64	0	0
left at disp. hrg	58	58	57	69	53	25	67
completed disp.	63	69	59	70	69	66	48
transferred	32	35	28	37	22	23	50
case dismissed	47	45	48	51	49	10	41
handled informally	38	33	41	46	50	23	37
case completed	63	68	59	70	67	63	48
youth "aged out"	24	33	18	33	18	0	52

THE DECISION MODELS

The findings presented thus far have considered the effect of one factor at a time on juvenile court decisions. The discussion on outcomes of the decisions now will include the effects of several variables considered simultaneously.⁷ In this way, statistical modeling estimates most closely the criteria actually relied upon by court decision makers.

⁷The findings reported in this section of the report are based on maximum-likelihood logistic regression techniques. This statistical technique estimates the probability of decision outcomes (coded 1 for outcome, 0 for no outcome) and recidivism, as well as estimates of the independent contribution that race (coded 1 for black, 0 for white) and other variables make to

The decision models are shown separately for rural and urban jurisdictions because juvenile processing differed most by court location (shown in Tables 28 and 29). Models with only race and gender are presented first to identify their direct effects on decision outcomes. With race and gender included first in the overall models, the effects of subsequent variables essentially include any indirect effects of race and gender.

In the rural courts, dismissals and out of home dispositions were more likely to occur for black youths. In addition to race, nonviolent, felony and status referrals contributed most to the dismissal decisions. The direct effect of race remained significant; the explanatory power of the overall model did not improve over that shown for the model with race and gender only. However, youths are not considered disadvantaged when their cases are dismissed and the low rate of occurrence in rural courts (approximately 12%), renders these findings of less importance than the findings for out of home dispositions.

Youths who were removed from their homes by rural judges at disposition tended to be black, have prior juvenile court involvement, referrals for felony or status offenses and problems with alcohol abuse. Prior record had the greatest effect on the disposition decisions. The greater significance of race in the overall model suggests that race contributed to the disposition decisions directly, as well as indirectly through joint effects with other criteria in the model. In models constructed separately within racial subgroups (Tables not shown), the same four attributes remained important. Although the pseudo r dropped in the overall model, that model was able to predict the disposition correctly for many more cases.

the prediction of the outcome. Both the raw logistic coefficients (B) and the ratios (absolute value) of the coefficient to the standard error (B/S.E.) are presented. The direction of the relationship is shown by the sign of the coefficient. The relative significance of the relationship is shown by B/S.E.; values higher than 2 are considered significant. The percent of cases correctly predicted by the models, as well as the pseudo r also are provided (see Aldrich and Nelson, 1984: 57 for a discussion of the limitations of pseudo r). The logistic regression analyses are based on unweighted data to facilitate inference to the populations. Separate analyses were run within blocks of characteristics of the youths, then case and system attributes (tables not shown). From these analyses, the variables most consistently able to differentiate outcome were identified (shown in Table 27). These variables are included in the models shown here. The model chi-square association is significant in each logistic regression equation discussed.

Black youths were detained more often than similar white youths in urban courts. The effect of race remained, but attenuated slightly in the overall model. Prior referrals and having legal counsel contributed most to the detention decisions, followed by no parent willing to provide more supervision, felony referrals, violence, race, status offenses, nonpolice referral sources and females. Actual detention decisions were predicted equally well by the two models.

No race effect indicating harsher treatment of black youths is shown in any of the other models. In rural courts, however, there were two decision stages at which females were disadvantaged. Rural white females, without a prior record, nonfelony and nonviolent referrals and no alcohol abuse were more apt to receive informal supervision. When the referral involved a felony, and was nonviolent, and the youth had counsel and was detained, petitions were filed in rural courts more for females, with prior referrals, and alcohol abuse, regardless of race.

Of related interest, is the finding that recidivism in urban courts also was associated with youths who had prior referrals and who were black, male, status offenders who abused alcohol, had legal representation and parents willing to provide more supervision.

Table 27. Distribution of variables in the decision models

	Total Rural (881)	Rural Black (354)	Rural White (527)	Total Urban (1,739)	Urban Black (911)	Urban White (828)
Race						
Black (1)	40.2			52.4		
White (0)	59.8			47.6		
Gender						
Male (1)	76.8	78.2	75.9	74.7	75.0	74.4
Female (0)	23.2	21.8	24.1	25.3	25.0	25.6
Violent referral	13.5	19.8	9.3	20.6	24.0	16.9
Prior referral						
4 or more	14.3	18.9	11.2	33.0	31.9	31.9
3	8.3	5.7	10.0	9.0	9.4	16.5
2	8.8	7.8	9.4	10.1	11.4	8.7
1	15.3	13.2	16.7	16.6	16.6	8.6
none	53.4	54.5	52.6	31.3	30.7	34.2
Felony referral	28.1	35.0	23.5	34.9	35.0	34.8
Status referral	24.1	20.6	26.4	32.5	30.7	34.4
Counsel	5.3	7.1	4.2	39.6	40.0	39.3
Detained	18.3	12.7	22.0	28.4	32.1	24.4
Nonpolice referral	13.5	10.7	15.4	4.1	4.3	3.9
Parent will. supervise	40.6	29.9	47.8	50.3	44.8	56.4
Live with						
2 parents	29.4	20.6	27.9	32.4	26.5	39.0
1 parent	37.2	37.9	36.8	45.8	49.9	41.2
other	33.4	41.5	35.3	21.8	23.6	19.8
Alcohol abuse	10.4	4.8	14.3	12.0	5.3	19.3

Table 28. Factors affecting juvenile court decisions in rural jurisdictions

I. Model with race and gender only

Factors	<u>Dismiss</u> (n=881)		<u>Informal</u> (n=881)		<u>Detain</u> (n=881)		<u>Petition</u> (n=754)		<u>Adjudication</u> (n=278)		<u>Disposition</u> (n=257)		<u>Recidivism</u> (n=881)	
	B	B/SE	B	B/SE	B	B/SE	B	B/SE	B	B/SE	B	B/SE	B	B/SE
constant	-2.17	9.43	-.14	.93	***-1.80	8.18	-.19	1.19	***4.79	4.44	*.61	2.35	***-.63	3.71
Race	**57	2.71	*.30	2.14	***-.68	3.58	.20	1.33	*-2.80	2.64	***.99	3.96	-.00	.00
Gender	-.15	.63	**44	2.75	**67	2.79	*.39	2.29	.48	.73	-.03	.10	.19	1.12
chi-squared	7.51 (2 df)		11.77		21.52		6.71		13.51		15.73		1.26	
pseudo r	.42		.58		.48		.57		.22		.57		.57	
% correctly pred.	88.3		53.5		81.7		54.1		96.0		62.8		61.9	

II. Overall model

Factors	<u>Dismiss</u>		<u>Informal</u>		<u>Detain</u>		<u>Petition</u>		<u>Adjudication</u>		<u>Disposition</u>		<u>Recidivism</u>	
	B	B/SE	B	B/SE	B	B/SE	B	B/SE	B	B/SE	B	B/SE	B	B/SE
constant	***-2.06	4.38	**10	2.77	***-1.82	4.33	***-1.72	4.00	*5.33	2.20	***-4.39	5.20	***-2.24	6.40
Race	**62	2.70	*.38	2.11	***-.98	4.26	.32	1.52	**3.55	2.65	***1.89	4.20	.20	1.18
Gender	-.08	.30	**63	3.15	*.70	2.50	***-1.01	4.39	-1.23	12.30	-.09	.19	.19	1.00
Violent ref.*	-1.01	2.24	**77	2.96	**82	2.93	***-1.04	3.35	2.43	1.84	.79	1.52	.24	1.00
# prior ref.	-.01	.13	***.34	5.67	**20	3.33	***.41	5.86	**1.12	2.73	***.88	6.77	***.44	8.80
Felony ref.	*62	2.21	***-1.34	6.70	***1.34	5.58	***1.46	6.35	*-2.48	2.32	***2.05	4.34	.18	.95
Status ref.	*23	2.56	*.14	2.00	*.20	2.22	.00	.00	2.44	.35	***.78	4.22	*.17	2.43
Counsel	-1.12	1.49	-10.07	.45	***1.47	3.97	***10.37	4.13	.63	6.30	-.38	.77	-.24	.69
Detain	na	na	na	na	na	na	***1.12	4.31	1.67	1.23	.75	1.83	-.27	1.23
Source	-.30	.91	.04	.15	***-1.21	4.48	.31	.91	1.15	.74	.14	.25	*.53	2.04
Parent will.	.03	.13	**49	2.72	-.41	1.95	-.19	.90	-.31	.33	-.43	1.13	**64	3.76
Live with	-.11	.73	***.37	3.36	.12	.92	**41	3.08	-.11	.16	*.19	.70	.14	1.40
Alc. abuse	*-1.21	1.98	***-1.48	4.63	*.65	2.32	***1.66	4.88	6.01	2.72	**1.42	2.96	***1.09	4.04
chi-squared	34.92 (11df)		251.04		142.88		306.52 (12 df)		38.62		137.73		133.39	
pseudo r	.40		.52		.44		.48		.16		.46		.54	
% correctly pred.	88.6		69.0		82.5		79.1		96.0		80.5		68.0	

***p<.001; **p<.01; *p<.05

Table 29. Factors affecting juvenile court decisions in urban jurisdictions

I. Model with race and gender only

Factors	<u>Dismiss</u> (n=1,739)		<u>Informal</u> (n=1,739)		<u>Detain</u> (n=1,739)		<u>Petition</u> (n=1,439)		<u>Adjudication</u> (n=770)		<u>Disposition</u> (n=580)		<u>Recidivism</u> (n=1,739)	
	B	B/SE	B	B/SE	B	B/SE	B	B/SE	B	B/SE	B	B/SE	B	B/SE
constant	-.12	1.20	***-.94	7.83	-1.19	9.92	.37	3.08	***1.30	6.19	-.71	3.55	**-.28	2.55
Race	-.17	1.70	-.03	.25	***.38	3.45	.14	1.27	*-.43	2.53	.01	.06	.08	.80
Gender	-.19	1.73	**-.41	3.15	.07	.58	.48	3.69	.09	.45	.21	1.05	***.51	4.64
chi-squared	5.95 (2df)		10.39		12.91		15.44		6.77		1.10		21.85	
pseudo r	.57		.51		.54		.55		.53		.57		.58	
% correct pred.	49.5		77.9		71.6		69.1		75.5		63.1		53.5	

II. Overall model

Factors	<u>Dismiss</u>		<u>Informal</u>		<u>Detain</u>		<u>Petition</u>		<u>Adjudication</u>		<u>Disposition</u>		<u>Recidivism</u>	
	B	B/SE	B	B/SE	B	B/SE	B	B/SE	B	B/SE	B	B/SE	B	B/SE
constant	.54	1.54	*-.91	2.12	***-2.87	6.67	-.76	1.46	-1.02	1.70	***-2.39	3.27	***-1.51	4.58
Race	-.12	1.00	-.01	.07	**-.35	2.92	.18	1.06	-.34	1.79	-.14	.67	*.27	2.45
Gender	-.18	1.29	.04	.25	*-.35	2.33	.20	.95	.12	.53	.21	.81	**-.37	2.85
Violent ref.	.26	1.73	-.11	.58	***.67	4.47	**-.68	3.24	*-.53	2.41	-.30	1.11	.14	1.00
# prior ref.	**-.10	3.33	***-.15	3.75	***.28	7.00	***.25	5.00	***.20	3.33	***.48	6.81	***.24	8.00
Felony ref.	-.26	1.86	*-.45	2.65	***.77	5.13	.30	1.50	**-.57	2.59	-.09	.33	.09	.69
Status ref.	-.05	1.00	.02	.33	**-.16	2.67	.04	.57	**-.23	2.56	.10	1.06	**-.14	2.80
Counsel	-1.81	15.08	-2.21	10.52	***.84	7.00	***5.02	.05	***1.35	5.87	*.82	2.28	**-.34	3.09
Detain	na		na		na		***1.41	7.05	.16	.80	***.75	3.59	-.12	1.00
Source	.15	.52	-.01	.03	*.94	2.54	-.82	1.82	.53	1.15	.01	.02	.47	1.74
Parent will.	*.36	3.00	***.62	4.43	***-.71	5.92	.03	.18	.14	.70	***-.53	2.51	**-.33	3.00
Live with	.03	.38	-.04	.40	-.05	.63	-.07	.58	-.21	1.50	*-.32	2.17	-.06	.75
Alc. abuse	-.10	.56	**-.62	2.82	.07	.39	-.18	.69	-.01	.04	.13	.51	*.55	3.06
chi-squared	315.45 (11 df)		231.76		246.00		770.15 (12 df)		89.19		120.76		138.94	
pseudo r	.54		.44		.52		.39		.50		.53		.56	
% correct pred.	68.8		80.1		72.1		83.4		78.1		73.2		61.9	

***p<.001; **p<.01; *p<.05

CHAPTER 6

PERCEPTIONS OF JUVENILE JUSTICE PERSONNEL

The preceding sections of this report have presented a quantitative picture of case processing of juveniles in Missouri. This has been done through a number of analyses which have looked at the processing of cases at a number of stages in the juvenile justice system. Comparisons of black and white youths charged with misdemeanors, felonies and status offenses have been provided. However, such data by themselves may not provide a complete context in which to understand the findings. It is for that reason that we have attempted to solicit information from a number of personnel at a variety of stages of decisionmaking across the state.

In late spring, approximately 500 questionnaires were mailed to juvenile justice personnel throughout the state. Because of the lack of a sampling frame for each set of personnel within each circuit, an alternative procedure was followed. A contact person was identified within each circuit who identified the number of potential respondents within their circuit. This contact person was then mailed the appropriate number of questionnaires and self-addressed stamped envelopes. In addition, law enforcement personnel were contacted through a statewide conference held for juvenile officers in police departments. While this procedure does not provide a random sampling of officials who work with juveniles in the state of Missouri, it allows us to comment on the perceptions of a large number of such persons.

The analysis which follows is organized around several major themes. First, we describe the characteristics of the respondents. Second, we examine the perceived influence of a number of actors within the juvenile justice system. This allows us to examine the perceived importance of each actor by juvenile justice personnel. We then begin an examination of the importance and prevalence of a variety of factors at decision stages in juvenile justice. For example, we present responses about the importance of personal

characteristics (such as remorse) and case characteristics (such as presence of a weapon) at the stages of detention, petition, adjudication and disposition. This is followed by an examination of the availability of counsel for juveniles at a number of stages of case processing. We then turn the focus of the analysis to the personnel themselves. This begins by attempting to document the extent to which professional and support services are available for staff. We then ask respondents to provide us with their appraisal of the quality of programs which they have available to them. Because decisionmaking is often a reflection of values, we have sought to include an examination of the values of decisionmakers. The analysis then focuses on the availability of policies to guide decisionmaking. We conclude with a look at how well personnel feel the juvenile justice system is meeting its goals. The purpose of this chapter is to place the quantitative findings presented earlier in a broader context.

CHARACTERISTICS OF RESPONDENTS

A total of 197 valid questionnaires were returned. Ninety percent (169) of the respondents were white, providing an inadequate number of black respondents (19) to prevent meaningful comparisons of the perceptions of black and white personnel. Slightly more than one third of the sample was female (35%, 68 respondents). The median age of the respondents was 37, while the median number of years in their current job was six years. This suggests a sample of predominantly white, middle-aged, male respondents who have been in their current job for about six years.

As expected, the majority of the respondents (73% or 137) were employees of the juvenile court. The next largest occupational group represented among personnel was police (20% or 39). The remaining 7 percent were spread, roughly evenly across detention, treatment and state government. Seven circuits accounted for all of the responses. Slightly more than one third of returned questionnaires came from the 16th circuit, while only one was returned from 14th circuit. In general, because of the non-random nature of the sample and the variation in response rates across circuits, it is impossible to make cross-circuit comparisons in

responses. However, three of our study circuits responded to the questionnaire, including the 21st circuit (15 responses), and 22nd circuit (17 responses).

ASSESSING THE INFLUENCE OF ACTORS IN JUVENILE JUSTICE

We asked each respondent to assess the influence of a number of actors on decisionmaking in juvenile justice. In general, these results conform to the findings in the literature review. Those actors earlier in the decisionmaking process, or whose influence extends across many phases of the system are perceived to have the greatest influence. This is seen most clearly in the rank orderings of the various personnel presented Table 30. Judges receive the most influential evaluations, followed by juvenile officers, parents, and defense counsel. This suggests that the social function of the court receives support from the responses to our questionnaire. It is interesting to note that parents and defense counsel are perceived as being more influential than the juvenile him or herself. Placement alternatives are rated relatively low in their influence on case dispositions.

Table 30 . Describe the influence of each of the following has over final juvenile court disposition

	<u>Influential</u>	<u>Unsure</u>	<u>Not Influential</u>
Judge	96%	2%	2%
Juvenile Officer	85%	5%	10%
Parent	80%	7%	12%
Defense Counsel	79%	11%	11%
Psychologist	72%	12%	15%
Defendant	65%	11%	24%
Probation Officer	63%	12%	25%
DFS Representative	59%	15%	25%
Prosecutor	51%	8%	41%
School	38%	13%	49%
Police Officer	34%	12%	54%
DYS Representative	32%	19%	49%
Private Social Service	32%	25%	44%
Media	9%	13%	78%
Local Politicians	6%	18%	77%
Clergy	6%	20%	74%

We now move to an examination of the impact of client features on case processing at four distinct stages of decisionmaking-detention, petition, adjudication and disposition. Table 31 shows the percent of respondents who indicated that each of the characteristics were important. In general, there is little significant change in perception of the importance of a characteristic from detention to petition to adjudication to disposition. There are a few notable exceptions to this pattern, though. Poor school performance, having been on probation, and family cooperation are three items which increase by more than ten percent in their importance in decisionmaking. It is unclear from these data what the source of this increase is. However, it

is important to note that each of these are non-legal characteristics, and the school and family variables are clearly extra-legal. There were five items which were rated as important by 86% or more of the respondents. These included (in rank order) 1) using a weapon, 2) injuring a victim, 3) having a prior felony conviction, 4) selling drugs, and 5) committing a sex offense. This table demonstrates the great number and variety of factors which are rated as important in the disposition of a case in the juvenile justice system. These disparate findings suggest that predicting the outcome of a case is a complicated matter because of the number and variety of factors which influence case outcome.

Table 31. The Impact of Case and Client Features on Case Processing at Detention, Petition, Adjudication and Disposition

	<u>Detain</u>	<u>Petition</u>	<u>Adjudication</u>	<u>Disposition</u>
Sold Drugs	87%	91%	92%	94%
Used Weapon	98%	96%	96%	96%
Value of Stolen Property	64%	76%	77%	77%
Victim/Offender Age Difference	42%	42%	45%	51%
Offender on Drugs	67%	66%	73%	79%
Remorse	47%	37%	53%	67%
Mature	39%	30%	32%	48%
Extent of Property Damage	74%	78%	77%	81%
Poor School Performance	23%	23%	29%	59%
Minimal Parental Contact	50%	35%	42%	64%
Been on Probation	80%	78%	77%	92%
Prior Felony Adjudication	91%	81%	85%	95%
Age	71%	68%	66%	77%
Youth Been Out of Home	53%	45%	44%	68%
Respect for Court	46%	45%	55%	69%
Family Cooperates With Court	64%	63%	69%	89%
Victim Injured	93%	91%	90%	93%
Mental Illness	75%	75%	78%	85%
Time Spent in Detention	39%	29%	32%	46%
Sex Offense	86%	86%	82%	92%
Gang Related	85%	74%	74%	83%
Parent Won't Supervise	83%	71%	74%	89%
Parent Unable To Supervise	83%	74%	76%	90%

Representation by counsel is an important issue. Since Gault (In re Gault, 1967) the role of counsel has been highlighted. Table 32 presents data which reflect the presence of counsel at a number of stages in juvenile justice processing. These data suggest, not surprisingly, that representation by counsel increases as a juvenile penetrates further into the system. It is also clear from this table that there is considerable variation in the perceived representation across the circuits represented in our sample.

Table 32. Presence of Counsel at Decision Stages in Case Processing in Juvenile Justice

	<u>Mean</u>	<u>S</u>	<u>Range</u>
Intake	18%	32	0-100
Detention	48%	39	0-100
Waiver/Transfer	60%	46	0-100
Adjudication	58%	39	0-100
Probation Violation	57%	41	0-100

Of critical importance to the ability of juvenile justice personnel to function successfully is the availability of professional development support. Responses to questions about these issues are found in Table 33. These activities are valuable in fostering shared norms as well as increasing the knowledge based which is used by personnel. Despite the variation across circuits in response rates, it was interesting to note that every respondent reported the availability of at least one of the five professional support services included on the questionnaire. There was, however, considerable variation across the categories of professional support. Support for attending professional conferences was available for 87% of respondents while only 37% indicated that in house research was available to them. These results suggest there are great differences in available support services across categories. This is an area for recommendations for the future. The professional growth and training of Missouri's juvenile justice personnel is of critical importance to the future of Missouri youth.

Table 33. Access to Professional and Support Services

	YES	NO
Professional Conferences	87%	13%
In House Research	37%	63%
Legal or Social Research	46%	54%
Other Educational Resources	66%	34%
Peer Feedback on Work	54%	46%

An important issue to understand in case processing is the perception of the quality of referral alternatives. It stands to reason that, absent no legally available alternative, those services whose quality is rated poorly are likely to receive fewer referrals. The appraisal of quality of services is shown in Table 34. As was the case in many of the preceding tables, there was considerable variation across the categories in this table. Only four of the fourteen alternatives received a "Good" rating from more than fifty percent of the respondents. These four services, in rank order of approval were, 1) quality of probation supervision, 2) quality of restitution, 2) quality of community service (tie), 4) quality of probation intensive supervision. It is interesting to note that the last three are "non-traditional" court services. The lowest approval rating came for court run residential programs (31%), DFS non residential programs (29%), DMH placements (27%), and DYS non residential programs (18%). It is imperative that the state focus on the low approval scores for DYS, DMH and DFS non residential programs. Finally, there are no alternatives which receive support from more than 70% percent of the respondents. This suggests either a general dissatisfaction with the available alternatives (ie. the need for more alternatives) or a dissatisfaction with the quality of available services.

Table 34. Quality of Available Referral Alternatives

	Good	Fair	Poor
DYS Out of Home Placement	38%	7%	55%
DFS Residential Placement	45%	6%	49%
Court Run Residential Programs	31%	49%	20%
Private Residential Programs	45%	25%	30%
Dep't of Mental Health Placement	27%	17%	57%
DYS Non Residential Programs	18%	15%	68%
DFS Non Residential Programs	29%	14%	57%
Restitution programs	63%	9%	29%
Community Service programs	63%	11%	26%
Intensive Probation Supervision	61%	14%	25%
Probation Supervision	68%	3%	29%
Probation Drug Treatment	49%	9%	43%
Probation and Mental Health	34%	11%	55%
Probation and Social Counseling	50%	8%	42%

An examination of the role of individual values and preferences is shown in Tables 35 and 36. The goal in this series of questions is to determine the extent to which clear value preferences exist among juvenile justice personnel. Where such preferences can be established, a basis for understanding the pattern of decisionmaking may be found. There is considerable variation in the agreement with disparate values presented in Table 36. It is interesting to note that there are some incongruities across the most strongly expressed preferences. This is especially true in the support for rehabilitation (67% support it) and support for holding juveniles accountable (94%), the highest support for any value. There was little belief that the police don't enforce the law strictly enough, nor little support for the notion that

the Supreme Court had gone too far in supporting the rights of juveniles. Clearly, the rehabilitative orientation of the juvenile court is supported by the results presented in this table.

Table 35. Values For Juvenile Justice

	Agree	Uncertain	Disagree
Punishment will teach juveniles right from wrong.	30%	20%	50%
The Supreme Court has gone too far to protect juveniles.	29%	17%	55%
Rehabilitation can help juveniles overcome their criminal behavior.	67%	19%	14%
Police don't enforce laws strictly enough against juvenile offenders	22%	11%	66%
Placing a juvenile in detention shows them that the court means business.	51%	13%	36%
Good public education or better housing would dramatically reduce our crime problem	44%	25%	31%
Incarceration is more effective than treatment.	12%	18%	70%
Judge should consider <i>why</i> the juvenile committed a crime, equally if not more than the crime itself	52%	14%	34%
Juvenile should be held accountable when they violate the law.	94%	4%	2%

The support for due process and rehabilitation found in the preceding table are confirmed in Table 36. Ninety-seven percent of the sample rated due process as important. At the same time though, rehabilitation (93%) and protecting society (91%) received the second and third highest importance ratings. There was considerably less support for measures of the efficiency of the system, reflected in the low support for case completion rates and coordinating informal procedures. It is interesting to note that racial equity in processing was rated as important by 85% of the respondents. This suggests that there are a variety of concerns present in the juvenile justice system, and that racial equity is but one of a number of important values to be met in the system. These results illustrate once more that the juvenile justice

system has a variety of goals and values. The admixture of goals and values that affect a particular case may lead to a complicated aggregate pattern.

In an attempt to better understand the role which these values may play in decisionmaking, we next examined relationships between the location of respondents (urban or rural) and race of respondents (black or white) and each of the values. The non-random nature of the sample prevents us from drawing definitive conclusions from these findings. While the location variable was distributed in an acceptable fashion (64 urban respondents, 31 rural respondents), the race variable was less than ideal. 160 of the respondents were white and only 18 were black. This makes the race variable problematic for use in tabular analysis. However, several observations are warranted. No significant difference between rural and urban respondents were observed for any of the values. With one exception, the same pattern was found for black and white respondents. The single exception to the finding of "no difference" was for the value "Punishment will teach juveniles right from wrong". Blacks were significantly more likely to agree with this statement. This stands as the single case in which rural and urban or black and white respondents differed in their support for any of the value statements.

Table 36. Ideals for Juvenile Justice

	Important	Neutral	Not Important
Punishment for Offenders	65%	17%	19%
Due Process for Juveniles	97%	2%	1%
Offender Rehabilitation	93%	4%	3%
Racial Equity in Processing	85%	10%	5%
Protecting Society	91%	4%	5%
Meeting Legislative Standards	74%	16%	10%
High Case Completion Rates	40%	31%	28%
Speedy Case Processing	70%	16%	15%
Following Written Policies	65%	21%	14%
Limiting External Pressures	49%	23%	29%
Coordinating Informal Procedures	52%	28%	20%

Of considerable importance to this analysis is the availability of guidelines or policies to guide processing decisions. In many segments of the criminal justice system guidelines have been implemented to make decisionmaking more patterned. This has been the case in bail, sentencing, parole and probation. However, given the considerable variation in reasons for decisionmaking in juvenile justice, it is reasonable to expect that the juvenile justice system would be among the last to implement such guidelines. The results of Table 37 shed light on the availability of guidelines for a number of practices. With two exceptions, there are few practices which our respondents report having guidelines for. The majority of respondents report having a policy for due process (75%) and legislative standards for policy (54%). However, other than these two categories, no other policy was reported by more than one third of the sample. Indeed, the most significant finding from Table 37 is that five of the nine categories have policies to guide decisionmaking for less than 20% of the respondents. These findings suggest the need for beginning discussion of policies within each jurisdiction that may

be guided by broad statewide guidelines. This will enable the state to achieve greater uniformity while preserving the independence of each circuit.

Table 37. Policy Guidance in Juvenile Justice Decision Making

	YES	NO
Punishment for Offenders Policy	13%	87%
Offender Rehabilitation Policy	31%	69%
Due Process Policy for Juveniles	75%	25%
Legislative Standards Policy	54%	46%
Stable Caseload Policy	16%	84%
Case Completion Policy	16%	84%
Speedy Case Policy	34%	66%
Responding to Political Pressure	7%	93%
Media Pressure Policy	19%	81%

We now turn our attention to Table 38, the last of this chapter. Herein we present and discuss the penultimate question of this chapter, whether juvenile justice personnel feel that the system is able to meet its most important goals. The responses to this question were nearly evenly divided, with 47% indicating an affirmative response. It is interesting to note this relatively modest support for the ability of the system to achieve its goals by a group of respondents who average six years of service within the system. The reasons given for the system not being able to meet its most important goals are very interesting. The typical response to such questions is a simple request for more resources. That is the response of the majority, 55% of the sample. However, there is no clear cut alternative among the other seven alternatives. This suggests that while there is clear agreement that resources are problematic, a variety of needs must be met in order to make the system better able to meet its important goals.

Table 38. Is the Juvenile Justice System Able to Meet Its Most Important Goals?

YES	47%
NO	53%

Why not:

1. Lack of consistency with sentencing	5%
2. Lack of money or funds.	55%
3. Lack of time or money for treatment	18%
4. Too strict or protective	8%
5. Doesn't carry own weight	9%
6. Too concerned with juvenile deficiencies	1%
7. Make juveniles more accountable	3%
8. No state agencies to govern juvenile court	1%

In this chapter we have reviewed findings from a survey of juvenile justice personnel. Several general conclusions emerge from this review. First, there is great variety in the perceptions of policies, values and practices in juvenile justice across the state of Missouri. Second, there emerges a tension in values among juvenile justice personnel between the values of rehabilitation and due process. Many personnel support both goals, producing a patchwork of values, and perhaps practices. Third, legal factors and legal actors are perceived as the most important factors in decisionmaking. This suggests that there is a strong due process/legalistic orientation among decisionmakers. Finally, there is little evidence of formal policies to guide decisionmaking within the system. Given the considerable variation across the state, and the considerable variation in values found by this questionnaire, it may be prudent to pursue this course in attempting to structure discretion.

CHAPTER 7

SUMMARY OF THE PROJECT

The initial findings of this study identified a disproportionate number of black youths referred to juvenile courts in Missouri during 1987 and 1988. This finding held for all circuits where a substantial number of black youths reside. Moreover, this observation is consistent with that reported for 1986 referrals (State Juvenile Justice Advisory Group, 1988).

In addition to their prominence among court referrals, concern exists in Missouri for the overrepresentation of black youths in detention and out of home placement facilities. In accord with these concerns, the objective of this study was to determine whether the minority youths were treated more harshly than their white counterparts. When the processing stages were viewed for all the cases in our sample, more blacks than whites were shown only at detention and dismissal. When the same processing stages were viewed for all referrals from the circuits in our study, more blacks than whites were detained, waived to criminal court, had petitions filed, cases dismissed, adjudicated, received dispositions, and out of home placements. And, the analysis reported for 1986 in the Plan (State Juvenile Justice Advisory Group, 1988) looks more similar to those for the urban courts than the overall sample. The explanation for this discrepancy underscores the most important revelation of this study: there are two different types of juvenile courts operating in Missouri.

When the processing stages for cases in this study were examined separately according to court type, very different findings were shown. In the metropolitan courts of St. Louis City and Jackson county, black youths outnumbered whites at every juncture. In the other circuits the reverse was true. Considering that urban courts contribute far more cases to the total population of state referrals it stands to reason that an analysis of statewide data, such as that reported in the Plan, will disproportionately show what happens in urban circuits.

This discussion has focused on situations in which black youths outnumbered whites at a juvenile court stage. In doing so our premise that court type is the principle factor distinguishing juvenile court processing was supported. Subsequent analysis was done within court categories so that race differences would not be overshadowed by the effect of court urbanization. This was especially important because black youths constitute over half of the juvenile residents only in St. Louis city. When their representation at court stages is compared to their prominence in the general population, black youths are disproportionately represented at most stages in every type of court.

This racial disparity needs to be explained. This study cannot comment on whether black youths are more likely than whites to offend. Nor can we remark on police apprehension and court referral practices. Our data begin at the stage of referral and we can provide new knowledge about the processing of Missouri youths subsequent to juvenile court entry. The discussion cannot extend beyond the quality and availability of the data. In that regard information we would have liked to obtain was not always or consistently available. Persons who made decisions may have had additional information available to them which we did not. However, the variables viewed as most important by decision makers and previous research were located in the files, recorded in the data and discussed in this report. By controlling for these variables simultaneously treatment of youths with similar violations, prior records, and social histories who differ by race can be observed. The findings are summarized in this chapter.

After the initial findings are summarized, the discussion will entail the models that evolved from these early observations and were designed to explain the decision processes. In most cases, attempts to specify a model able to understand and predict the outcome at each decision stage were relatively successful. After court urbanization, the variables best able to distinguish between the decisions were: race, gender, a referral for violence, number of prior referrals, a felony, a misdemeanor, representation by legal counsel, parent willing to provide supervision, living with parents, alcohol abuse problems.

RACIAL DISPARITY IN THE URBAN COURTS

Most cases were referred to court by the police. The youths were similar in age and school level. More males than females were referred. They were about the same age at first referral, and white youths had more previous court experience.

In urban courts referrals for felony offenses were more common for black youths. They also had a higher rate of violent offenses than did white youths. The property crimes of black youths involved higher dollar amounts. Evidence was found on them more often for blacks. Black youths were more likely to have co-offenders and make threats, but less likely to show remorse. Contrary to findings in the literature, they made fewer admissions of guilt than white youths. For felonies and misdemeanors black youths were more likely to be detained. In suburban St. Louis county, black females were more likely than whites to have a petition filed. More of the cases of black youths made it to adjudication. They were less likely to be adjudicated for the most serious offense at referral, but more likely than white youths to be adjudicated for a lesser violation. Black youth also were more apt to be adjudicated for multiple violations. Among those with felonies, black youths were less often represented by counsel.

Black youths were more likely to live only with their mothers. The parents of black youths were less likely to appear at court, expressed less willingness and also were considered less able to provide additional supervision. Black youths had far fewer problems of alcohol abuse than did white youths. Black males were the most likely, while black females were least likely, to have a subsequent referral to urban courts.

When statistical models held other attributes constant, a race effect against black youths was observed for detention. Blacks were detained more so than whites, even when they had similar legal and social characteristics. In addition to race, most important determinants of detention were identified as: the number of prior referrals, the presence of counsel, absence of parental willingness to provide supervision, felonies, and violence. Disparity due to gender also

was shown in the model. Black females were detained more often than similar white females (or males of either race).

RACIAL DISPARITY IN THE RURAL COURTS

As was the case in urban courts, police made most of the referrals in rural courts. Juvenile officers made nearly all of the important subsequent decisions, and most often utilized their option of informal supervision. When adjudication hearings were held, dispositions were given to virtually all cases so this was essentially one decision stage in the rural courts.

Black youths were no more likely than whites to have felony referrals. However, there was a greater likelihood of a witness, injury to a victim and a weapon among those blacks who were referred for felonies than similarly referred whites. Black youths also had a higher rate of violence. Black youths had far fewer status offenses. Those black youth with status referrals had a high rate of "behavior injurious to self or others" which was also the most common status offense at the adjudication stage. Prior record did not vary much by race.

Although about the same age as their urban counterparts, the average school level of rural youths was slightly lower and did not differ by race. Black youth were much less likely than white youths to experience alcohol abuse problems. They were, however, more likely to have parents who were either unwilling or considered unable to provide adequate supervision. For black youths referred to court for violent misdemeanor offenses they were uniquely more apt to live with neither parent.

Except for black females who did receive harsher treatment at this stage, black youth were detained less often than whites. Black males with misdemeanor referrals were more likely than whites to have a petition filed; for many cases that particular misdemeanor was a lesser charge than the most serious noted at referral. And, black youths were less often than whites adjudicated for their most serious referral or for multiple offenses. Black youths were more apt to be given an out of home placement at disposition, particularly for felony and misdemeanor cases.

Within gender, race differences also were found. Black females remained less likely than white females to have been referred for status violations. Detention occurred infrequently in rural circuits, but when used black females were detained more often than white females. Finally, the rate of recidivism by white females was more than twice the rate of black females in rural circuits.

Race differences were shown in models aimed at explaining juvenile court decisions in rural courts. Other factors being the same, black youths received more severe treatment at the disposition stage. Those decisions more often involved out of home placement for blacks. In addition to race, the attributes most associated with out of home dispositions were: number of prior referrals, felonies, misdemeanors, and alcohol abuse. Disparate treatment of black youths at other stages was not evident in the statistical models.

Disparity due to gender also was shown in rural courts. There are two stages at which females were disadvantaged. Rural white females, without a prior record and no problem of alcohol abuse who were sent to court for nonviolent misdemeanors or status offenses were more likely to receive informal supervision than any males or black females with otherwise similar characteristics. When the referrals involved a nonviolent felony and the youths were detained, petitions were filed more often for females with prior records, alcohol abuse problems, regardless of race.

As shown in this study, race and gender biases do exist within juvenile justice processing in Missouri. They are less obvious than the glaring rural and urban differences, but they are no less important. Evidence exists that decision processes are systematically disadvantaging youths who are either black, female, or both. They receive harsher treatment at detention, have more petitions filed "on their behalf," and are more often removed from their family and friends at disposition.

High rates of subsequent referrals in both urban and rural courts also suggest that each could benefit from improved policies. The final chapter of this report offers our

recommendations to Missouri for developing these policies, alleviating disparities and providing more equitable processing.

CHAPTER 8

IMPLICATIONS OF THE FINDINGS FOR MISSOURI POLICY

In this chapter we offer several suggestions for improving the juvenile justice systems in Missouri. These recommendations are based upon the findings of this study. In addition, our suggestions support those proposals made recently by the multi-disciplinary advisory committee of the National Council of Juvenile and Family Court Judges (1990). As policy researchers we can offer advice. It falls to elected officials and state administrators to initiate policy revisions.

The results of this study clearly show differential processing within two distinct court systems operating in Missouri juvenile justice. One court type is rural and the other is primarily urban. They also utilize procedures which Aday (1986) ascribes as centralized operation in rural courts and decentralized in urban courts. Recent findings from a study of juvenile courts in Georgia led to a similar conclusion (Lockhart, Kurtz, Sutphen and Gauger, 1990). Rural courts typically are guided by one judge who holds the position for several years where the majority of the decisions are made by one chief juvenile officer. Rural courts rarely have separate detention facilities, and have less access to local treatment facilities. Decisions are made individually, that is, on a case by case basis, in rural courts. In urban courts the judges rotate to other types of courts frequently. Different staff are responsible at different stages in the process. Decision making is guided more often by written standards, but policies still enable discretionary choices. Urban courts operate their own facilities, and have far greater access to both home and residential placement services. These two types of courts function by different standards as well. Rural courts seem to adhere to traditional, pre-Gault, juvenile court *parens patriae* criteria in their handling of youths. Urban courts appear more legalistic in orientation and process cases more according to offense criteria. Calling it "justice by geography," Feld recently found a similar relationship in Minnesota (Feld, 1990). This dichotomy (rural/urban)

may hide even finer gradations of court type that the limited sample sizes in this study were unable to distinguish.

Missouri must recognize the existence of two systems of justice, one rural and one urban, and decide whether two autonomous systems of juvenile justice are acceptable for our state. This decree should be explicit and come from policy makers who have debated the issues associated with two types of juvenile justice.

These issues are made more complicated because they involve the distribution of resources. Access to services should be considered, both for the circuit and whether they exist as private options for individual circuit residents. If reallocation of state resources is warranted, they should be distributed in accord with need. Need should be defined as the greater number of youths who will be served, not by geography. **Specifically, policy makers should determine how proportionately state resources match the need for those resources; and the resources then should be correspondingly allocated.**

POLICY CHANGES REGARDING JUVENILE COURT PERSONNEL

The extended influence of intake decisions warrants considerable attention to this stage. The judicial role of some intake officers is a crucial element of the juvenile system. There is great potential for bias by having an "in-house" person screen cases. And, where these decisions are made by juvenile officers without legal training who adhere to a rehabilitative orientation, their decisions bias the entire process. **We recommend that juvenile courts relocate legal sufficiency screening decisions outside of the immediate court personnel.** A special position within the office of the prosecutor may best be suited for this staff, and does exist as such in one urban court. This will be fairly easy to implement in urban courts, but will radically modify rural courts, where it may be most important. The importance of juvenile cases within the criminal justice system should not be taken lightly.

The importance of juvenile officers throughout the juvenile court process leads us to make two additional recommendations on their behalf. **First, Missouri should take steps to**

upgrade these positions. Some of Missouri's chief juvenile officers are highly educated, experienced, innovative, monitoring the cases in their circuits, knowledgeable about effective strategies for treatment and providing the most equitable treatment. Juvenile officers in other courts are hired without recognizable qualifications and, in some instances, without adequate supervision. This variation across the position does not lend itself to equity in juvenile justice and should not exist in Missouri. The fairly common practice of hiring other staff as deputy juvenile officers, such those for whom clerical and recordkeeping duties prevail, should be discontinued because it serves to undermine the system and provides evidence of a poorly conceptualized job classification scheme.

Second, a system of parity hiring of juvenile officers should be initiated to assure adequate representation of blacks in these positions. Parity hiring as a principle has worked successfully in other areas to provide role models, cultural balance and enhance equity. No record exists in Missouri describing the demographic distribution of juvenile court personnel. During the course of this research, blacks and females were observed in positions of authority only in urban circuits. Their representation in proportion to caseloads of the circuit is not known. We met no black personnel in rural circuits. This employment situation should be rectified.

Because hiring minorities does not ensure they are any more qualified to make equitable decisions and provide appropriate care than others, we also recommend that mandatory training for all juvenile officers be aimed at cultural sensitization. Indeed, the finding that black employees of juvenile courts are more likely to support punishment suggests that the need for cultural sensitization is broad. Qualified, external experts in this area should oversee this training. These sessions should be updated and repeated periodically.

Police are the most common referral source. Their contact with youths leave lasting impressions and their discretion over apprehension remains unchecked. Although beyond the scope of this study, harsher treatment of minorities by police has been reported in other research. **Therefore, we recommend that policies be initiated wherever possible to**

provide parity hiring and cultural sensitization training in the need to exercise awareness and appreciation for both ethnic and cultural diversity for police as well. The St. Louis police department currently has as policy this type of parity hiring.

We recommend that juvenile court judges have longer terms in office and be encouraged to oversee consistently their court operations and policies. This proposal is certain to meet resistance in urban courts, where the position of juvenile court judge is for some reason often viewed less favorably. Perhaps the rationale for this view can be better understood and incentives to overcome it located. **We endorse cultural sensitization training on a routine basis for judges to underscore its importance and assure their continued commitment to equity.**

POLICY CHANGES IN PROCEDURE

We strongly recommend that written standards, or guidelines, containing formalized screening criteria be developed. The effects of the intake decision immediately, as well as further along in the process, more than justify this action. There are many strategies for developing such standards. Obviously the positive elements found within existing decision processes should be institutionalized in this instrument of policy. Other new criteria viewed as imperative by policy makers also may be included. Standards should identify the typical decision outcome for all varieties of referrals. Decision makers must be allowed the discretion to make decisions outside of the guidelines for unusual cases. Routine monitoring of the standards will identify problems with their use and suggest areas in which they could be improved. Consistency in decision making might improve as well with explicit standards guiding other important decisions.

We urge Missouri to adopt a comprehensive statewide information system for recording juvenile court cases. The foundation for this system exists in the form of the Department of Social Services data collection form. This vehicle can be expanded to provide more information and facilitate the routine monitoring of decisions proposed earlier. The data

collection experiences of this study found different types of records that were very useful among the circuits. To meet the needs of their circuit and expand their best techniques to statewide, development of this system should involve records staff from all types of circuits. This system should be computer-based. Simple handbooks and periodic training should serve as mechanisms to assure valid data. Even if Missouri chooses to continue to operate two juvenile court systems, this information system should be centralized in operation, and overseen by a state director with some authority over compliance.

The delivery of legal services is a multifaceted issue for juvenile proceedings. There is no evidence that legal counsel affect more lenient outcomes. There is some indication, alternatively, that youths represented by attorneys more often are detained or receive harsher dispositions. One truism, however, is that very few youth ever have legal representation. What remains unknown is how the presence of counsel operates within the two systems of juvenile justice. When youths are represented, do attorneys become involved in the cases too late? If so, is this the fault of the court, recommending counsel after the severe outcome already has been decided? Recommendations about case disposition following the juvenile officer's check on the youths' social history is paramount to giving credence to an outcome that is agreed upon before the hearing. Or it may be that the presence of lawyers poses an aggravating factor to judicial decisions and judges unknowingly punish youths who have counsel. Whether counsel in juvenile cases are less competent than others has never been examined. Absent evidence of their effectiveness, we are reluctant to suggest that more attorneys be added to the system.

We overcome our reluctance for several reasons. The urban/rural court dichotomy indicates that most juvenile cases are being processed by a court operating more formally and more legalistic in style. The two decision stages at which racial disparity is found also are the two stages with the most negative and far-reaching consequences. It is the detention and dispositional decisions that populate our institutions. **Therefore, we recommend that counsel be mandatory at detention and disposition hearings, in addition to waiver to criminal**

court. Although we recognize that the U.S. Supreme Court has ruled that juveniles may knowingly, intelligently and voluntarily waive some of their rights (*Fare v. Michael C.*), it is our contention that Missouri must do a better job of seeing that juveniles know they are entitled to counsel.

We wonder why status offenders are treated more like felony offenders, but misdemeanants are not? The situations leading to detention of status offenders in urban circuits merit concern. Missouri might choose to follow other states in removing vague statutes that define status violations, including "incurability" and "behavior injurious to self and others." Runaway and truancy cases should be handled distinctly. Perhaps Missouri can provide a financial incentive for circuits to process status offenses through less harsh alternatives. **These suggestions unite in saying that existing practices for treatment of status offenders in Missouri are inadequate.**

We recommend that Missouri initiate alternatives to secure detention. Pilot home detention programs offer one alternative. Not new, home incarceration of adults is supervised by criminal courts across the United States, and used for some probation and parole cases in Missouri. These programs could function equally well for youths within urban and rural settings.

We also propose that more concentrated work with families be initiated. The consistent importance across decision stages of an indication that a parent is willing to provide youth with supervision, in addition to recognized by the court that s/he is able to do so merits this suggestion. The manner by which these qualifications were recorded in case files varied; as such, the perceived needs of the family differ too. Why are the parents of minority youths considered less cooperative? Regardless, it is important that parents understand that juvenile court involvement is a serious situation for their children.

Finally, we consider the importance of reducing recidivism. The objectives of juvenile court have traditionally been treatment oriented. To accomplish this goal it is critically important that all juvenile offenders have access to the best available services. Qualitative differences

between publicly or privately funded facilities should be examined. If white youths are more often diverted from court experiences, or informally "remanded," to private treatment facilities, while black youths most often receive state-supported care (a situation some court personnel suspect is true), the likely result is inequity. Urban black rates of subsequent referrals were the highest in our study. Does this mean that the most effective counseling strategies for minority youth were not available? More recently a focus on preventive measures has been advocated. Missouri might test risk prediction scales. Accurate scales help juvenile courts identify and provide assistance to higher risk youths. Recidivism suggests failure for both treatment and prevention. If there is a conscientious effort to provide services when they are essential, the juvenile justice system emerges as a proactive force, and not merely an entity reacting to high rates of offending and negative publicity regarding recidivism.

Of related interest is the plausible effect of detention on recidivism. Missouri policy makers may want to obtain more information about recidivism among youths processed by juvenile courts. This information is not currently available.

The successful implementation of any policy reforms will require a commitment to equity by decision makers. Experience dictates that these decision makers be included in establishing policies to assure this commitment. **Our final recommendation, therefore, is that a working policy group be established to determine the policy initiatives that will be best for Missouri.** This group should include persons working with juvenile court cases from all stages of the process, as well as those in executive and legislative positions best able to promote change. Minority representation on this group should be made high priority.

Policy changes tend not to happen quickly, although some types of reform are more easily implemented than others. The absence of immediate remedies for disparities due to race, gender or residential location does not diminish their importance or potential capabilities. Missouri policy makers are well advised to initiate and pursue an agenda explicitly devoted to equitable processing of juvenile offenders. Findings reported in this study indicate specific decision stages where juvenile courts may benefit most from this assistance. Policy

suggestions made in this report offer potential solutions for these issues. Existing conditions indicate that Missouri's future adults need more attention today.

Appendix A1. Missouri statewide juvenile information system form

Instructions for this form can be obtained by writing to the address listed at the bottom of this form.

1. Reporting County _____

2. Juvenile's Code

3. _____ 4. _____ 5. _____
County of Residence State Zip

6. Circuit Reporting

7. Juvenile's Sex 1 Male 9 Female

8. Race 1 White 4 Black 9 Other _____

9. D.O.B.
Month Day Year

10a. Date of Referral
Month Day Year

10b. Date of Dispositional Review Hearing
Month Day Year

10c. Date of Permanency Planning Review Team Meeting
Month Day Year

11. Major Allegation (See instructions for list of codes)

12. Source of Referral

01 Law Enforcement Agency 05 Juvenile Court Personnel 09 Other Juvenile Court with circuit number
 02 School 06 Parent 10 Public Social Agency
 03 Private Social Agency 07 Other Relative
 04 Division of Family Services 08 Department of Mental Health

13. Total Number of Law Violations for this Referral

14. Total Number of Status Offenses for this Referral

15. Total Number of Prior Referrals for this juvenile

16. Was there Detention/Other Prehearing Placement for this Referral? 1 Yes 9 No

If you indicated "yes" for Item 16, complete the item below. If you indicated "no" skip to Item 18.

DETENTION/OTHER PREHEARING PLACEMENT

<p>17a. Jail Detention</p> <p><input type="checkbox"/> 1 Yes 9 No 11 No</p> <p>If less than 24 hours, number of hours <input type="text"/> <input type="text"/></p> <p>If more than 24 hours, number of days <input type="text"/> <input type="text"/> <input type="text"/></p> <p>Sight and Sound Separation <input type="checkbox"/> 1 Yes 9 No</p> <p>Name of Facility _____</p> <p>Was the youth in violation of a prior valid court order? <input type="checkbox"/> 1 Yes 9 No Go to 17b</p>	<p>17b. Secure Court Run Juvenile Detention Facility</p> <p><input type="checkbox"/> 1 Yes 9 No 11 No</p> <p>If less than 24 hours, number of hours <input type="text"/> <input type="text"/></p> <p>If more than 24 hours, number of days <input type="text"/> <input type="text"/> <input type="text"/></p> <p>Did the youth violate a prior valid court order? <input type="checkbox"/> 1 Yes 9 No Go to 17c</p>	<p>17c. Other Prehearing Placement</p> <p><input type="checkbox"/> 1 Yes 9 No 11 No (Proceed to question 18)</p> <p>If less than 24 hours, number of hours <input type="text"/> <input type="text"/></p> <p>If more than 24 hours, number of days <input type="text"/> <input type="text"/> <input type="text"/></p> <p>Type of Facility: <input type="checkbox"/></p> <p>1 Foster Home 2 Group Foster Home 3 Group Home 4 Institution 5 Other (specify) _____</p> <p>Who operates facility? <input type="checkbox"/></p> <p>1 DFS 2 DMH 3 Juvenile Court 4 City/County Government 5 Private 6 Other</p>
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18. Date of Court Action
Month Day Year

19. Finding/Outcome of the Major Allegation listed in Item 11 above: If code "01" is used, go to 19a. If code "02" or "07" is used, go to 19b.

01 Allegation found true (with petition) and juvenile receives out of home services 02 Allegation found true (with petition) and juvenile receives services in home 03 Allegation found true (with petition) and juvenile receives no services 04 Allegation found not true (with petition)	05 Sustain motion to dismiss (with petition) 06 Sustain motion to dismiss for certification (with petition) 07 Informal adjustment with supervision 08 Informal adjustment without supervision 09 Informal adjustment, no action 10 Transfer to other agency <input type="text"/> <input type="text"/> 11 Referral rejected
--	---

19a. If the juvenile received out of home services (i.e. "01" was coded in Item 19), indicate type of services received.

1 Private residential care services 2 Court residential care services 3 Division of Family Services	4 Department of Mental Health 5 Division of Youth Services 6 Relative	7 Other (specify) _____
---	---	-------------------------

19b. If juvenile received in-home services (i.e. "02" or "07" was coded in Item 19), indicate type of services received.

1 Court 2 DFS 3 DMH 4 Other Public Agency. Specify _____	5 Private Agency. Specify _____	
---	---------------------------------	--

20. Name of Person Completing Form _____

Please send completed forms to: Research and Statistics, Department of Social Services, P.O. Box 152, Jefferson City, MO 65102
 If you want a copy of the instructions or have any questions, write or call (314) 751-1000

Appendix A2. Missouri juvenile justice project data collection form

Coder's initials (V.4)

CASE IDENTIFICATION

1-3 _____ Our Project number

4-5 _____ Circuit

6-11 _____ Referral number

_____ Police number

_____ Social history number

12-19 _____ Juvenile code

Throughout coding form use 8 to indicate item is irrelevant/not applicable. Use 9 to indicate that information is unknown/missing.

DEMOGRAPHIC CHARACTERISTICS

20 _____ Race

21 _____ Gender

22-27 _____ Date of birth

28 _____ Family structure

black = 1, white = 0
 male = 1, female = 0
 (mo/dy/yr)
 0 = Intact, two parents, 1 = bio'mother only, 2 = bio'mother&stepfather, 3 = bio'mother&friend/relative, 4 = bio'father, 5 = bio'father&stepmother, 6 = other, 7 = not intact, situ unknown, 9 = missing
 1-115, see list
 13 = over 12, 99 = missing
 yes = 1, no = 0
 yes = 1, no = 0

29-31 _____ County of residence

32-33 _____ # of years of schooling

34 _____ Mental health problems

35 _____ Physical problems

36 _____ Learning Disability

37 _____ Alcohol abuse

38 _____ Drug abuse

PRIOR CRIMINAL HISTORY

39 _____ Other pending cases yes = 1, no = 0

40 _____ under supervision (at our referral date) 0 = no, 1 = yes, Probation, 2 = yes, Parole, 3 = yes, other type

41-42 _____ Total # of prior violations 00-97, 98 = na, 99 = missing

43-47 _____ Offense 1 (most serious) < 55000, see list

48-52 _____ Offense 2 < 55000, see list

53-57 _____ Offense 3 < 55000, see list

58-59 _____ Age at 1st referral 99 = missing

60-61 _____ # prior adjudications 00-97, 98 = na, 99 = missing

62-66 _____ Offense 1 (most serious) < 55000, see list

67-71 _____ Offense 2 < 55000, see list

72-76 _____ Offense 3 < 55000, see list

77-78 _____ # prior DYS Commitments 00-97, 98 = na, 99 = missing

79-80 _____ # prior probation times 00-97, 98 = na, 99 = missing

CASE CHARACTERISTICS (THIS CASE ONLY)

81	_____	Stage case left juvenile system	0=referral, 1=intake/placement, 2=petition, 3=first court appearance, 4=adjudication hearing, 5=disposition hearing, 6=completed disposition, 7=transferred to another circuit, 8=na, ongoing case, 9=missing
82-87	_____	Date case left system	(mo/dy/yr)
88	_____	Reason case left	0=case dismissed, 1=informal handling, 2=case completed, 3=youth became adult, 4=other, 8=na, ongoing, 9=missing
89-90	_____	Final Decisionmaker	see list
91	_____	Evidence of crime in youth's possession	yes=1, no=0
92	_____	Witness identified youth	yes=1, no=0
93	_____	Youth admitted involvement	yes=1, no=0
94	_____	Youth was calm or upset	upset=1, calm=0
95	_____	Demeanor of youth	0=hostile, 1=uncooperative but civil, 2=cooperative
96	_____	Youth made threats	yes=1, no=0
97	_____	Youth showed remorse	yes=1, no=0
98	_____	Youth willing to have treatment	yes=1, no=0
99	_____	Youth willing to provide restitution	yes=1, no=0
100	_____	Weapon was present	yes=1, no=0
101-6	_____	If loss or damage to property, indicate amount:	000000=no loss/damage, -----code dollar amount, 888888=noted, amount unknown
107	_____	# of person victims	0-6, 7=more than 6, 8=na, 9=missing
108	_____	(code only if potential of being injured, ie. present at crime) If victim(s), indicate level of injury to most injured victim:	0=no injury, 1=minor harm, 2=treated/discharged, 3=hospitalized, 4=death, 8=na, 9=missing
109	_____	Race of most injured victim	black=1, white=0, other=3, na=8, missing=9
110	_____	Gang involvement	yes=1, no=0
111	_____	# co-offenders	0-6, 7=more than 6, 9=missing
112	_____	Parent willing to supervise	Yes=1, no=0
113	_____	Parent able to supervise	Yes=1, no=0

Juvenile court referral

114-9 _____ Date of referral (mo/dy/yr)
 120 _____ Source of referral
 0=transferred from other court,
 1=police,2=school,3=parent,
 4=other relative, 5=juvenile court
 personnel,6=DFS/social agency,
 7=Dpt.Mental Health, 8=other,
 9=missing

121-2 _____ Total # of all violations 00-97, 99=missing
 123-4 _____ Total # of status offenses 00-97, 99=missing
 125-9 _____ Offense 1 (most serious) <55000, see list
 130-4 _____ Offense 2 <55000, see list
 135-9 _____ Offense 3 <55000, see list

Intake screening/Pre-hearing placement

140-5 _____ Date of intake/placement (mo/dy/yr)
 146 _____ Type of placement:
 0=no probable cause/case
 dismissed,
 1=probable cause/released home,
 2=probable cause/shelter or foster
 home,
 3=probable cause/detained,
 4=detained,not this case, 5=other
 reason, 8=na, case left system,
 9=missing

147 _____ Parent at hearing
 148-9 _____ (extra) yes= 1, no=0
 150 _____ Reason for detention
 1=protect youth from self,2=protect
 society from youth, 3=protect youth
 from others, 4=general welfare of
 youth, 8=n/a

151-6 _____ Date of detention (mo/dy/yr)
 157-2 _____ Date released from detention (mo/dy/yr)

Juvenile Court Petition

163 _____ Petition filed
 0=no, D.A. dropped, 1=no, informal
 adjustment, 2=Offenses merged w/
 other petition, 3=yes, 4=yes,
 request for transfer, 5= filed for
 probation revocation

164-9 _____ Date of petition (mo/dy/yr)
 170-1 _____ Total # offenses listed on petition 00-97, 99=missing
 172-6 _____ Offense 1 (most serious) <55000, see list
 177-81 _____ Offense 2 <55000, see list
 182-6 _____ Offense 3 <55000, see list

187-92 _____ Date of first court appearance (mo/dy/yr)
 193-4 _____ Total # of court appearances

Certification as adult/Waiver

195 _____ Certification/waiver
 0=no,retained by juvenile court,
 1=no, DA withdrew request, 2=yes,
 waived

Adjudication Hearing

196-201 _____ Date of adjudication decision (mo/dy/yr)
 202 _____ Counsel was present 0=no, 1=yes, public defender,
 2=yes, court appointed, 3=yes,
 private counsel, 8=na, 9=missing
 203 _____ Demeanor of youth 0=hostile, 1=uncooperative but
 civil, 2=cooperative
 204 _____ Youth showed remorse yes=1, no=0
 205 _____ Parent at hearing yes=1, no=0
 206 _____ Outcome 0=acquitted/dismissed/dropped,
 1=continued adjud., later
 dismissed,
 2=continued adjud., later
 adjudicated,
 3=found probation violated,
 4=adjudicated, lesser offense,
 5=adjudicated, most serious
 offense,
 8=na, 9=missing
 207 _____ Rationale/reasons decision 0=checklist from statute, 1=given
 by judge
 208 _____ Amenable to treatment yes=1, no=0
 209 _____ Welfare of child yes=1, no=0
 210 _____ Protect society yes=1, no=0
 211-2 _____ Total # adjudicated offenses 00-97, 99=missing
 213-7 _____ Offense 1 (most serious) <55000, see list
 218-22 _____ Offense 2 <55000, see list
 223-27 _____ Offense 3 <55000, see list

Disposition Hearing

228-233 _____ Date of disposition decision (mo/dy/yr)
 234 _____ Disposition 0=in home, 1=out of home,
 3=outright release, 8=na
 235-6 _____ Type of disposition (code highest #) 00=outright release,
 01=probation,
 02=community service,
 03=therapy, 04=restitution,
 05=fine, 06=mental health
 placement,
 07=social service placement,
 08=suspended sentence,
 09=juvenile
 detention, 10=jail, 13=suspended
 commit., 11=non-DYS
 commitment, 12=DYS commitment,
 98=na, 99=missing
 237 _____ Out of home placement 1=private residential care, 2=court
 residential care, 3=DFS, 4=DMH,
 5=DYS, 6=relative, 7=other, 8=na,
 9=missing
 238-43 _____ Date of Commitment (mo/dy/yr), 888888=na

244-49 _____ Date of release (mo/dy/yr), 888888=na
 250-52 _____ Length of DYS commitment in months,888=na
 253-55 _____ Length of other placement(commitment) in months,888=na
 256 _____ Counseling or treatment w/ commitment yes=1, no=0, 8=na
 257 _____ Vocational w/ commitment yes=1, no=0, 8=na
 258 _____ Educational w/ commitment yes=1, no=0, 8=na

 259 _____ **In home services** 1=court, 2=DFS, 3=DMH, 4=Other
 public agency, 5=private agency

 260 _____ **Probation** **yes=1, no=0**
 261-6 _____ Date granted probation (mo/dy/yr)
 267 _____ Community service w/probation yes=1, no=0
 268 _____ Vocational w/probation yes=1, no=0
 269 _____ Educational w/probation yes=1, no=0
 270 _____ Counseling or treatment w/probation yes=1, no=0
 271 _____ Was probation ever extended 0=no, 1=yes, new offense,
 2=yes, technical violation, 3=yes,
 restitution paid, 8=na, 9=missing

 272-7 _____ Date probation terminated (mo/dy/yr)
 278 _____ Reason for termination 0=age of majority, 1=released from
 supervision, 2=revoked new crime,
 3=revoked for technical violation,
 4=other, 8=na, 9=missing

 279-84 _____ **Date of new offense** (mo/dy/yr)

Appendix A3. List of variables from Social Services data

Criteria Categories		Frequency distribution	Percent	Total N
Race	Black	18,166	49%	36,886
	White	18,720	51%	
Urbanization	1: more rural	1,571	4%	36,886
	2: medium sized	4,254	12%	
	3: suburban	16,892	46%	
	4: metropolitan	14,169	38%	
Offense severity	3: Felony	7,777	21%	36,886
	2: Misdemeanor	17,351	47%	
	1: status offense	11,717	32%	
	0: other	41		
Gender1:	male	26,569	72%	36,886
	9: female	10,317	28%	
Case handled informally	1: yes	13,577	13%	26,886
	0: no	23,309	87%	
Youth was detained in secure court run facility	1: yes	7,463	20%	36,886
	9: no	29,423	80%	
Other prehearing placements	1: yes	1,109		36,886
	9: no	35,777		
Petition filed	1: yes	7,695	21%	36,886
	0: no	29,191	79%	
Adjudicated	1: yes	6,771	18%	36,886
	0: no	30,115	82%	
Disposition	1: out of home	3,676	54%	6,770
	0: in home	3,094	46%	
Type of facility	1: foster home	21		1,109
	2: group foster home	12		
	3: group home	431		
	4: institution	134		
	5: other	511		
Number prior referrals	0	15,155		36,885
	1	7,268		
	2	3,979		
	3	2,583		
	4 or more	7,900		

Violate prior court order	1: yes	7,463	
	9: no	29,423	36,886
Source of referral	1: police	29,489	
	2: school	1,680	
	3: DMH	85	
	4: DFS	395	
	5: Private social agency	740	
	6: Public social agency	1,878	
	7: j.crt staff	80	
	8: other juvenile court	5	
	9: self	2,192	
	10: parent	81	
	11: other relative	261	36,886
Number of violations in referral	0	11,008	
	1	19,737	
	2	4,388	
	3	1,113	
	4 or more	640	36,886
Total number of status offenses	0	24,230	
	1	11,453	
	2	1,093	
	3	97	
	4 or more	13	36,886
Offense type of most serious referral status offenses		11,717	
theft		8,301	
property damage		5,751	
assault		3,741	
burglary		2,090	
weapons		721	
robbery		559	
drug-related		433	
sexual assault		316	
homicide		38	33,667

Appendix A4. Survey of Juvenile Justice Personnel

JUVENILE JUSTICE QUESTIONNAIRE

This questionnaire is being sent to judges, juvenile officers, deputy juvenile officers and other staff with direct knowledge of juvenile justice operations across Missouri as part of a large research project being conducted for the Missouri Department of Public Safety. This survey will provide information on juvenile justice decision making in Missouri. Your participation is important in helping describe the situation in Missouri. Your responses will remain confidential. Please complete the survey as soon as possible and return it in the enclosed envelope to Professor Kempf at the University of Missouri-St. Louis. Your participation is greatly appreciated.

1. For what agency do you work? _____
2. What is your position/title? _____
3. How long have you held your current job? _____
4. In what county do you work? _____
5. Your age is _____.
6. Your gender is _____.
7. Your race is _____.

8. Do you have access to a juvenile's prior juvenile court record during sentencing? Yes ___ No ___

9. Please use the scale below to rank the degree of influence each of the following has over final juvenile court disposition.

- | | |
|--|-----------------------------|
| _____ judge | 5 = a lot of influence |
| _____ prosecutor | 4 = some influence |
| _____ defense counsel | 3 = unsure |
| _____ defendant | 2 = not very much influence |
| _____ police officer | 1 = no influence |
| _____ probation officer | |
| _____ juvenile officer | |
| _____ DYS representative | |
| _____ DFS representative | |
| _____ media | |
| _____ school | |
| _____ local politician(s) | |
| _____ psychologist | |
| _____ parent | |
| _____ private social services agencies | |
| _____ religious institutions/actors | |
| _____ other (please specify) _____ | |

10. What percent of the unrepresented juveniles has counsel appointed at:

- Detention hearings? _____
- Intake? _____
- Waiver/transfer? _____
- Adjudication? _____
- Hearings concerning probation violations? _____

11. What is your average caseload? _____

Are these cases usually of a specific _____ or varied _____ nature? (e.g. do you usually handle felony cases? drug cases? sex offenses? Intake hearings? Is there no pattern to the cases you are assigned?) If specific, what type of cases do you handle? _____

12. Does your court have access to the juvenile's social file or report during adjudication?

Yes _____ No _____

13. How often does a juvenile waive the privilege against self-incrimination in your court? (please mark best category)

0% _____ 25% _____ 50% _____ 75% _____ 100% _____

14. When processing a juvenile, do you have access to his/her prior juvenile court record during disposition? Yes ___ No ___

15. Using the scale below, please indicate how important you think each of the following offender and offense characteristics are in juvenile court processing decisions for juveniles. Afterwards, please circle and number in order of importance the five which are most important.

- 5 = very important
- 4 = moderately important
- 3 = neutral
- 2 = not very important
- 1 = not important at all

	detention	petition	adjudication	disposition
defendant sold drugs	_____	_____	_____	_____
weapon was used	_____	_____	_____	_____
value of property stolen	_____	_____	_____	_____
age difference between offender and victim	_____	_____	_____	_____
crime committed while youth was on drugs	_____	_____	_____	_____
appearance of remorse	_____	_____	_____	_____
youth appears mature	_____	_____	_____	_____
extent of property damage	_____	_____	_____	_____
poor academic performance	_____	_____	_____	_____
weapon present but not used	_____	_____	_____	_____
minimal daily contact with parent/guardian	_____	_____	_____	_____
offender acknowledges drug dependence	_____	_____	_____	_____
defendant has been on probation	_____	_____	_____	_____
prior adjudications for felony charges	_____	_____	_____	_____
force threatened but not used	_____	_____	_____	_____
defendant's age at current offense	_____	_____	_____	_____
prior adjudications for misdemeanor charges	_____	_____	_____	_____
defendant has been in a out of home	_____	_____	_____	_____
defendant's age at first offense	_____	_____	_____	_____
school misconduct	_____	_____	_____	_____
youth's respect for the court	_____	_____	_____	_____
family's cooperation with the court	_____	_____	_____	_____
victim sustained physical injury	_____	_____	_____	_____
mental illness	_____	_____	_____	_____
offender has been in a drug treatment program	_____	_____	_____	_____
drug involvement is suspected	_____	_____	_____	_____
youth was in a community corrections program	_____	_____	_____	_____
open cases, no adjudications	_____	_____	_____	_____
time spent in detention awaiting hearing	_____	_____	_____	_____
defendant accused of a sexual offense	_____	_____	_____	_____
gang involvement	_____	_____	_____	_____
parent unwilling to supervise	_____	_____	_____	_____
parent unable to supervise	_____	_____	_____	_____

16. Does your organization provide access to any of the following? (Please check those which apply).

- Professional conferences
- In-house research
- Published legal or social research
- Other educational resources
- Peer feedback on your work

17. Using the following scale, please indicate how you feel about the quality of services and treatment of the following dispositional resources.

5 = Excellent / 4 = Good / 3 = Not available / 2 = Fair / 1 = Poor

- DYS out of home placement
- DFS residential placement
- Court-run residential programs
- Private residential programs
- DMH Commitment
- Non-residential program DYS
- Non-residential program DFS
- Restitution
- Community Service
- Intensive probation supervision
- Regular probation supervision
- Probation and drug treatment
- Probation and mental health services
- Probation and social counseling
- Other (list alternatives used by your court) _____

18. Please answer the following statements according to the scale below:

5 = Strongly agree / 4 = Agree / 3 = Unsure / 2 = Disagree / 1 = Strongly disagree

- "Punishment will teach juvenile offenders right from wrong"
- "The Supreme Court has gone too far in protecting the rights of juvenile offenders"
- "Given effective rehabilitation programs, most juvenile offenders could probably overcome their criminal behavior"
- "The police don't enforce laws strictly enough against juvenile offenders"
- "Good public education or better housing would dramatically reduce our crime problem"
- "Placing a juvenile offender in detention is a good way to show him/her that the court means business"
- "A juvenile doesn't become delinquent overnight; locking him/her up won't resolve the damage done by a rotten life"
- "Incarceration is a more effective response to crime than treatment"
- "Judges should consider why a juvenile commits a crime equally, if not more than, the crime itself"

_____ "Juveniles should be held accountable when they violate the law"

19. For which of the following is there a formal written policy in your office? (Check those that apply).

- _____ punishment for offenders
- _____ offender rehabilitation/treatment
- _____ assuring due process for juvenile offenders
- _____ meeting legislative standards
- _____ maintaining a stable caseload
- _____ high case completion rates
- _____ speedy case processing times
- _____ responding to political pressure
- _____ responding to media pressure
- _____ maintaining good relationships among the various people/organizations in the court

20. How important do you personally consider the following goals. When finished, please circle the five most important of these goals.

- 5 = very important
- 4 = moderately important
- 3 = neutral
- 2 = not very important
- 1 = not important at all

- _____ punishment for offenders
- _____ due process for juvenile offenders
- _____ offender rehabilitation/treatment
- _____ racial equity in processing
- _____ protecting society from juvenile offenders
- _____ meeting legislative standards
- _____ high case completion rates
- _____ speedy case processing times
- _____ following written policy procedures
- _____ limiting external pressure on your organization (e.g. political, media)
- _____ coordinating informal procedures among courtroom personnel

21. Is the juvenile justice system able to meet the most important of these goals? Yes _____
No _____ Why or why not? _____

22. Do you think current laws governing how juveniles are treated by the court are:
strict enough? Yes ___ No ___
too strict? Yes ___ No ___
Not strict enough? Yes ___ No ___

23. Do you have any discretion in the following events:
Diversion prior to court intake? ___ A lot ___ Some ___ Not very much
Waiver to adult court? ___ A lot ___ Some ___ Not very much
Case disposition? ___ A lot ___ Some ___ Not very much
Case placement? ___ A lot ___ Some ___ Not very much

24. Are there other ways in which you think you have discretion over individual case processing?

Appendix B1. List of variables

Variables	Coding	Frequency distribution	Percent	Total N (weighted)
Race	1: Black	1,407	51%	2,784
	0: White	1,377	49%	
Urbanization	1: more rural	694	25%	2,784
	2: medium sized	354	13%	
	3: suburban	494	18%	
	4: metropolitan	1,242	45%	
Offense severity	3: Felony	570	20%	2,784
	2: Misdemeanor	1,452	52%	
	1: Status offense	735	26%	
Case handled informally	1: yes	979	35%	2,784
	0: no	1,804	65%	
Case dismissed	1: yes	835		2,784
	0: no	1,949		
Youth was detained	1: yes	644	23%	2,784
	0: no	2,139	77%	
Petition filed	1: yes	1,308	56%	2,344
	0: no	1,036	44%	
Adjudicated	1: yes	869	81%	1,071
	0: no	202	19%	
Decisionmaker	0: judge	1,492		2,784
	1: police	5		
	2: juvenile officer	1,287		
Gender	1: Male	2,089	75%	2,784
	0: Female	695	25%	
Live with	0: both parents	506		2,234
	1: mother only	1,042		
	2: mother & stepfather	297		
	3: mother & friend	33		
	4: father only	109		
	5: father & stepmother	21		
	6: other	189		
	7: not intact, unknown	38		
Number years of schooling	under 7	329		1,952
	7	339		
	8	436		
	9	456		
	10 thru 13	390		

Mental health problems	1: yes	354	
	0: else	2,430	2,784
Physical problems	1: yes	113	
	0: no	1,309	1,422
Learning disabled	1: yes	261	
	0: else	2,523	2,784
Alcohol abuse	1: yes	314	
	0: else	2,470	2,784
Drug abuse	1: yes	334	
	0: no	1,107	1,441
Other pending cases	1: yes	216	
	0: no	2,351	2,567
Currently supervised	0: no	2,065	
	1: probation	312	
	2: parole	2	
	3: other type	121	2,499
Number prior referrals	0	1,038	
	1	403	
	2	256	
	3	248	
	4 or more	653	2,599
Number prior adjudications	0	1,725	
	1	250	
	2	105	
	3 or more	223	2,302
Any prior DYS commitments	0: no	1,922	
	1: yes	217	2,140
Number of prior probation placements	0	1,683	
	1	294	
	2 or more	150	2,127
Stage case left system	0: referral	166	
	1: intake/placement	1,169	
	2: petition	109	
	3: 1st court appearance	139	
	4: adjudication hearing	284	
	5: disposition hearing	105	
	6: completed disposition	614	
	7: transfer	67	
	8: ongoing case	10	2,665
Evidence in youth's possession	1: yes	840	
	0: no	760	1,600

Witness identified youth	1: yes	1,263	
	0: no	464	1,727
Youth admitted involvement	1: yes	928	
	0: no	596	1,524
Youth's attitude at referral	0: calm	898	
	1: upset	164	1,062
Youth's demeanor at referral	0: hostile	101	
	1: civil, uncoop.	71	
	2: cooperative	875	1,048
Youth made threats	1: yes	100	
	0: no	1,030	1,130
Youth showed remorse	1: yes	203	
	0: no	793	997
Youth willing to have treatment	1: yes	260	
	0: no	578	838
Youth willing to provide restitution	1: yes	189	
	0: no	610	799
Weapon was present	1: yes	189	
	0: no	1,443	1,632
Amount of loss or damage	0: under \$20	128	
	1: \$20 to \$125	154	
	2: over \$125	321	603
Number of person victims	0	861	
	1	404	
	2	48	
	3 or more	34	1,347
Level of injury to most injured victim	0: no injury	372	
	1: minor harm	143	
	2: treat/discharged	69	
	3: hospitalized	19	
	4: death	2	604
Race of most injured victim	0: white	214	
	1: black	181	395
Gang involvement	1: yes	29	
	0: no	1,995	2,024

Number of co-offenders	0	1,152	
	1	388	
	2	247	
	3	84	
	4	61	
	5 or more	58	1,990
Parent(s) willing to supervise	1: yes	1,267	
	0: no	303	1,570
Parent(s) able to supervise	1: yes	1,202	
	0: no	366	1,567
Source of referral	0: other circuit	30	
	1: police	2,033	
	2: school	156	
	3: parent	123	
	4: other relative	6	
	5: j.crt staff	75	
	6: DFS/soc agency	126	
	7: DMH	8	
	8: other	18	2,575
Number of violations in referral	1	2,010	
	2	344	
	3	136	
	4 or more	96	2,585
Total status offenses in referral	0	1,712	
	1	659	
	2	73	
	3 or more	12	2,456
Offense type of most serious referral	status offenses	682	
	theft	681	
	property damage	400	
	assault	377	
	burglary	182	
	weapons	46	
	robbery	38	
	drug-related	33	
	sexual assault	27	
	homicide	1	
Age at referral			
Outcome of intake decision	0: case dismissed	255	
	1: prob.cause, released home	1,319	
	2: prob.cause, shelter	28	
	3: prob.cause, detained	624	
	4: detained, other reason	21	
	5: other	69	2,315

Parent at detention hearing	1: yes	386	
	0: no	446	832
Reason given for detention			
	1: protect youth from self	60	
	2: protect society	132	
	3: protect youth from others	13	
	4: general welfare of youth	441	646
Petition filed	0: no,dropped	388	
	1: no,informal adjustment	649	
	2: merged w/ other case	293	
	3: yes	982	
	4: request for transfer	20	
	5: prob. revoked	13	2,344
Number of offenses on petition	1	700	
	2	274	
	3	111	
	4	50	
	5	36	
	6 or more	67	1,235
Offense number (statute) of most serious on petition			
Number of court appearances	0	251	
	1	739	
	2	250	
	3 or more	121	1,362
Certification as adult/waiver			
	0: no,juvenile court retained	1,435	
	1: no, withdrew request	0	
	2: yes	16	1,451
Youth represented by counsel	0: no	68	
	1: yes, public defender	386	
	2: yes, court appointed	238	
	3: yes, private attorney	84	775
Youth's demeanor at court	0: hostile	16	
	1: civil, uncoop.	23	
	2: cooperative	426	466
Youth showed remorse at court	1: yes	106	
	0: no	286	392
Parent present at court	1: yes	556	
	0: no	85	641

Court outcome		
0: acquitted,dismissed	196	
1: continued,dismissed later	6	
2: continued,adjudicated later	9	
3: found probation violated	14	
4: adjudicated lesser offense	92	
5: adjudicated most serious	754	1,071
Rationale		
0: statutory criteria	103	
1: judicial order	554	658
Amenable to treatment		
1: yes	308	
0: no	83	391
Welfare of child		
1: yes	322	
0: no	81	403
Protect society		
1: yes	127	
0: no	231	359
Number of adjudicated offenses		
0	63	
1	546	
2	180	
3 or more	127	917
Offense number (statute) of most serious at adjudication		
Disposition decision		
0: in home	560	
1: out of home	361	921
Outcome of disposition		
0: outright release	48	
1: probation	416	
2: community service	47	
3: therapy	16	
4: restitution	61	
5: mental health care	7	
6: social service care	33	
7: suspended sentence	11	
8: detention	23	
9: non-DYS commitment	62	
10: DYS commitment	198	
11: suspended commitment	39	961
Type of out of home placement		
1: private residential care	45	
2: court residential care	39	
3: Division of Family Services	41	
4: Dept. of Mental Health	3	
5: Division of Youth Services	196	
6: Relative	7	
7: other	8	340

Length of DYS placement	1	10	
	2	4	
	3	7	
	4	1	
	5	11	
	6 to 10	55	
	11 to 15	12	
	16 or more	12	112
Treatment, counseling with commitment			
	1: yes	101	
	0: no	59	160
Vocational counseling with commitment			
	1: yes	19	
	0: no	121	139
Educational training with commitment			
	1: yes	85	
	0: no	70	156
Type of out of home placement			
	1: court supervision	168	
	2: Division of Family Services	17	
	3: Dept. of Mental Health	2	
	4: Other public agency	11	
	5: Private agency	7	205
Probation			
	1: yes	566	
	0: no	139	705
Community service with probation			
	1: yes	77	
	0: no	351	428
Treatment with probation			
	1: yes	174	
	0: no	257	431
Vocational counseling with probation			
	1: yes	14	
	0: no	403	417
Educational training with probation			
	1: yes	252	
	0: no	182	434
Probation was extended			
	0: no	319	
	1: yes, new offense	56	
	2: yes, technical violation	6	381

Reason for probation termination		
0: age of majority	19	
1: released from supervision	215	
2: revoked, new crime	113	
3: revoked, tech. violation	15	
4: other	10	372
Subsequent referral for a new offense		
1: yes	1,305	
0: no	1,479	2,784

Appendix B2. Distribution of irrelevant or missing information for all cases

<u>Criterion</u>	<u>number missing</u>	<u>percent missing</u>
length of other commitment	2,733	(98%)
length of DYS commitment	2,672	(96%)
counseling w/ commitment	2,624	(94%)
voc. training w/ commit.	2,644	(94%)
education w/ commitment	2,628	(94%)
3rd most serious referral	2,605	(94%)
out of home commitment	2,444	(88%)
protect society	2,425	(87%)
reason probation ended	2,412	(87%)
race of victim	2,383	(86%)
remorse	2,392	(86%)
amenable to treatment	2,393	(86%)
welfare of child	2,381	(86%)
probation extended	2,402	(86%)
community service	2,356	(85%)
voc. training w/ prob.	2,367	(85%)
education w/ probation	2,350	(84%)
counseling w/ probation	2,353	(84%)
demeanor at hearing	2,318	(83%)
2nd most serious referral	2,274	(82%)
most serious prior adjud.	2,246	(81%)
damage amount	2,212	(79%)
most injured victim	2,179	(78%)
reason for detention	2,138	(77%)
rationale for decision	2,126	(76%)
probation	2,079	(75%)
counsel was present	2,009	(72%)
willing to provide restit.	1,985	(71%)
willing to have treatment	1,946	(70%)
parent at a hearing	1,952	(70%)
most serious adjudication	1,912	(69%)
number of adj. offenses	1,867	(67%)
disposition	1,861	(67%)
type of disposition	1,823	(65%)
remorse	1,787	(64%)
youth was upset	1,722	(62%)
outcome of case	1,713	(62%)
demeanor at referral	1,736	(62%)
threats	1,654	(59%)
number offenses on petition	1,549	(56%)
most serious petition	1,530	(55%)
learning disability	1,469	(53%)
number of victims	1,436	(52%)
total number court appear.	1,421	(51%)
physical problems	1,362	(49%)
Mental health	1,345	(48%)
alcohol abuse	1,341	(48%)
drug abuse	1,343	(48%)
waiver/certification	1,332	(48%)
most serious prior	1,268	(46%)
youth admitted involvement	1,260	(45%)

parent willing to supervise	1,214	(44%)
evidence in youths' possess.	1,184	(43%)
weapon	1,152	(41%)
witness identified youth	1,057	(38%)
Number of years schooling	833	(30%)
number of co-offenders	794	(29%)
gang involvement	759	(27%)
number prior DYS commitments	664	(24%)
number prior probation disp.	661	(24%)
Family Structure	550	(20%)
age at first referral	469	(17%)
number prior adjudications	487	(17%)
type of placement	468	(17%)
petition was filed	440	(16%)
reason case left	355	(13%)
number of status violations	328	(12%)
final decisionmaker	331	(12%)
under supervision	285	(10%)
other pending cases	217	(8%)
source of referral	209	(8%)
number of violations	199	(7%)
number prior violations	185	(7%)
stage case left	129	(5%)
County of residence	0	
most serious referral	0	
Race	0	
Gender	0	

Appendices C.

The following appendices identify the distribution of referrals for each circuit in this study. The outlines describe all of the cases (the total sample) obtained from each circuit. The flow charts include only referrals from the original sample so that attrition within the court stages can be observed. Data for Circuit 13 includes only those obtained from the Department of Social Services; data for Circuit 16 include only those utilized in our study.

APPENDIX C1. CIRCUIT 14, RANDOLPH & HOWARD COUNTIES (n=241)

CHARACTERISTICS OF THE YOUTHS AND THEIR CASES

DEMOGRAPHICS

Race: 16% Black, 84% White youths

Gender: 78% male, 22% female

Family Structure: 49% live with their mother only, 28% live with both parents, 17% live with their mother and stepfather, 3% live with their father only.

Number of years of schooling: approximately 47% of the youths were under 7th grade, 27% 7th grade, 13% 8th grade, 5% 9th grade, 9% over 9th grade

Mental health problems: 18% of the youths had problems.

Physical problems: 9% of the youths had problems

Learning disability: 13% of the youths were disabled

Alcohol abuse: 8% of the youths abused alcohol

Drug abuse: 10% of the youths abused other substances

PRIOR OFFICIAL RECORD

Other pending cases: 2% of the youths had cases pending

Currently under supervision: 8% of the youths were on probation

Number of prior referrals: nearly 54% of the youths had no priors, 15% had one, 10% had two, 7% had three, 14% had at least four.

Prior adjudications: 92% had none, 4% had one, 4% had two or more.

Prior DYS commitments: 4% had previously been committed to DYS

Prior probation: 5% had one, 2% had two or more

COURT REFERRAL

The source of referral was the police in 87% of the cases, school in 8%, DFS or other social agency in 2%, juvenile court in 1%.

Number of violations: Most (88%) had referrals for only one violation, 6% for two violations, 6% for three or more.

Number of status offenses: One or more status offenses were noted in 21% of the cases.

The major allegation involved a felony for 17%, a misdemeanor for 62% and a status offense for 19% of the cases. The allegation was an assault for 9% of the cases, sexual assault for 1%, burglary for 9%, theft for 31%, status offense for 19%, property damage for 21% and weapon offense for 2%.

Stage case left the system: 71% of the cases left at intake/placement, 14% completed disposition, 1% left at adjudication, 5% referral was rejected, 5% left at petition or first court appearance, 3% left at the disposition hearing, 1% were transferred to another circuit.

Reason case left the system: 71% were informally processed, 19% completed their cases, 8% were dismissed.

Final decisionmaker of the case: judges decided the outcome of nearly 26% of the cases and juvenile officers decided 74% of the cases.

Evidence: There was evidence of a crime in the youth's possession in 29% of the cases

Witness: The youth was identified by a witness in 55% of the cases

Admission: Youth admitted involvement in 41% of the cases

Upset: Youth appeared upset at referral in 3% of the cases

Demeanor: The youth was cooperative at referral in 20% of the cases, hostile in 1%.

Remorse: At referral, youths showed remorse in 2% of the cases.

Amenable to treatment: Youths expressed willingness to have treatment in 4% of the cases.

Restitution: Youths expressed willingness to provide restitution in 11% of the cases.

Weapon: A weapon was present in 14% of the cases.

Property value: For the 135 property-related cases, the median dollar amount involved was \$25.

Victim: A victim was injured (including potentially) in 14% of the cases. Of the victims, 64% experienced no actual injury, 20% had minor harm, 16% were treated and discharged. Of the victims, 90% were White youths and 10% were Black.

Co-offenders were present in 35% of the cases

Parent willing: A parent or guardian expressed willingness to supervise the youth in 71% of the cases.

Parent able: A parent or guardian was considered able to supervise the youth in 72% of the cases.

PROCESSING DECISIONS FOR MISSOURI YOUTHS

Type of placement: for 81% of the cases the referral was justified, but youths were released home; 8% were detained, 4% were dismissed.

Detention occurred for 8% of the cases.

Informal Handling: 72% of all cases were processed informally.

Petition: 23% of the cases that reached this stage had petitions filed.

Petitions were filed outright in 17% of the cases, informally adjusted in 69% and dropped in 5%.

Parent at court: A parent or guardian was present at an adjudication or disposition hearing in 20% of the cases

Counsel was present for 25% of the cases (27% Black youths, 23% White youths).

Remorse: At a hearing, youths showed remorse in 4% of the cases.

Demeanor: At a hearing, youths appeared cooperative in 15% of the cases, hostile in 1% and civil in 1%.

Outcome: 27% adjudication for the most serious violation, 3% adjudication for a lesser charge, 7% dismissed or dropped, and 1% probation violation found.

For those adjudicated, 79% of the cases youths were considered amenable to treatment in (11% of all cases); welfare of the child was noted as a factor in 80% of the cases (12% of all cases); 35% noted protection of society (5% of all cases).

For those adjudicated, 34% involved more than one offense (11% of all cases).

Parent at court: A parent or guardian was present at an adjudication or disposition hearing in 14% of the cases.

Counsel was present for 8% of the cases

Outcome: 80% adjudication for the most serious violation.

For those adjudicated, 41% involved more than one offense

Disposition: 71% of those adjudicated were committed out-of-the home.

In home dispositions were given to 29% of the adjudicated cases (6% of all cases), 71% were placed out of home (15% overall).

Of those with dispositions, the most restrictive types occurred as follows: 20% probation, 31% DYS, 19% non-DYS commitment, 22% restitution, 2% community service, 4% suspended commitment

Of those with out of home commitments, 40% were DYS, 60% were DFS

Of those with commitments to DYS, the average length was 7 months. The average length of other commitments was 5 months.

Of those committed out-of-home, 100% received counseling or treatment, 100% received educational assistance.

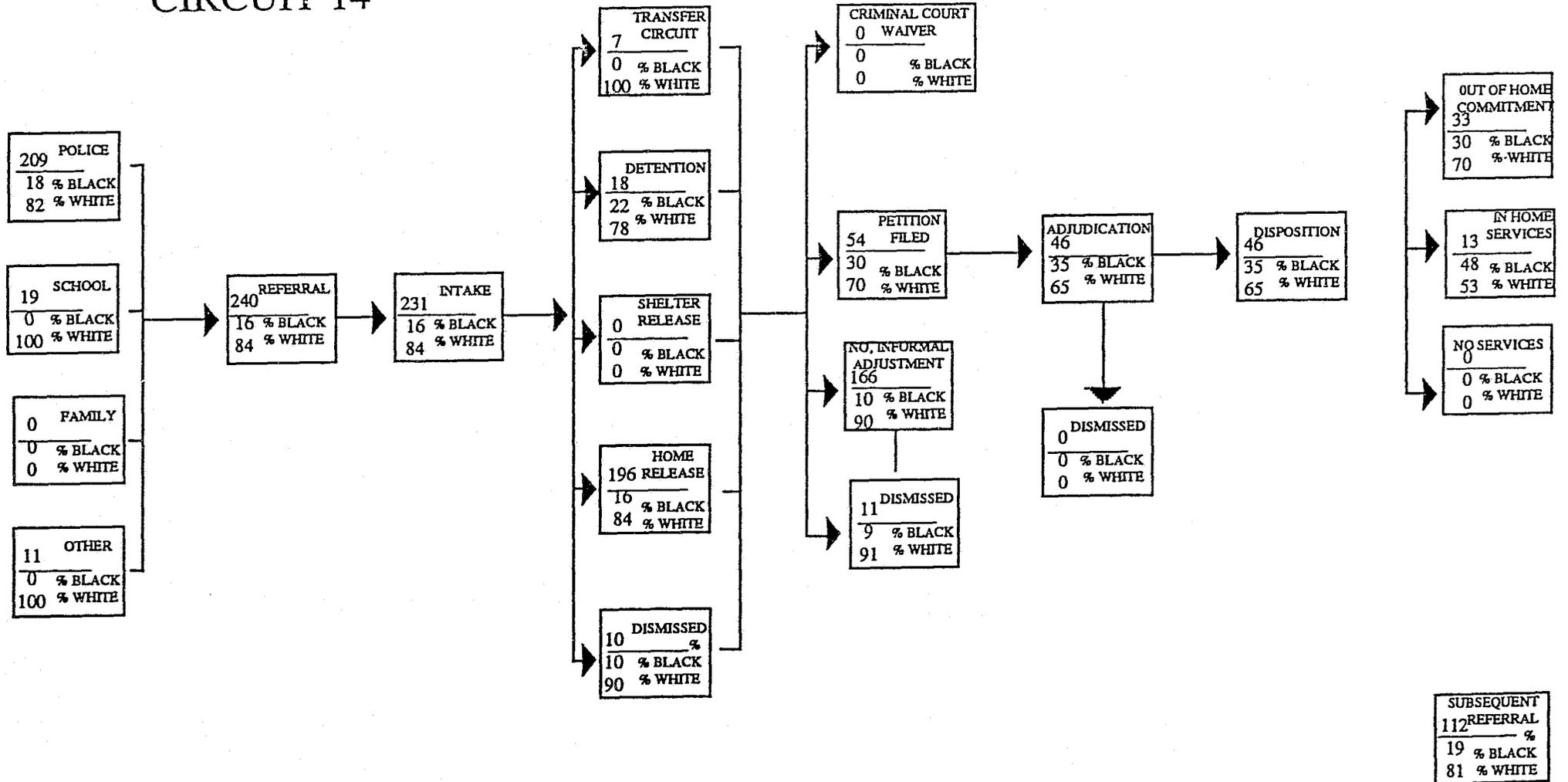
Probation: Of the cases with a disposition, 70% were placed on probation

Of the probation cases, 34% also were required to perform community service, 73% educational programs, 95% had counseling/treatment.

THE PERFORMANCE OF YOUTHS FOLLOWING A COURT REFERRAL

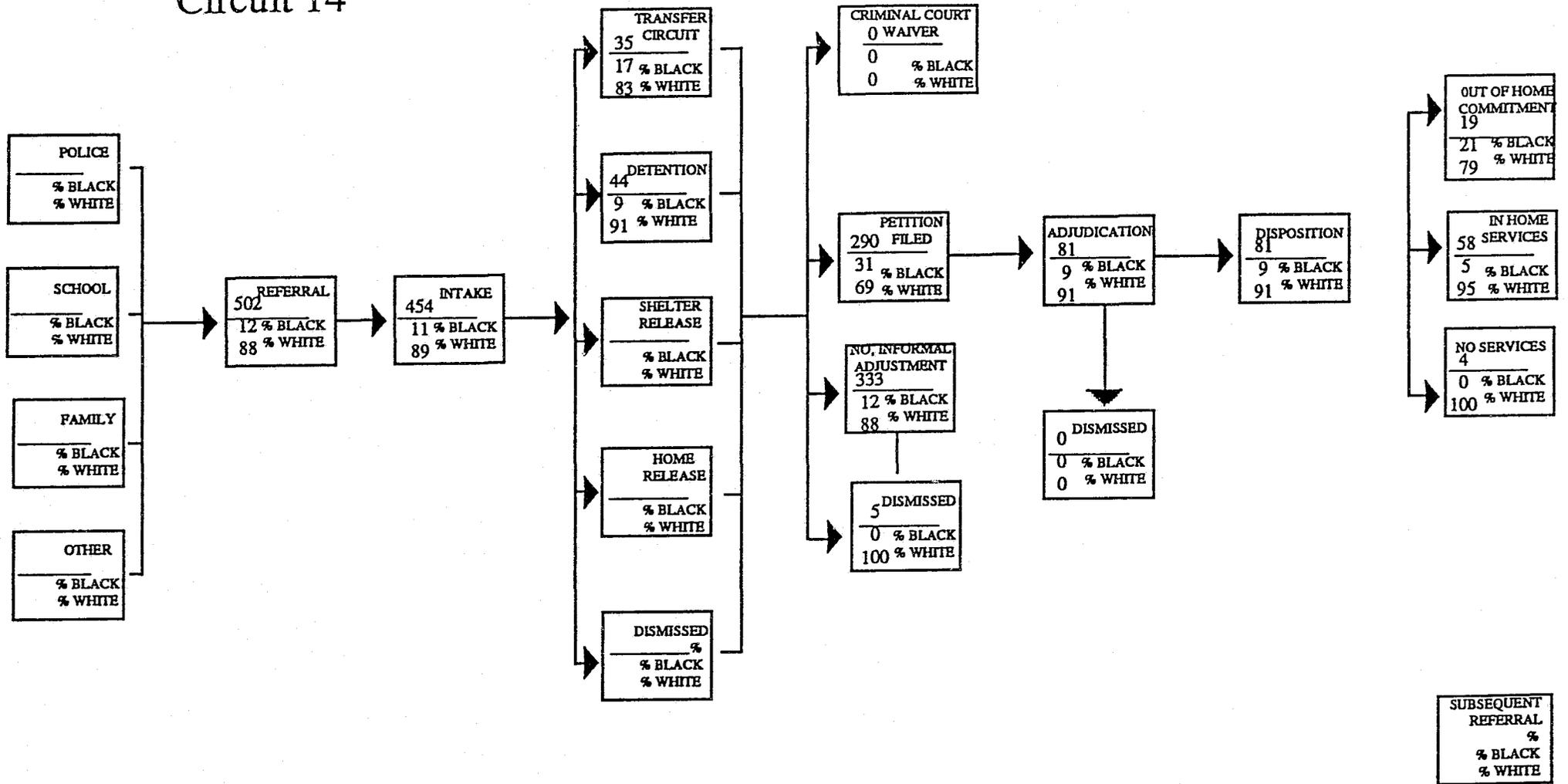
Recidivism: Subsequent referrals occurred within the study frame for 47% of all cases.

JUVENILE JUSTICE PROCESSING, CIRCUIT 14



SOCIAL SERVICE,

Circuit 14



**APPENDIX C2. CIRCUIT 16, JACKSON COUNTY
(n=601)**

CHARACTERISTICS OF THE YOUTHS AND THEIR CASES

DEMOGRAPHICS

Race: 47% Black, 53% White youths

Gender: 73% male, 28% female

Family Structure: 54% live with their mother only, 19% live with both parents, 7% live with their mother and stepfather, 8% live with their father only.

Number of years of schooling: approximately 7% of the youths are below 7th grade, 14% 7th grade, 23% 8th grade, 30% 9th grade, 26% 10th or more.

Mental health problems: 20% of the youths had problems.

Physical problems: 4% of the youths had problems

Learning disability: 8% of the youths were disabled

Alcohol abuse: 14% of the youths abused alcohol

Drug abuse: 19% of the youths abused other substances

PRIOR OFFICIAL RECORD

Other pending cases: 13% of the youths had cases pending

Currently under supervision: 24% of the youths were on probation

Number of prior referrals: nearly 29% of the youths had no priors, 20% had one, 10% had two, 10% had three, 31% had at least four.

Prior adjudications: 69% had none, 12% had one, 17% had two or more.

Prior DYS commitments: 2% had previously been committed to DYS

Prior probation: 18% had one, 6% had two or more

COURT REFERRAL

The source of referral was the police in 67% of the cases, school in 6%, DFS or other social agency in 8%, parent in 7%, juvenile court in 6%.

Number of violations: Most (72%) had referrals for only one violation, 17% for two violations, 10% for three or more.

Number of status offenses: One or more status offenses were noted in 36% of the cases.

The major allegation involved a felony for 24%, a misdemeanor for 40% and a status offense for 35% of the cases. The allegation was an assault for 10% of the cases, sexual assault for 1%, burglary for 8%, robbery for 2%, theft for 21%, drug offense for 1%, status offense for 26%, property damage for 13% and weapon offense for 2%.

Stage case left the system: 20% of the cases left at intake/placement, 15% completed disposition, 35% left at adjudication, 8% referral was rejected, 12% left at petition or first court appearance, 5% left at the disposition hearing, 1% were transferred to another circuit.

Reason case left the system: 13% were informally processed, 43% completed their cases, 34% were dismissed, 1% aged out.

Final decisionmaker of the case: judges decided the outcome of nearly 73% of the cases and juvenile officers decided 27% of the cases.

Evidence: There was evidence of a crime in the youth's possession in 26% of the cases

Witness: The youth was identified by a witness in 48% of the cases

Admission: Youth admitted involvement in 47% of the cases

upset: Youth appeared upset at referral in 5% of the cases

Demeanor: The youth was cooperative at referral in 71% of the cases, hostile in 6% and merely civil in 4%.

Threats: Youths made threats in 5% of the cases.

Remorse: At referral, youths showed remorse in 19% of the cases.

Amenable to treatment: Youths expressed willingness to have treatment in 21% of the cases.

Restitution: Youths expressed willingness to provide restitution in 10% of the cases.

Weapon: A weapon was present in 8% of the cases.

Property value: For the 244 property-related cases, the median dollar amount involved was \$150.

Victim: A victim was injured (including potentially) in 38% of the cases. Of the victims, 61% experienced no actual injury, 21% had minor harm, 9% were treated and discharged, 6% were hospitalized, 4 died. Of the victims, 49% were White youths and 48% were Black.

Gang noted: Gang involvement occurred in 1% of the referrals.

Co-offenders were present in 33% of the cases

Parent willing: A parent or guardian expressed willingness to supervise the youth in 75% of the cases

Parent able: A parent or guardian was considered able to supervise the youth in 68% of the cases

PROCESSING DECISIONS FOR MISSOURI YOUTHS

Type of placement: for 40% of the cases the referral was justified, but youths were released home; 17% were detained, 11% were dismissed.

Detention occurred for 19% of the cases.

Informal Handling: 13% of all cases were processed informally.

Petition: 75% of the cases that reached this stage had petitions filed.

Petitions were filed outright in 41% of the cases, merged with other cases in 26%, informally adjusted in 3% and dropped in 20%.

Two cases were certified or waived to criminal court

Adjudication: 79% had an adjudication hearing

Seven percent of the cases had more than three court appearances

Parent at court: A parent of guardian was present at an adjudication or disposition hearing in 45% of the cases

Detention occurred for the general welfare of the youth in 2% of the cases, to protect society from the youth in 12% of the cases, the youth from him/herself in 9% of the cases, and the youth from others in 1% of the cases.

Counsel was present for 54% of the cases

Remorse: At a hearing, youths showed remorse in 15% of the cases.

Demeanor: At a hearing, youths appeared cooperative in 45% of the cases, hostile in 2% and civil in 3%.

Outcome: 32% adjudication for the most serious violation, 12% adjudication for a lesser charge, 11% dismissed or dropped, and 1% probation violation found.

For those adjudicated, 78% of the cases youths were considered amenable to treatment in (32% of all cases); welfare of the child was noted as a factor in 80% of the cases (34% of all cases); 37% noted protection of society (15% of all cases).

For those adjudicated, 41% involved more than one offense (23% of all cases).

Disposition: 43% of those adjudicated were committed out-of-the home.

In home dispositions were given to 54% of the adjudicated cases (25% of all cases), 43% were placed out of home (20% overall), 4% were released outright (2% overall).

Of those with dispositions, the most restrictive types occurred as follows: 47% probation, 26% DYS, 8% non-DYS commitment, 2% restitution, 1% community service, 3% suspended commitment, 2% social service placement, 4% juvenile detention, 1.

Of those with out of home commitments, 58% were DYS, 5% were private residential care, 4% were DFS, 26% were cou were DFS, 26% were court residential
1% with DMH.

Of those with commitments to DYS, the average length was 12 months. The average length of other commitments was 7 months.

Of those committed out-of-home, 50% received counseling or treatment, 18% received vocational training, 33% received educational assistance.

Probation: Of the cases with a disposition, 73% were placed on probation

Of the probation cases, 9% also were required to perform community service, 4% had vocational treatment, 48% educational programs, 29% had counseling/treatment.

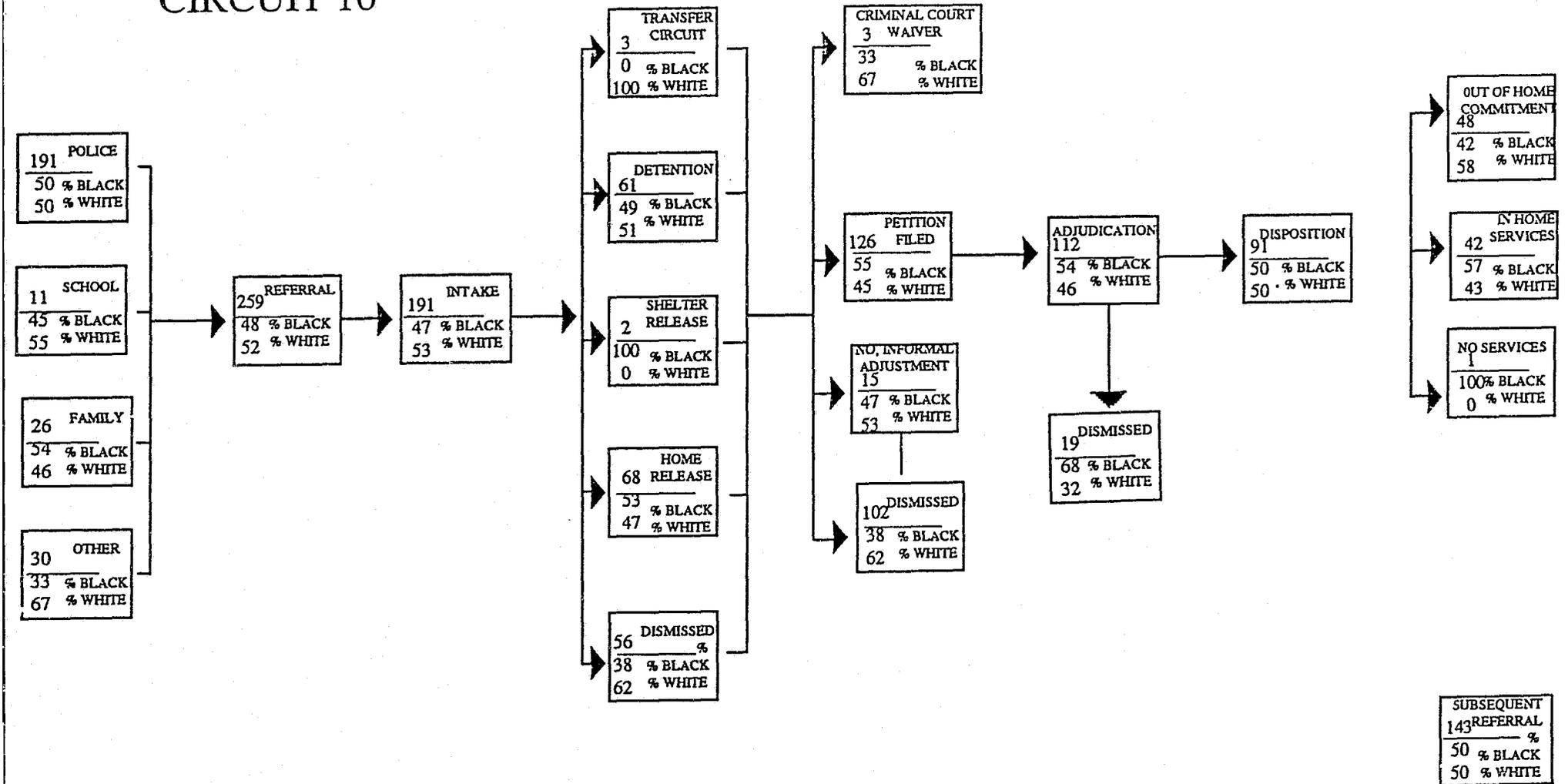
Probation was extended because of a new violation for 11% of those probation and 1% because of technical violations.

Probation was terminated for 57% because of successful conclusion, 24% revocation, 7% age of majority.

THE PERFORMANCE OF YOUTHS FOLLOWING A COURT REFERRAL

Recidivism: Subsequent referrals occurred within the study frame for 55% of all cases.

JUVENILE JUSTICE PROCESSING, CIRCUIT 16



**APPENDIX C3. CIRCUIT 21, ST. LOUIS COUNTY
(n=503)**

CHARACTERISTICS OF THE YOUTHS AND THEIR CASES

DEMOGRAPHICS

Race: 41% Black, 59% White youths

Gender: 76% male, 24% female

Family Structure: 41% live with their mother only, 33% live with both parents, 9% live with their mother and stepfather, 4% live with their father only.

Number of years of schooling: approximately 20% of the youths were in each of the following grades: < =6th, 7th, 8th, 9th, > = 10th

Mental health problems: 20% of the youths had problems.

Physical problems: 6% of the youths had problems

Learning disability: 22% of the youths were disabled

Alcohol abuse: 16% of the youths abused alcohol

Drug abuse: 17% of the youths abused other substances

Verbal IQ score: (known for only 107 referrals) Scores ranged from 68 to 124. The average score was 90, and the modal score was 78.

Performance IQ score: (known for only 106 referrals). Scores ranged from 52 to 136. The average score was 97, and the modal score was 95.

Total IQ score: (known for only 105). Scores ranged from 52 to 136. The average score was 117, and the mode score was 95.

PRIOR OFFICIAL RECORD

Other pending cases: 14% of the youths had cases pending

Currently under supervision: 21% of the youths were on probation

Number of prior referrals: nearly 35% of the youths had no priors, 13% had one, 7% had two, 9% had three, 36% had at least four.

Prior adjudications: 57% had none, 7% had one, 22% had two or more.

Prior DYS commitments: 4% had previously been committed to DYS

Prior probation: 9% had one, 11% had two or more

COURT REFERRAL

The source of referral was the police in 88% of the cases, school in 5%, DFS or other social agency in 1%, parent in 1%, juvenile court in 2%.

Number of violations: Most (62%) had referrals for only one violation, 20% for two violations, 17% for three or more.

Number of status offenses: One or more status offenses were noted in 33% of the cases.

The major allegation involved a felony for 21%, a misdemeanor for 53% and a status offense for 25% of the cases. The allegation was an assault for 18% of the cases, burglary for 8%, robbery for 2%, theft for 22%, drug offense for 1%, status offense for 25%, property damage for 15% and weapon offense for 1%.

Stage case left the system: 33% of the cases left at intake/placement, 33% completed disposition, 8% left at adjudication, 6% referral was rejected, 8% left at petition or first court appearance, 3% left at the disposition hearing, 9% were transferred to another circuit.

Reason case left the system: 28% were informally processed, 34% completed their cases, 28% were dismissed

Final decisionmaker of the case: judges decided the outcome of nearly 59% of the cases and juvenile officers decided 41% of the cases.

Evidence: There was evidence of a crime in the youth's possession in 35% of the cases

Witness: The youth was identified by a witness in 63% of the cases

Admission: Youth admitted involvement in 44% of the cases

Upset : Youth appeared upset at referral in 12% of the cases

Demeanor: The youth was cooperative at referral in 39% of the cases, hostile in 6% and merely civil in 6%.

Threats: Youths made threats in 7% of the cases.

Remorse: At referral, youths showed remorse in 12% of the cases.

Amenable to treatment: Youths expressed willingness to have treatment in 13% of the cases.

Restitution: Youths expressed willingness to provide restitution in 13% of the cases.

Weapon: A weapon was present in 12% of the cases.

Property value: For the 239 property-related cases, the median dollar amount involved was \$75.

Victim: A victim was injured (including potentially) in 42% of the cases. Of the victims, 58% experienced no actual injury, 28% had minor harm, 12% were treated and discharged, 2% were hospitalized. Of the victims, 67% were White youths and 31% were Black.

Gang noted: Gang involvement occurred in 1% of the referrals.

Co-offenders were present in 40% of the cases

Parent willing: A parent or guardian expressed willingness to supervise the youth in 53% of the cases

Parent able: A parent or guardian was considered able to supervise the youth in 50% of the cases

PROCESSING DECISIONS FOR MISSOURI YOUTHS

Type of placement: for 45% of the cases the referral was justified, but youths were released home; 25% were detained, 13% were dismissed.

Detention occurred for 26% of the cases.

Detention occurred for the general welfare of the youth in 24% of the cases, to protect society from the youth in 3% of the cases

Informal Handling: 35% of all cases were processed informally.

Petition: 63% of the cases that reached this stage had petitions filed.

Petitions were filed outright in 36% of the cases, merged with other cases in 17%, requests for transfers in 1%, informally adjusted in 14% and dropped in 18%.

Two cases were certified or waived to criminal court

Adjudication: 75% had an adjudication hearing

Seven percent of the cases had more than three court appearances

Parent at court: A parent or guardian was present at an adjudication or disposition hearing in 12% of the cases

Counsel was present for 32% of the cases

Remorse: At a hearing, youths showed remorse in 3% of the cases.

Outcome: 30% adjudication for the most serious violation, 2% adjudication for a lesser charge, 11% dismissed or dropped.

For those adjudicated, 94% of the cases youths were considered amenable to treatment in (12% of all cases); welfare of the child was noted as a factor in 89% of the cases (13% of all cases); 52% noted protection of society (6% of all cases).

For those adjudicated, 47% involved more than one offense (16% of all cases).

In home dispositions were given to 70% of the adjudicated cases (25% of all cases), 27% were placed out of home (10% overall), 3% were released outright (1% overall).

Of those with dispositions, the most restrictive types occurred as follows: 28% probation, 10% DYS, 7% non-DYS commitment, 16% restitution, 22% community service, 4% suspended commitment, 2% social service placement, 2% juvenile detention, 4% other therapy, 1% suspended sentence

Of those with out of home commitments, 45% were DYS, 39% were private residential care, 6% were DFS, 11% were court residential care

Of those with commitments to DYS, the average length was 8 months. The average length of other commitments was 4 months.

Of those committed out-of-home, 85% received counseling or treatment, 15% received vocational training, 96% received educational assistance.

Probation: Of the cases with a disposition, 88% were placed on probation (22% overall).

Of the probation cases, 41% also were required to perform community service, 6% had vocational treatment, 62% educational programs, 53% had counseling/treatment.

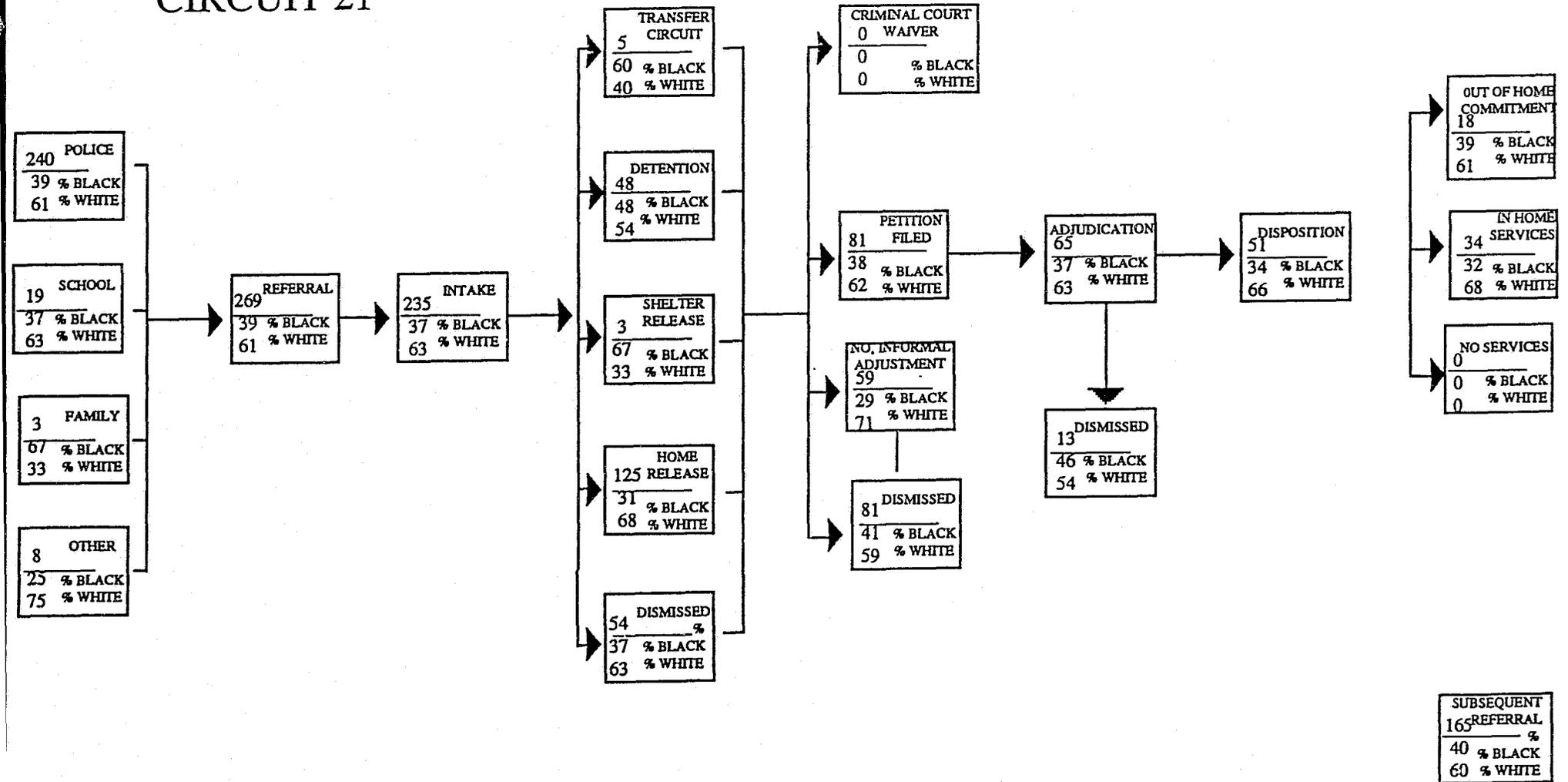
Probation was extended because of a new violation for 45% of those on probation and 8% because of technical violations.

Probation was terminated for 45% because of successful conclusion, 48% revocation, 8% age of majority.

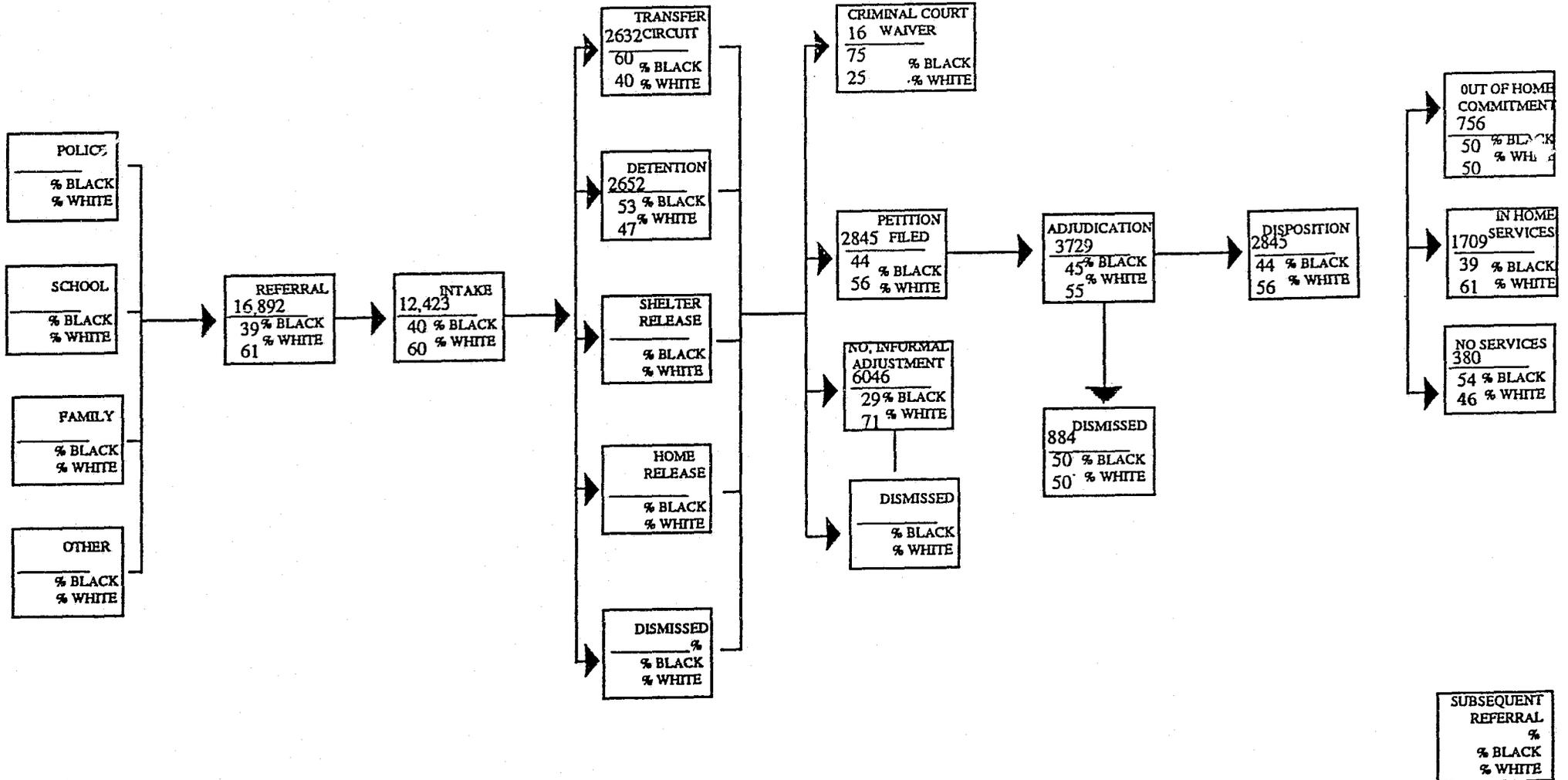
THE PERFORMANCE OF YOUTHS FOLLOWING A COURT REFERRAL

Recidivism: Subsequent referrals occurred within the study frame for 66% of all cases.

JUVENILE JUSTICE PROCESSING, CIRCUIT 21



SOCIAL SERVICE, Circuit 21



APPENDIX C4. CIRCUIT 22, ST. LOUIS CITY
(n=642)

CHARACTERISTICS OF THE YOUTHS AND THEIR CASES

DEMOGRAPHICS

Race: 76% Black, 24% White youths

Gender: 70% male, 30% female

Family Structure: 43% live with their mother only, 10% live with both parents, 27% live with their mother and stepfather.

Number of years of schooling: approximately 10% of the youths were less than or equal to 6th grade, 12% 7th, 23% 8th, 27% 9th and 27% 10th or more.

Mental health problems: 8% of the youths had problems.

Physical problems: 4% of the youths had problems

Learning disability: 4% of the youths were disabled

Alcohol abuse: 7% of the youths abused alcohol

Drug abuse: 8% of the youths abused other substances

PRIOR OFFICIAL RECORD

Other pending cases: 4% of the youths had cases pending

Currently under supervision: 12% of the youths were on probation

Number of prior referrals: nearly 27% of the youths had no priors, 14% had one, 12% had two, 8% had three, 20% had at least four.

Prior adjudications: 41% had none, 8% had one, 11% had two or more.

Prior DYS commitments: 9% had previously been committed to DYS

Prior probation: 10% had one, 4% had two or more

COURT REFERRAL

The source of referral was the police in 64% of the cases, school in 7%, DFS or other social agency in 10%, parent in 7%, juvenile court in 2%.

Number of violations: Most (64%) had referrals for only one violation, 10% for two violations, 5% for three or more.

Number of status offenses: One or more status offenses were noted in 29% of the cases.

The major allegation involved a felony for 24%, a misdemeanor for 39% and a status offense for 36% of the cases. The allegation was an assault for 14% of the cases, sexual assault for 2%, burglary for 5%, robbery for 3%, theft for 18%, drug offense for 2%, status offense for 36%, property damage for 14% and weapon offense for 3%.

Stage case left the system: 49% of the cases left at intake/placement, 16% completed disposition, 5% left at adjudication, 9% referral was rejected, 14% left at petition or first court appearance, 5% left at the disposition hearing, 1% were transferred to another circuit.

Reason case left the system: 34% were informally processed, 24% completed their cases, 37% were dismissed, 1% aged out.

Final decisionmaker of the case: judges decided the outcome of nearly 48% of the cases and juvenile officers decided 51% of the cases.

Evidence: There was evidence of a crime in the youth's possession in 39% of the cases

Witness: The youth was identified by a witness in 43% of the cases

Admission: Youth admitted involvement in 23% of the cases

Upset: Youth appeared upset at referral in 3% of the cases.

Demeanor: The youth was cooperative at referral in 22% of the cases, hostile in 1% and uncooperative but civil in 2%.

Threats: Youths made threats in 4% of the cases.

Remorse: At referral, youths showed remorse in 3% of the cases.

Amenable to treatment: Youths expressed willingness to have treatment in 3% of the cases.

Restitution: Youths expressed willingness to provide restitution in 3% of the cases.

Weapon: A weapon was present in 3% of the cases.

Property value: For the 253 property-related cases, the median dollar amount involved was \$100.

Victim: A victim was injured (including potentially) in 26% of the cases. Of the victims, 55% experienced no actual injury, 30% had minor harm, 13% were treated and discharged, 3% were hospitalized, none died. Of the victims, 41% were White youths and 59% were black.

Gang noted: Gang involvement occurred in 2% of the referrals.

Co-offenders were present in 26% of the cases

Parent willing: A parent or guardian expressed willingness to supervise the youth in 24% of the cases.

Parent able: A parent or guardian was considered able to supervise the youth in 23% of the cases

PROCESSING DECISIONS FOR MISSOURI YOUTHS

Type of placement: for 26% of the cases the referral was justified, but youths were released home; 34% were detained, 13% were dismissed.

Detention occurred for 34% of the cases.

Petition: 75% of the cases that reached this stage had petitions filed.

Petitions were filed outright in 37% of the cases, merged with other cases in 3%, requests for transfers in 1%, probation revocations in 1%, informally adjusted in 10% and dropped in 17%.

Seven percent of the cases had more than three court appearances

Two cases were certified or waived to criminal court

Informal Handling: 31% of all cases were processed informally.

Adjudication: 64% had an adjudication hearing

Parent at court: A parent or guardian was present at an adjudication or disposition hearing in 18% of the cases

Detention occurred for the general welfare of the youth in 36% of the cases, and to protect society from the youth in 5% of the cases.

Counsel was present for 27% of the cases .

Remorse: At a hearing, youths showed remorse in less than 1% of the cases.

Demeanor: At a hearing, youths appeared cooperative in 15% of the cases, hostile in 1% and civil in less than 1%.

Outcome: 17% adjudication for the most serious violation, 1% adjudication for a lesser charge, 10% dismissed or dropped, and 0% probation violation found.

For those adjudicated, 72% of the cases youths were considered amenable to treatment in (5% of all cases); welfare of the child was noted as a factor in 68% of the cases (4% of all cases); 22% noted protection of society (1% of all cases).

For those adjudicated, 32% involved more than one offense.

Disposition: 27% of those adjudicated were committed out-of-the home.

In home dispositions were given to 59% of the adjudicated cases (13% of all cases), 39% were placed out of home (9% overall), 2% were released outright (< 1% overall).

Of those with dispositions, the most restrictive types occurred as follows: 58% probation, 13% DYS, 2% non-DYS commitment, 0% restitution, 0% community service, 19% suspended commitment, 4% social service placement, 4% juvenile detention, 1% other therapy, 6% suspended sentence, and 4% mental health placement.

Of those with out of home commitments, 59% were DYS, 27% were private residential care, 1% were DFS, 2% were court residential care, 6% were placed with other relatives.

Of those with commitments to DYS, the average length was 9 months. The average length of other commitments also was 9 months.

Of those committed out-of-home, 66% received counseling or treatment, 16% received vocational training, 69% received educational assistance.

Probation: Of the cases with a disposition, 94% were placed on probation (13% overall).

Of the probation cases, 5% also were required to perform community service, 2% had vocational treatment, 94% educational programs, 47% had counseling/treatment.

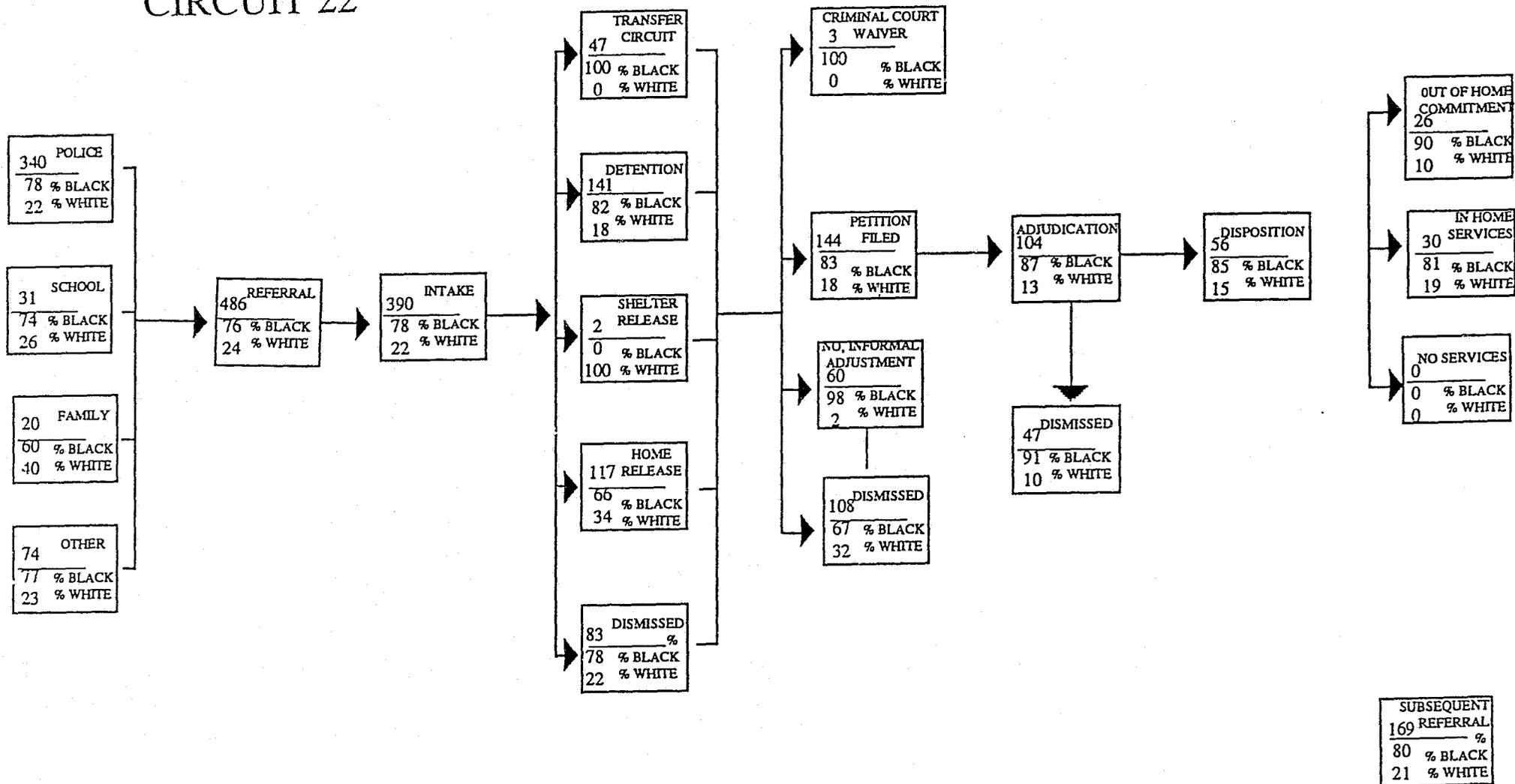
Probation was extended because of a new violation for 6% of those probation and 4% because of technical violations.

Probation was terminated for 63% because of successful conclusion, 30% revocation, 5% age of majority.

THE PERFORMANCE OF YOUTHS FOLLOWING A COURT REFERRAL

Recidivism: Subsequent referrals occurred within the study frame for 40% of all cases.

JUVENILE JUSTICE PROCESSING, CIRCUIT 22



**APPENDIX C5. CIRCUIT 33, SCOTT & MISSISSIPPI COUNTIES
(n=120)**

CHARACTERISTICS OF THE YOUTHS AND THEIR CASES

DEMOGRAPHICS

Race: 34% Black, 66% White youths

Gender: 74% male, 26% female

Family Structure: 50% live with their mother only, 24% live with both parents, 12% live with their mother and stepfather, 5% live with their father only.

Number of years of schooling: approximately 32% of the youths were in grades less than 7th, 22% were in 7th, 28% were in 8th, 18% were in 9th

Mental health problems: 13% of the youths had problems.

Physical problems: 4% of the youths had problems

Learning disability: 7% of the youths were disabled

Alcohol abuse: 7% of the youths abused alcohol

Drug abuse: 7% of the youths abused other substances

PRIOR OFFICIAL RECORD

Other pending cases: 10% of the youths had cases pending

Currently under supervision: 15% of the youths were on probation

Number of prior referrals: nearly 51% of the youths had no priors, 10% had one, 7% had two, 9% had three, 16% had at least four.

Prior adjudications: 76% had none, 10% had one, 3% had two or more.

Prior DYS commitments: 2% had previously been committed to DYS

Prior probation: 9% had one, 2% had two or more

COURT REFERRAL

The source of referral was the police in 77% of the cases, school in 6%, DFS or other social agency in 1%, parent in 6%, juvenile court in 6%.

Number of violations: Most (84%) had referrals for only one violation, 9% for two violations, 2% for three or more.

Number of status offenses: One or more status offenses were noted in 24% of the cases.

The major allegation involved a felony for 15%, a misdemeanor for 56% and a status offense for 28% of the cases. The allegation was an assault for 5% of the cases, sexual assault for 2%, burglary for 7%, theft for 46%, status offense for 25%, property damage for 5%.

Stage case left the system: 34% of the cases left at intake/placement, 53% completed disposition, 9% left at adjudication, 9% referral was rejected, 3% left at petition or first court appearance, 1% were transferred to another circuit.

Reason case left the system: 34% were informally processed, 54% completed their cases, 12% were dismissed.

Final decisionmaker of the case: judges decided the outcome of nearly 57% of the cases and juvenile officers decided 43% of the cases.

Evidence: There was evidence of a crime in the youth's possession in 40% of the cases

Witness: The youth was identified by a witness in 51% of the cases

Admission: Youth admitted involvement in 57% of the cases

Upset: Youth appeared upset at referral in 2% of the cases

Demeanor: The youth was cooperative at referral in 32% of the cases, hostile in 2% and merely civil in 1%.

Threats: Youths made threats in 1% of the cases.

Remorse: At referral, youths showed remorse in 9% of the cases.

Amenable to treatment: Youths expressed willingness to have treatment in 8% of the cases.

Restitution: Youths expressed willingness to provide restitution in 7% of the cases.

Weapon: A weapon was present in 3% of the cases.

Property value: For the 188 property-related cases, the median dollar amount involved was \$19.

Victim: A victim was injured (including potentially) in 1% of the cases. Of the victims, 96% experienced no actual injury. Of the victims, 44% were White youths and 56% were black.

Co-offenders were present in 39% of the cases

Parent willing: A parent or guardian expressed willingness to supervise the youth in 66% of the cases

Parent able: A parent or guardian was considered able to supervise the youth in 59% of the cases

PROCESSING DECISIONS FOR MISSOURI YOUTHS

Type of placement: for 80% of the cases the referral was justified, but youths were released home; 5% were detained, 8% were dismissed.

Detention occurred for 5% of the cases.

Informal Handling: 33% of all cases were processed informally.

Petition: 59% of the cases that reached this stage had petitions filed.

Petitions were filed outright in 50% of the cases, merged with other cases in 6%, informally adjusted in 27% and dropped in 12%.

For those with petitions, the average number of violations listed was 1, with a range of 3.

Adjudication:

Two percent of the cases had more than three court appearances

Parent at court: A parent or guardian was present at an adjudication or disposition hearing in 43% of the cases

Detention occurred for the general welfare of the youth in 4% of the cases, to protect society from the youth in 1% of the cases

Counsel was present for 11% of the cases

Demeanor: At a hearing, youths appeared cooperative in 14% of the cases

Outcome: 50% adjudication for the most serious violation, 4% adjudication for a lesser charge

For those adjudicated, 18% involved more than one offense (10% of all cases).

Disposition: 25% of those adjudicated were committed out-of-home.

In home dispositions were given to 74% of the adjudicated cases (40% of all cases), 25% were placed out of home (14% overall)

Of those with dispositions, the most restrictive types occurred as follows: 57% probation, 12% DYS, 6% non-DYS commitment, 9% restitution, 3% social service placement, 2% juvenile detention, 1% suspended sentence, and 2% mental health placement.

Of those with out of home commitments, 52% were DYS, 24% were private residential care, 11% were DFS, 13% with DMH.

Of those with commitments to DYS, the average length was 8 months. The average length of other commitments was 3 months.

Probation: Of the cases with a disposition, 75% were placed on probation (40% overall).

Of the probation cases, 36% also were required to perform community service, 3% had vocational treatment, 59% educational programs, 40% had counseling/treatment.

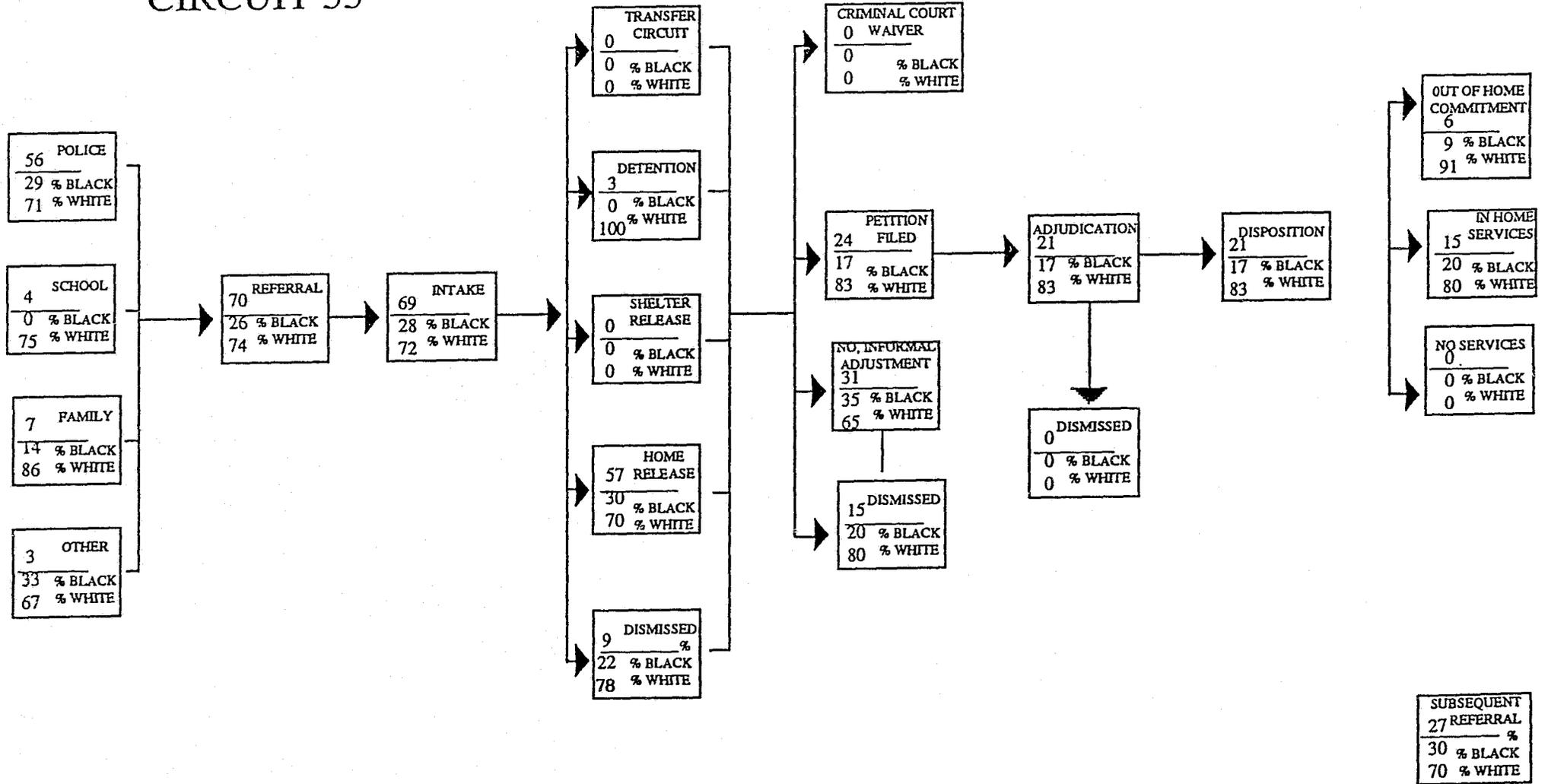
Probation was extended because of a new violation for 11% of those on probation

Probation was terminated for 56% because of successful conclusion, 33% revocation, 2% age of majority.

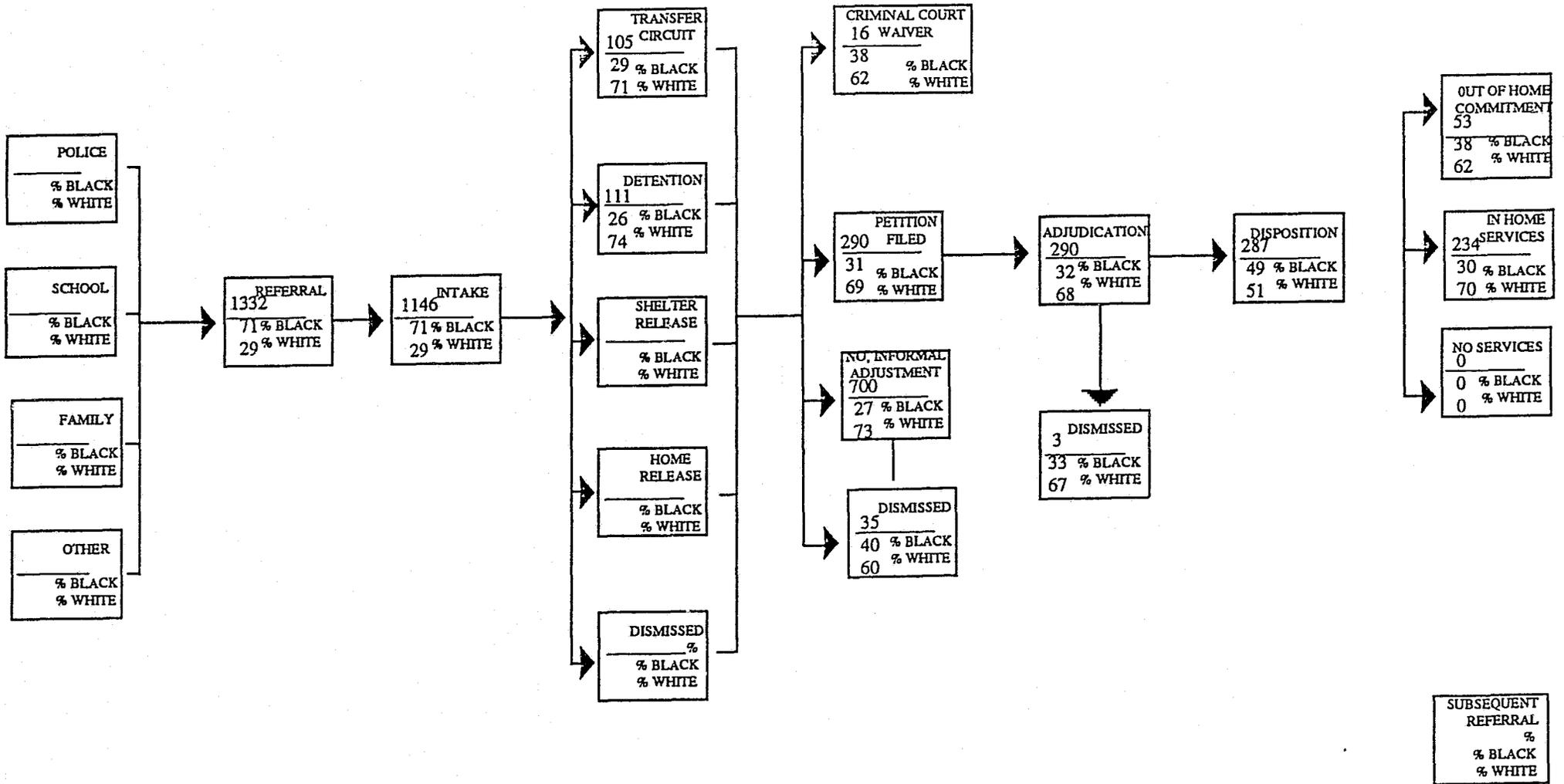
THE PERFORMANCE OF YOUTHS FOLLOWING A COURT REFERRAL

Recidivism: Subsequent referrals occurred within the study frame for 46% of all cases.

JUVENILE JUSTICE PROCESSING, CIRCUIT 33



SOCIAL SERVICE, Circuit 33



**APPENDIX C6. CIRCUIT 34, NEW MADRID & PEMISCOT COUNTIES
(n=441)**

CHARACTERISTICS OF THE YOUTHS AND THEIR CASES

DEMOGRAPHICS

Race: 76% Black, 25% White youths

Gender: 83% male, 17% female

Family Structure: 52% live with their mother only, 25% live with both parents, 5% live with their mother and stepfather, 2% live with their father only.

Number of years of schooling: approximately 9% of the youths were in < =7th grade, 25% 7th, 23% 8th, 22% 9th, 22% > = 10th

Mental health problems: 3% of the youths had problems.

Physical problems: 1% of the youths had problems

Learning disability: 8% of the youths were disabled

Alcohol abuse: 7% of the youths abused alcohol

Drug abuse: 7% of the youths abused other substances

PRIOR OFFICIAL RECORD

Other pending cases: 3% of the youths had cases pending

Currently under supervision: 2% of the youths were on probation

Number of prior referrals: nearly 58% of the youths had no priors, 10% had one, 6% had two, 7% had three, 15% had at least four.

Prior adjudications: 75% had none, 5% had one, 1% had two or more.

Prior DYS commitments: 3% had previously been committed to DYS

Prior probation: 4% had one

COURT REFERRAL

The source of referral was the police in 84% of the cases, school in 4%, DFS or other social agency in 1%, parent in 2%

Number of violations: Most (78%) had referrals for only one violation, 9% for two violations, 7% for three or more.

Number of status offenses: One or more status offenses were noted in 8% of the cases.

The major allegation involved a felony for 14%, a misdemeanor for 81% and a status offense for 5% of the cases. The allegation was an assault for 22% of the cases, homicide for only one case, burglary for 4%, robbery for < 1%, theft for 33%, drug offense for 2%, status offense for 5%, property damage for 19% and weapon offense for 1%.

Stage case left the system: 69% of the cases left at intake/placement, 19% completed disposition, 1% left at adjudication, 2% referral was rejected, 4% left at petition or first court appearance, 5% left at the disposition hearing, 1% were transferred to another circuit.

Reason case left the system: 64% were informally processed, 24% completed their cases, 8% were dismissed

Final decisionmaker of the case: judges decided the outcome of nearly 39% of the cases and juvenile officers decided 61% of the cases.

Evidence: There was evidence of a crime in the youth's possession in 23% of the cases

Witness: The youth was identified by a witness in 25% of the cases

Admission: Youth admitted involvement in 12% of the cases

Upset: Youth appeared upset at referral in 8% of the cases

Demeanor: The youth was cooperative at referral in 4% of the cases, hostile in 4% and merely civil in 0%.

Threats: Youths made threats in 1% of the cases.

Remorse: At referral, youths showed remorse in 2% of the cases.

Amenable to treatment: Youths expressed willingness to have treatment in 1% of the cases.

Restitution: Youths expressed willingness to provide restitution in 1% of the cases.

Weapon: A weapon was present in 5% of the cases.

Property value: For the 140 property-related cases, the median dollar amount involved was \$8.

Victim: A victim was injured (including potentially) in 15% of the cases. Of the victims, 73% experienced no actual injury. Of the victims, 40% were White youths and 60% were black.

Gang noted: Gang involvement occurred in 2% of the referrals.

Co-offenders were present in 17% of the cases

Parent willing: A parent or guardian expressed willingness to supervise the youth in 13% of the cases

Parent able: A parent or guardian was considered able to supervise the youth in 13% of the cases

PROCESSING DECISIONS FOR MISSOURI YOUTHS

Type of placement: for 78% of the cases the referral was justified, but youths were released home; 10% were detained, 8% were dismissed.

Detention occurred for 11% of the cases.

Informal Handling: 61% of all cases were processed informally.

Petition: 31% of the cases that reached this stage had petitions filed.

Petitions were filed outright in 24% of the cases, merged with other cases in 22%, informally adjusted in 54%

Four cases were certified or waived to criminal court

Adjudication: 93% had an adjudication hearing

Parent at court: A parent of guardian was present at an adjudication or disposition hearing in 3% of the cases

Detention occurred for the general welfare of the youth in 3% of the cases, to protect society from the youth in 1% of the cases

Counsel was present for 1% of the cases

Remorse: At a hearing, youths showed remorse in < 1% of the cases.

Demeanor: At a hearing, youths appeared cooperative in < 1% of the cases, hostile in 0% and civil in 0%.

Outcome: 23% adjudication for the most serious violation

For those adjudicated, 34% of the cases youths were considered amenable to treatment

For those adjudicated, 20% involved more than one offense (4% of all cases).

Disposition: 49% of those adjudicated were committed out-of-the home.

In home dispositions were given to 51% of the adjudicated cases (12% of all cases), 49% were placed out of home (11% overall)

Of those with dispositions, the most restrictive types occurred as follows: 36% probation, 35% DYS, 5% non-DYS commitment, 6% restitution, 9% social service placement

Of those with out of home commitments, 71% were DYS, 8% were private residential care, 20% were DFS.

Of those with commitments to DYS, the average length was 8 months. The average length of other commitments was 0 months.

Of those committed out-of-home, 72% received counseling or treatment, 62% received educational assistance.

Probation: Of the cases with a disposition, 72% were placed on probation .

Of the probation cases, 18% also were required to perform community service, 3% had vocational treatment, 58% educational programs, 40% had counseling/treatment.

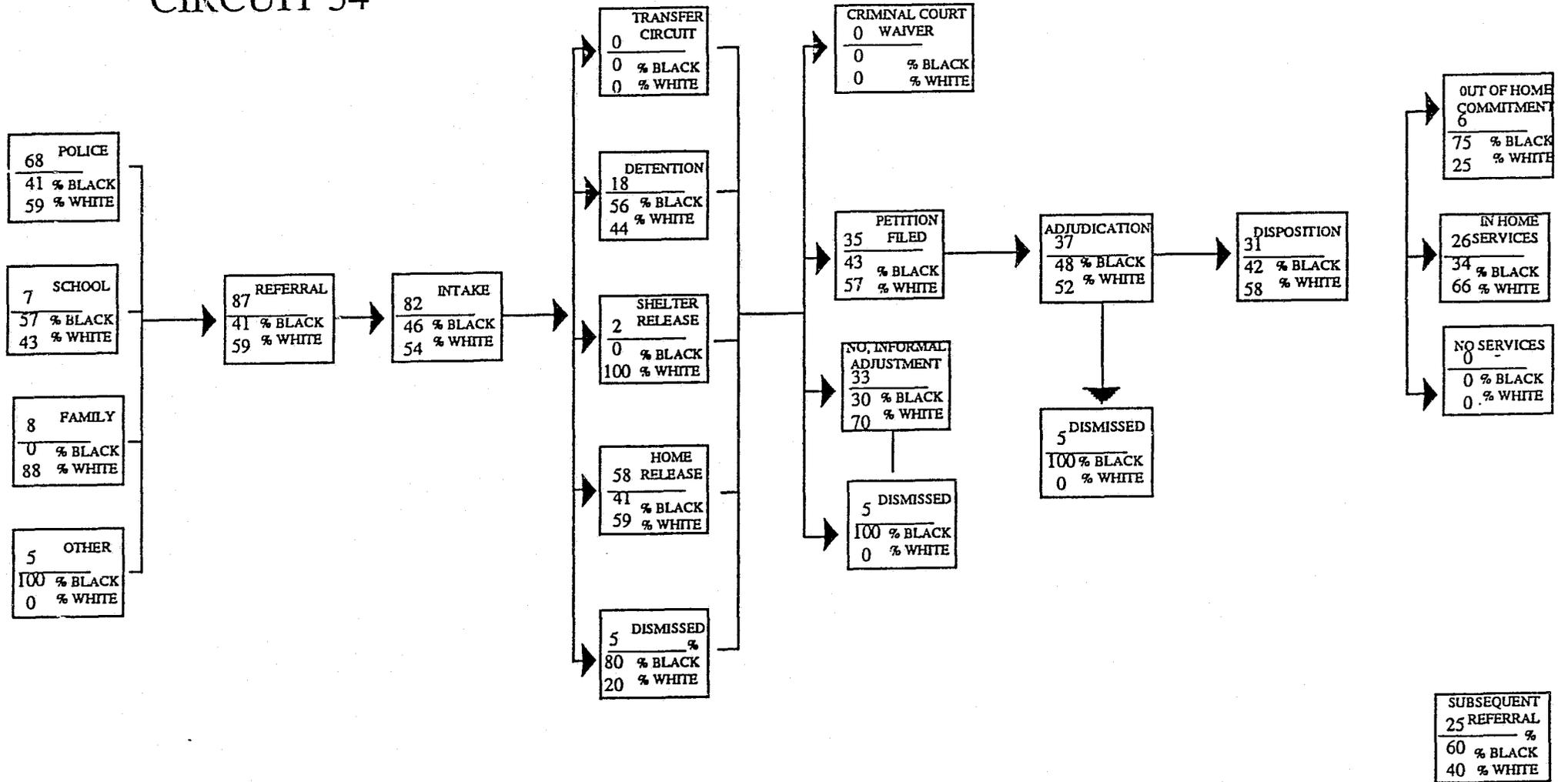
Probation was extended because of a new violation for 15% of those probation and 2% because of technical violations.

Probation was terminated for 58% because of successful conclusion, 35% revocation, 5% age of majority.

THE PERFORMANCE OF YOUTHS FOLLOWING A COURT REFERRAL

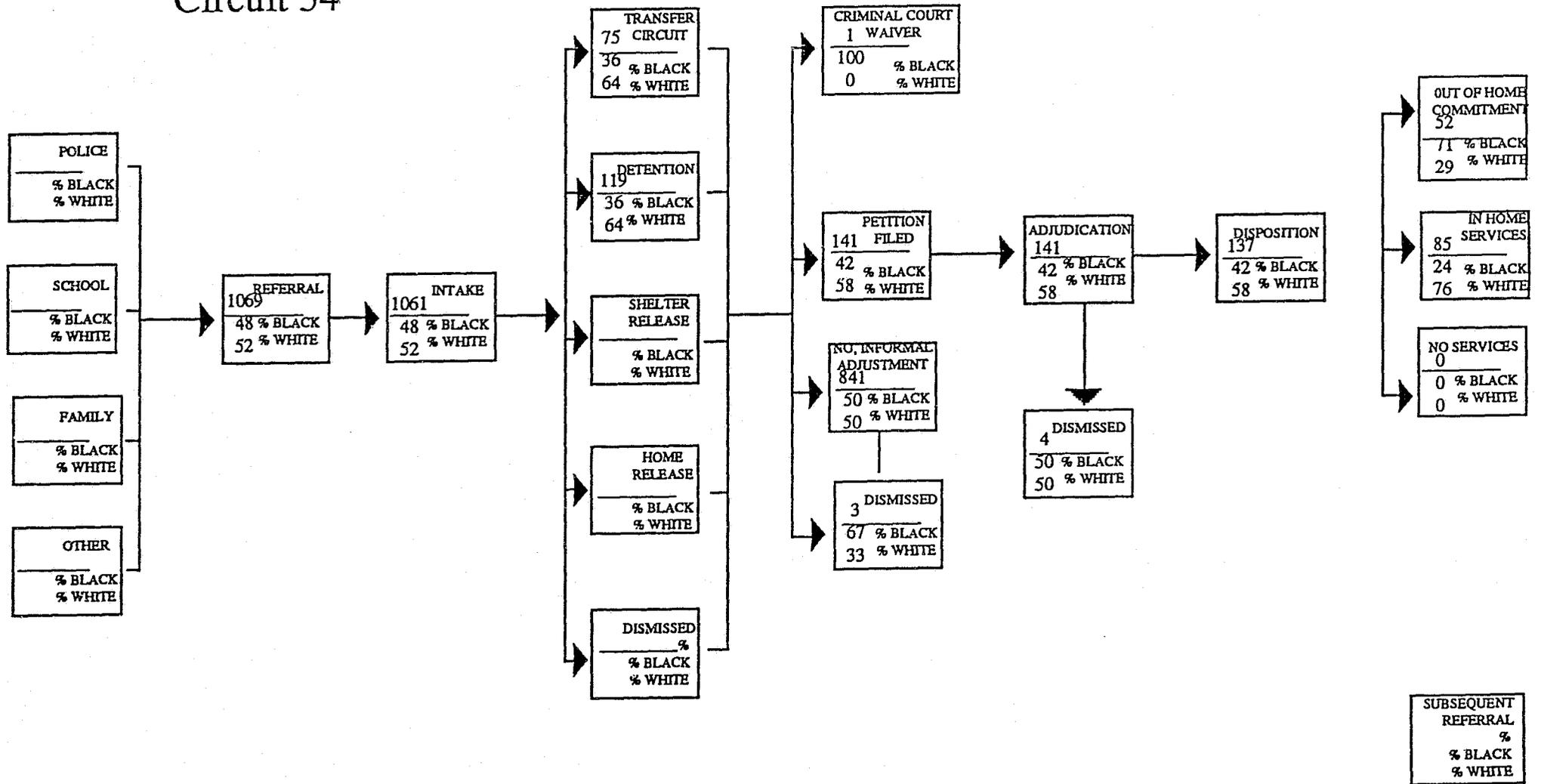
Recidivism: Subsequent referrals occurred within the study frame for 25% of all cases.

JUVENILE JUSTICE PROCESSING, CIRCUIT 34



SOCIAL SERVICE,

Circuit 34



**APPENDIX C7. CIRCUIT 35, STODDARD & DUNKLIN COUNTIES
(n=236)**

CHARACTERISTICS OF THE YOUTHS AND THEIR CASES

DEMOGRAPHICS

Race: 8% Black, 92% White youths

Gender: 74% male, 26% female

Family Structure: 9% live with their mother only, 28% live with both parents, 13% live with their mother and stepfather, 9% live with their father only.

Number of years of schooling: 11% less than 7th, 9% 7th, 38% 8th, 20% 9th, 22% > = 10th

Mental health problems: 5% of the youths had problems.

Physical problems: 3% of the youths had problems

Learning disability: 1% of the youths were disabled

Alcohol abuse: 21% of the youths abused alcohol

Drug abuse: 9% of the youths abused other substances

PRIOR OFFICIAL RECORD

Other pending cases: 5% of the youths had cases pending

Currently under supervision: 26% of the youths were on probation

Number of prior referrals: nearly 30% of the youths had no priors, 16% had one, 13% had two, 16% had three, 15% had at least four.

Prior adjudications: 51% had none, 20% had one, 11% had two or more.

Prior DYS commitments: 13% had previously been committed to DYS

Prior probation: 16% had one, 10% had two or more

COURT REFERRAL

The source of referral was the police in 43% of the cases, school in 6%, DFS or other social agency in 3%, parent in 7%, juvenile court in 3%.

Number of violations: Most (85%) had referrals for only one violation, 4% for two violations, 1% for three or more.

Number of status offenses: One or more status offenses were noted in 27% of the cases.

The major allegation involved a felony for 52%, a misdemeanor for 26% and a status offense for 1% of the cases. The allegation was an assault for 6% of the cases, sexual assault for 1%, burglary for 8%, theft for 22%, drug offense for 1%, status offense for 26%, property damage for 8% and weapon offense for 1%.

Stage case left the system: 44% of the cases left at intake/placement, 46% completed disposition, 3% referral was rejected, 6% left at petition or first court appearance, 1% left at the disposition hearing

Reason case left the system: 38% were informally processed, 48% completed their cases, 7% were dismissed

Final decisionmaker of the case: judges decided the outcome of nearly 60% of the cases and juvenile officers decided 40% of the cases.

Evidence: There was evidence of a crime in the youth's possession in 15% of the cases

Witness: The youth was identified by a witness in 34% of the cases

Admission: Youth admitted involvement in 22% of the cases

Upset: Youth appeared upset at referral in 5%.

Demeanor: The youth was cooperative at referral in 6% of the cases, hostile in 3% and merely civil in 0%.

Threats: Youths made threats in < 1% of the cases.

Remorse: At referral, youths showed remorse in 0% of the cases.

Amenable to treatment: Youths expressed willingness to have treatment in 0% of the cases.

Restitution: Youths expressed willingness to provide restitution in 2% of the cases.

Weapon: A weapon was present in 2% of the cases.

Property value: For the 91 property-related cases, the median dollar amount involved was \$8.

Victim: A victim was injured (including potentially) in 16% of the cases. Of the victims, 70% experienced no actual injury, 24% had minor harm, 6% were treated and discharged. Of the victims, 71% were White youths and 29% were black.

Co-offenders were present in 15% of the cases

Parent willing: A parent or guardian expressed willingness to supervise the youth in 40% of the cases

Parent able: A parent or guardian was considered able to supervise the youth in 40% of the cases

PROCESSING DECISIONS FOR MISSOURI YOUTHS

Type of placement: for 20% of the cases the referral was justified, but youths were released home; 47% were detained, 3% were dismissed.

Detention occurred for 48% of the cases.

Detention occurred for the general welfare of the youth in 26% of the cases, to protect society from the youth in 1% of the cases, the youth from him/herself in <1% of the cases, and the youth from others in 2% of the cases.

Informal Handling: 34% of all cases were processed informally.

Petition: 59% of the cases that reached this stage had petitions filed.

Petitions were filed outright in 46% of the cases, merged with other cases in 1%, requests for transfers in 2%, probation revocations in 0%, informally adjusted in 26% and dropped in 7%.

For those with petitions, the average number of violations listed was 1, with a range of 11.

Three cases were certified or waived to criminal court

One percent of the cases had more than three court appearances

Parent at court: A parent or guardian was present at an adjudication or disposition hearing in 6% of the cases.

Counsel was present for 5% of the cases

Remorse: At a hearing, youths showed remorse in 4% of the cases.

Demeanor: At a hearing, youths appeared cooperative in 18% of the cases, hostile in 1% and civil in 1%.

Outcome: 40% adjudication for the most serious violation, 7% dismissed or dropped, and 3% probation violation found.

For those adjudicated, 35% of the cases youths were considered amenable to treatment, welfare of the child was noted as a factor in 86% of the cases

For those adjudicated, 6% involved more than one offense

Disposition: 36% of those adjudicated were committed out-of-the home.

In home dispositions were given to 61% of the adjudicated cases (27% of all cases), 36% were placed out of home (16% overall), 3% were released outright (1% overall).

Of those with dispositions, the most restrictive types occurred as follows: 50% probation, 25% DYS, 4% non-DYS commitment, 9% restitution, 5% social service placement, 3% juvenile detention

Of those with out of home commitments, 66% were DYS, 4% were private residential care, 25% were DFS, 5% were placed with other relatives.

Of those with commitments to DYS, the average length was 5 months. The average length of other commitments was 7 months.

Of those committed out-of-home, 0% received counseling or treatment, 0% received vocational training, 14% received educational assistance.

Probation: Of the cases with a disposition, 94% were placed on probation

Of the probation cases, 0% also were required to perform community service, 0% had vocational treatment, 24% educational programs, 23% had counseling/treatment.

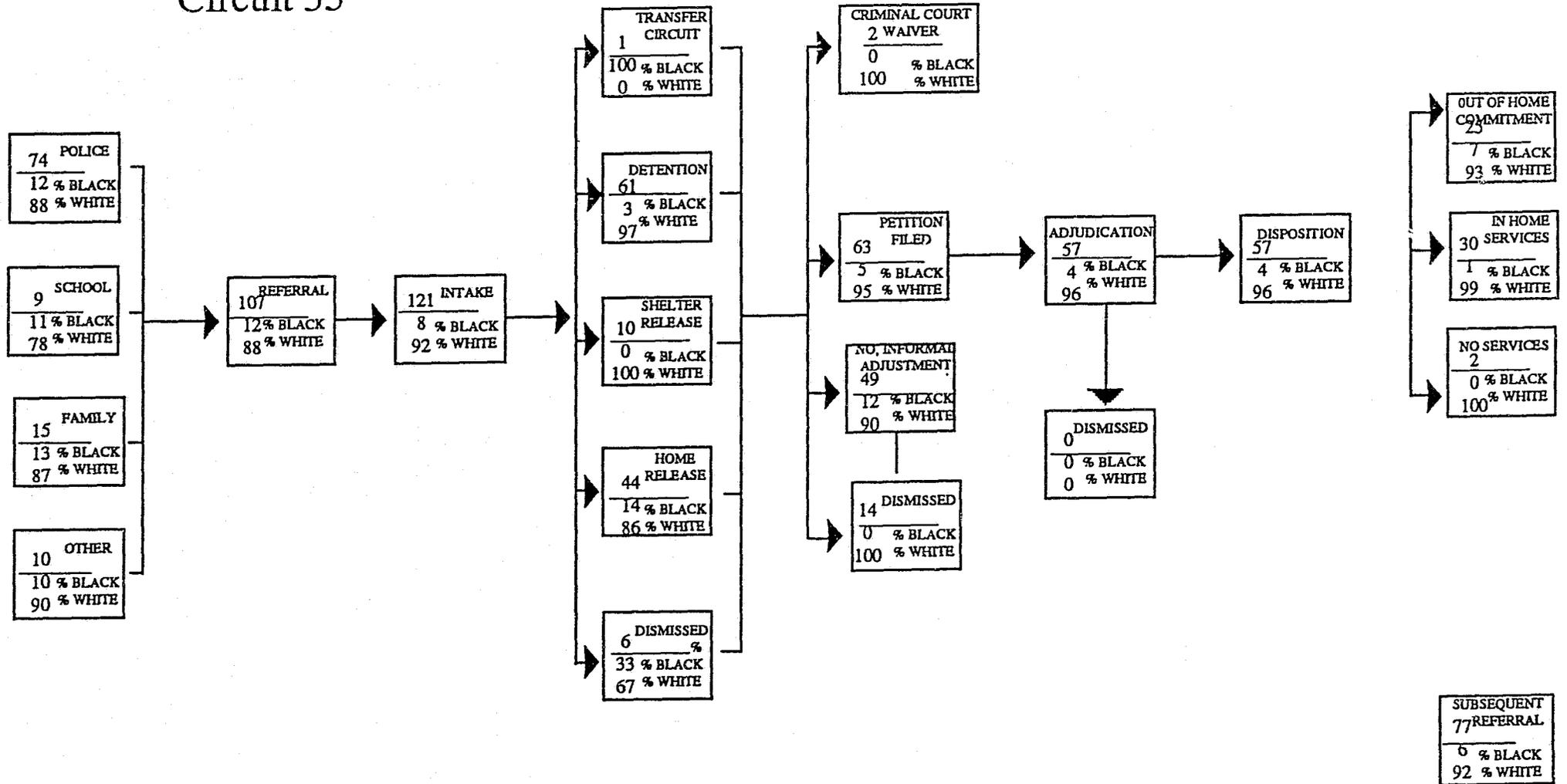
Probation was extended because of a new violation for 15% of those probation and 4% because of technical violations.

Probation was terminated for 59% because of successful conclusion, 28% revocation, 5% age of majority.

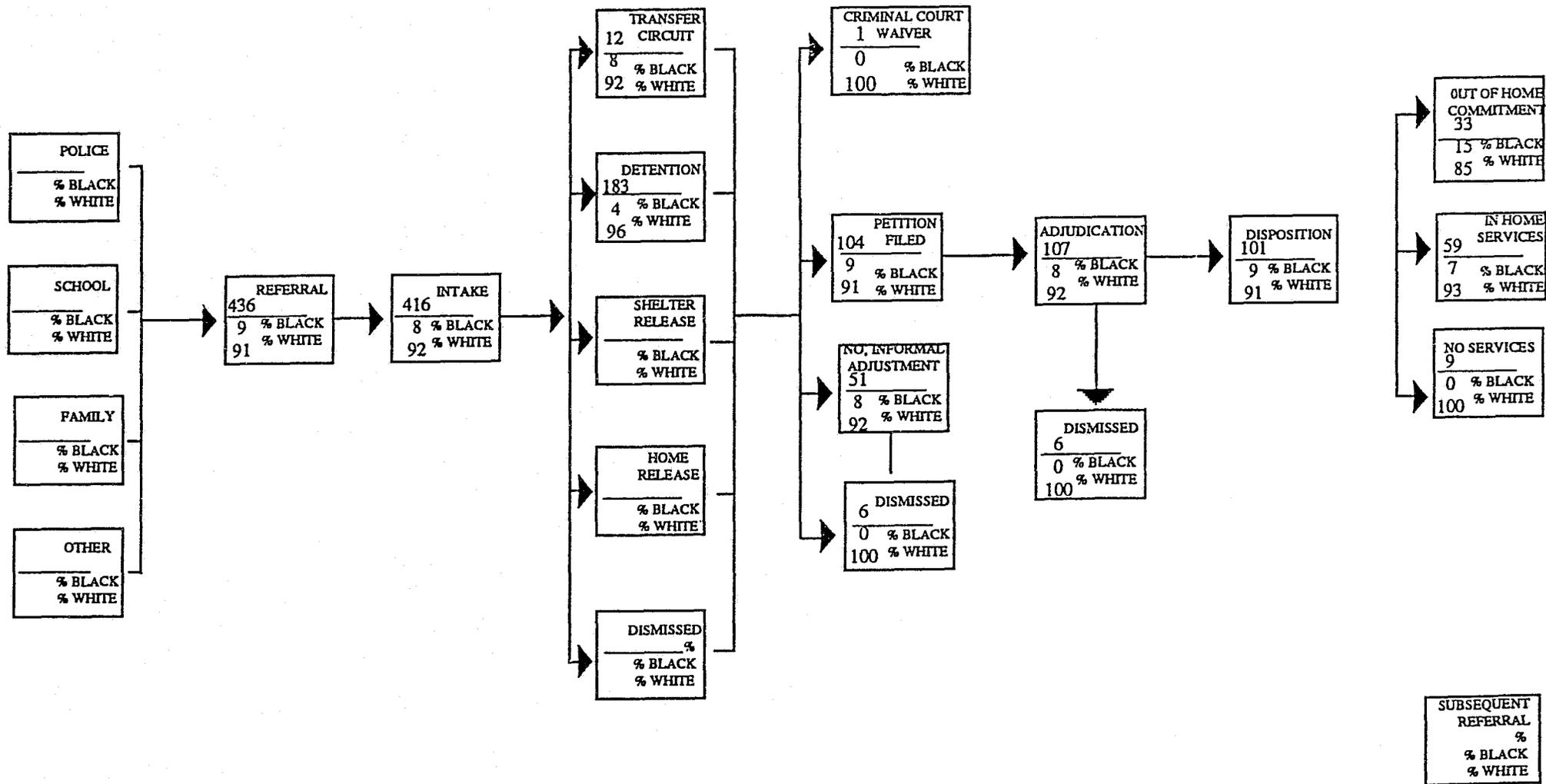
THE PERFORMANCE OF YOUTHS FOLLOWING A COURT REFERRAL

Recidivism: Subsequent referrals occurred within the study frame for 48% of all cases.

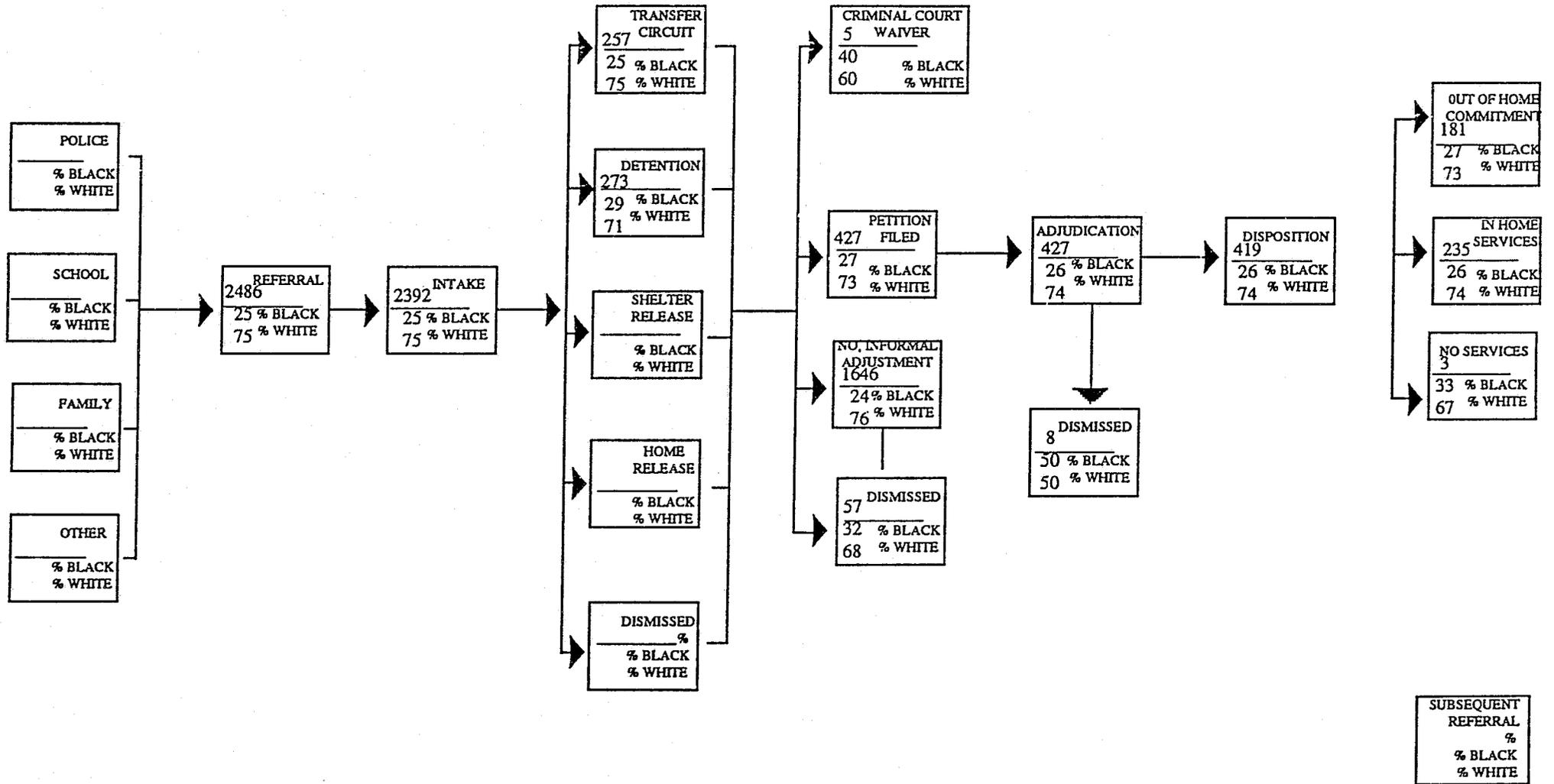
JUVENILE JUSTICE PROCESSING Circuit 35



SOCIAL SERVICE, CIRCUIT 35



SOCIAL SERVICE, CIRCUIT 13



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