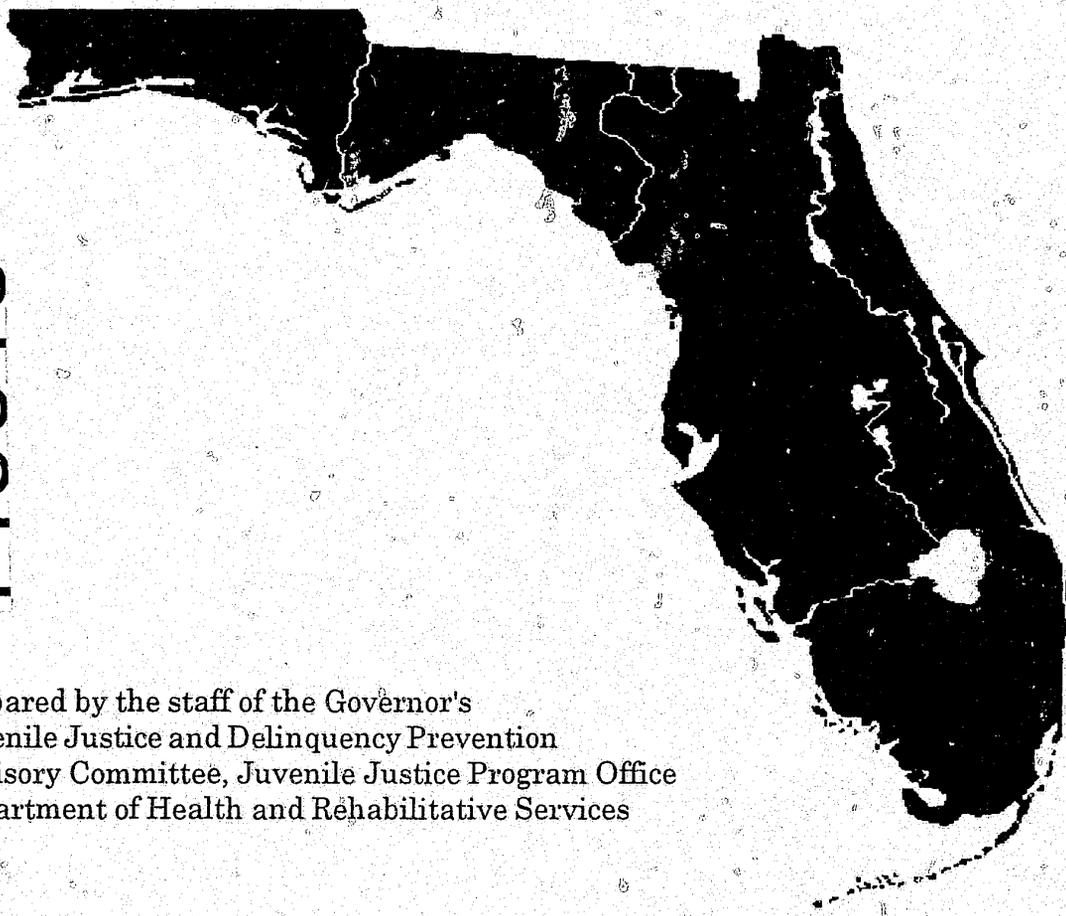


**MINORITY OVER - REPRESENTATION  
INITIATIVE FOR FLORIDA  
PHASE I FINAL REPORT**

149513



Prepared by the staff of the Governor's  
Juvenile Justice and Delinquency Prevention  
Advisory Committee, Juvenile Justice Program Office  
Department of Health and Rehabilitative Services

Lawton Chiles  
Governor

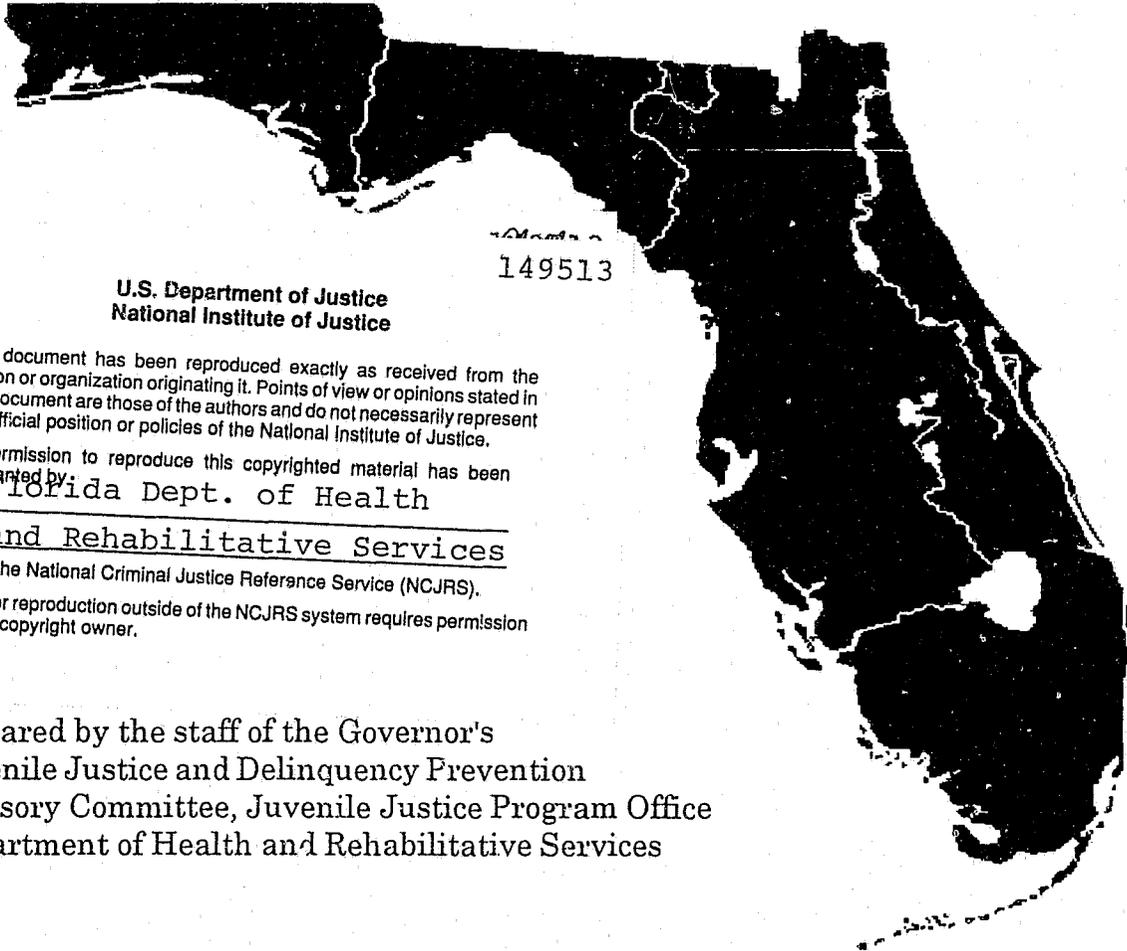
JULY 1993

H. James Towey  
Secretary



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Prepared by the staff of the Governor's  
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Advisory Committee, Juvenile Justice Program Office  
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Lawton Chiles  
Governor

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*This report is dedicated in memory of Deborah Wysinger*

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**MINORITY OVER-REPRESENTATION INITIATIVE FOR FLORIDA**

**Governor's Juvenile Justice and Delinquency Prevention (JJDP) Advisory Committee,  
Juvenile Justice Program Office,  
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## PREFACE

The Juvenile Justice and Delinquency Prevention (JJDP) Act was reauthorized and amended by Congress in 1988. Some of the changes made affected those states participating in Formula Grant Plans administered by the Office of Juvenile Justice and Delinquency Prevention of the Department of Justice (OJJDP). The amendment and implementing regulations required each of these states to assess the over-representation of minority juveniles confined within all types of secure facilities and design a plan of action to alleviate the problem.

In October of 1991, the JJDP program of Florida's Health and Rehabilitative Services Department (HRS) applied for and received a categorical grant from the Office of Juvenile Justice and Delinquency Prevention to support a program entitled the Minority Over-Representation Initiative for Florida. An inter-agency work group was formed that continues to provide significant input into the management of the grant. The purpose of Phase I of the grant was to identify the extent and nature of over-representation of minorities in the juvenile justice system. The purpose of Phase II of the grant is to develop program strategies and practical guidelines to respond to the problem and to evaluate the effectiveness of these approaches. For this report, the research portion of this grant and the activities it supported will be referred to as Phase I of the Initiative. In April of 1993, JJDP applied for and received the second (Phase II) discretionary grant. The implementation of a response to address the over-representation of minorities in Florida's juvenile justice system will be referred to as Phase II of the Initiative.

This report encompasses the results of a Phase I study to assess the over-representation of minority juveniles not only confined within secure facilities, but also their relative representation among all dispositions available to the juvenile justice system. The study included an examination of minority group distributions at each stage of the juvenile offender intake process. Data were analyzed not only at the state level, but also by HRS districts, and by counties. Included in the report are recommendations for systematic changes based on the findings. The compilation of this information has assisted Florida in defining the problem of minority over-representation, in collecting information, and in formulating the response for Phase II of the discretionary grant.

Phase II of this initiative will develop, establish and demonstrate a coordinated network of services for minority children and families at a site chosen on the basis of a high degree of minority over-representation. The final chapters of this report include a description of such a site, and a pilot intervention designed to address the minority over-representation found.

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**THE MINORITY OVER-REPRESENTATION INITIATIVE FOR FLORIDA  
PHASE I FINAL REPORT**

**TABLE OF CONTENTS**

Preface .....	i
Table of Contents .....	ii
Executive Summary.....	iii to iv
Chapter I     Introduction .....	1
Chapter II    Literature Review .....	3-7
Chapter III   Description of Florida's Juvenile Justice System .....	8-9
Chapter IV    Method .....	10-14
Chapter V     General Summary of Statewide Findings .....	15-33
Chapter VI    District Summary of Findings.....	34-51
Chapter VII   Phase II Project Analysis .....	52-70
Chapter VIII  Description of Phase II Pilot Project .....	71-72
Chapter IX    Recommendations .....	73-76
Bibliography .....	77-81

All appendices referenced in this publication may be obtained by contacting

the Office of Juvenile Justice Programs at (904) 488-3302.

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## EXECUTIVE SUMMARY

During this investigation of minority over-representation in Florida's juvenile justice system, 61,893 of 1.3 million public school children between the ages of 10 and 17 were referred to the delinquency system. Approximately 50% were Caucasian, 33% were African-American, 10% were Hispanic, and less than 3% were Asian-Pacific Islander or Native American. The purpose of the investigation was to explore juvenile justice decision making as it relates to the race of youths referred to the system from April 1991 through March 1992.

Several lines of inquiry were followed to determine the nature of over-representation, across the state, by county and by Health and Rehabilitative Services (HRS) district. Two ancillary investigations also examined data not readily obtainable in any of the Florida delinquency system's data sets. One investigation examined perceptions of HRS juvenile justice case managers with regard to seriousness of offenses. A second investigation explored some of the circumstances of youth referrals which influenced decisions made at referral and beyond, as individuals moved through the juvenile justice process. General findings of these investigations are presented in the following summary:

### *Findings at the State Level*

- Statewide, African-American youths were referred to the juvenile justice system at rates disproportionately higher than those of members of other ethnic groups studied in this investigation (except Native Americans, whose small numbers resisted reliable trend analysis).
- Caucasian, Hispanic and Asian-Pacific Islander youths who were referred to the delinquency system tended to follow similar trends at most stages of the juvenile justice process.
- When representation by race was examined for each stage of the juvenile justice process, regardless of rural, urban, or suburban setting, African-American youths tended to be over-represented at every stage of the process.

### *Findings from Hillsborough County Study*

- Higher percentages of African-Americans received the harshest dispositions, controlling for offense seriousness and prior record.
- African-Americans referred for the most serious offense categories (felonies) tended to receive harsher dispositions (for example, waiver to adult court, or commitment to an HRS facility such as a training school) when compared with Caucasians, who were most likely to receive JASP dispositions.

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- School absence correlated positively with the total number of referrals in a youth's delinquency record, except for African-Americans, for whom the trend was negative (i.e., more absences were associated with fewer referrals). Females referred to the delinquency system in 1991-92 were absent from school more frequently, on average, than were their male counterparts.
  - When school disciplinary action was examined for youths in the 1991-92 delinquency population, higher percentages of African-Americans received out-of-school suspension as a consequence of their behavior than members of other racial groups.
  - The largest proportion of delinquency referrals in 1991-92 were made for youths in grades 8 through 10. African-American youths were most frequently referred as 8th graders and Hispanic and Caucasian youths were most frequently referred as 9th graders.
  - With regard to HRS intake case manager perceptions of offense seriousness, female intake staff tended to assign higher seriousness ratings to offense categories than did males. African-American female staff assigned the highest average ratings for all groups by race.
  - An analysis of the relation between the race of the complainant/victim of a delinquent act and the race of the juvenile referred revealed that when the complainant was Caucasian, African-American youths were more likely to be formally referred, detained and adjudicated than were Caucasian youths when the complainant was African-American.
  - Delinquent youths who were eligible for AFDC/Food Stamp assistance accounted for more than 40% of all public school youths who were referred to Florida's juvenile justice system during 1991-92.

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## CHAPTER I

### Introduction

As states have begun investigation sources of minority over-representation within their juvenile justice systems, findings have suggested that at some stages of the delinquency system, racial bias may play a role in the increase in the number of non-Caucasian youth who populate detention centers and commitment facilities. As one of the first states to undertake such an investigation in 1988, Florida discovered disturbing state-wide trends in the legal treatment of juveniles. In 1991, continuing the investigative process, Florida joined a five-state consortium sponsored by the U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention, to look more closely at sources contributing to minority over representation within its juvenile justice system.

Known as the Minority Over-Representation Initiative, the project has been conceived in two phases: Phase I was designed to locate and describe over-representation at the various stages of juvenile justice processing. Phase II of the project was designed to be an action phase, in which findings of Phase I were to be used to develop trial intervention strategies intended to address the problem of minority over-representation at the local level.

To discern likely sites for Phase II intervention, Florida's investigative strategy was three-fold. First, a flow-chart analysis of youth as they pass through each stage of the juvenile justice system during a sixteen month period in 1991-1992 was performed at the county level for each of the state's 67 counties. This analysis relied heavily on Florida's highly-automated data-gathering system. Second, some of the issues associated with the decision to process a child into the delinquency system were examined. Special attention was focused on the pre-intake stage where the child had an encounter with a law enforcement officer who decides on formal referral and release. This analysis relied heavily on a review of records at local jurisdictions. Finally, a site for potential Phase II intervention was to be selected to provide a case analysis of the available delinquency data and other information in that locale to aid planners in the implementation of local intervention strategies.

Before the Phase I research plan could be implemented problems required resolution. In an earlier Florida study of minority over-representation conducted for the Florida Supreme Court, race categories of the juvenile were limited to African-American and Caucasian. Important information on delinquency trends among Florida's Hispanic youth, comprising approximately 15% of the population, was unavailable to that study. To resolve this problem, negotiations with the Florida Department of Education, which has also compiled its own automated data set on 1.3 million children enrolled in Florida's public schools, enabled project researchers to conduct an automated data join. This

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process yielded not only race information on the 61,120 youth captured in the delinquency system data set, but it also captured academic background variables. The variables captured included performance, conduct, physical and emotional exceptionally, and discipline variables.

The result of this unprecedented state-level, interagency cooperation is one of the richest data sets ever compiled for a delinquency population and a basis for renewing the information annually through future interagency collaboration.

The second problem was the destruction caused by Hurricane Andrew. Responding to this disaster delayed the complete gathering of race and school data from the Florida Department of Education by five months. Unfortunately, before the Department's annual statistical report could be compiled, data had to be collected from all counties, including devastated Dade County, Florida's most populous and most Hispanic county. Although the compressed time line caused by this delay has limited the opportunity for data clean up and analysis, the following report provides reliable demographic data at both the state and county levels for more than 60,000 school children who entered Florida's juvenile justice system in 1991-92. This report provides findings which further illuminate the issues associated with minority over-representation in Florida.

Chapters II and IV provide a brief review of relevant issues and the methodology guiding this examination. Chapter III provides a description of Florida's Juvenile Justice System. Chapter V highlights a general summary of the statewide findings and Chapter VI provides a summary of Florida's Health and Rehabilitative Services (HRS) Districts. Chapter VII lists the Phase II Project Analysis and Chapter VIII gives a Description of the Phase II Pilot Project. This information is followed by a list of Recommendations in Chapter IX.

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## CHAPTER II

### Literature Review

In the past decade, investigations of racial bias in state juvenile justice systems have begged the question whether bias exists, and explore how and where bias in the system might be manifested. Investigations in Pennsylvania, Missouri, New York, Iowa, Florida and Alaska have previously uncovered evidence of racial bias at various stages of processing in their delinquency systems. Other OJJDP Minority Over-Representation Initiative, investigations are nearing completion in Arizona, Oregon, Iowa and North Carolina.

#### *Discerning Racial bias in the Juvenile Justice System*

Cohen and Kluegel (1978) have suggested three methods for drawing conclusions about the existence of racial bias in the juvenile justice system:

1. By observing direct effects of race (and class) such that non-Caucasians receive more severe dispositions, while controlling for legal factors such as offense seriousness and prior delinquency history.
2. By determining an interaction between race and legal factors which may indicate minorities receive harsher dispositions for the same legal factors.
3. By observing indirect race effects through other factors considered "race stereotypical" (e.g., the higher rate of single-parent households in some minority communities correlated with harsher dispositions).

To insure that race effects in processing can be appropriately identified, many recent examinations have employed multivariate analysis in an attempt to control, not only for legal factors, but also for extralegal factors such as youth demographics, family make-up, and family socio-economic status. Exercising these controls, Kempf (1992) found in an investigation of Pennsylvania's juvenile justice system that the youth's race was a factor in the differential treatment of minorities at all stages of the process except adjudication. In another examination of Iowa courts using multivariate techniques, Leiber (1992) found that African-American youth and to a lesser extent Hispanic youth, received harsher dispositions than were given to Caucasians. And, in an earlier review of Florida's juvenile justice system, Frazier and Bishop (1990) concluded that African-Americans were more likely to be recommended for formal processing, referred to adult court, adjudicated delinquent, and given generally harsher dispositions than were Caucasian youth. These findings in Florida echoed Fagan, Slaughter and Harstone (1987), who observed that race of the youth influenced decisions to apprehend, detain, formally charge, adjudicate and punish youth accused of a range of offenses.

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Traditionally, many such studies have tended to focus almost exclusively on the attributes of the delinquent youth or his/her background, to the exclusion of the system's decision-makers, through whose decisions racial bias would manifest. Aside from considerations of the decision-makers' race and gender attributes, some have suggested that there may be inherent systemic attitudes associated with various roles played by decision-makers at different levels of juvenile justice processing: e.g., law enforcement, intake case workers, state's attorneys, and judges. For example, Farnsworth, Frazier and Neuberger (1988) have suggested that certain juvenile justice work roles at different stages of the delinquency system reflect a range of orientations toward the treatment of youthful offenders, depending on whether one serves in roles associated with law enforcement, adjudication, public defender roles, or rehabilitation. Depending on that role, the authors suggest, one would be apt to adhere to a remedial/rehabilitation philosophy treatment (e.g., intake case workers, public defender's office) or to a just deserts model (e.g., law enforcement officers, state's attorneys and judges). Furthermore, these philosophies are modified by factors such as level of education (e.g., lower levels of education tend to be associated with the just deserts model) and subject area of training (social sciences tend to be associated with the rehabilitation model; whereas other fields, just deserts).

With regard to how racial bias may be manifested through roles in individual instances of decision-making, it has been suggested that the roles and stages of the process where discretion in decision-making is greatest are the points at which bias is most likely to have an effect. Dannefur and Schutt (1982) have argued that the law enforcement officer has the greatest discretion. Hagan, Gillis and Chen (1978) have concurred, observing that the police officers' decision to arrest a youth might depend on the participant's demeanor as much as any other factor. However, once the youth is referred to an intake facility, as McElrath and Poulos (1988) point out, there is also considerable discretionary flexibility inherent in the intake manager's range of decisions (e.g., having a role in the decision to detain or not detain a child) or in recommending the child for formal or informal processing into the system. Where this discretion is apparent, Frazier and Bishop (1990) did find bias at the intake stage. The decision to detain or to release a youth, made in consideration of an intake case manager's recommendation, has been found to be influential in determining the ultimate disposition of juveniles (Bailey & Peterson, 1981; Clarke & Koch, 1980), although racial bias has not played a consistent role in detention decisions per se (McCarthy & Smith, 1986). However, keeping in mind Cohen and Kluegel's third criterion, detention decisions may also be masked by racial stereotyping effects, such as the propensity to detain youth from single-parent households. This is more prevalent in minority communities when legal variables such as offense severity and prior delinquency history are controlled. Even when a legal variable such as prior delinquency history is statistically controlled, indirect race effects in determining prior record may have been masked. For example, police patrol patterns in some minority communities may contribute to rates of arrest for minority juveniles. In making this point, Sampson (1986) has warned against what Farrell and Swigert (1978) have labeled

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amplification bias. They attest that "if socioeconomic factors systematically structure the police apprehension and court referral of juvenile delinquency in the general population, such biases will ultimately translate into differences in prior record, the variable that usually predicts sentence severity" (p. 876). We would also add the detention decision to this.

### *Specification Issues*

There are fundamental problems associated with the procedural mechanics of research in the area of juvenile justice. The validity of any investigation into minority over-representation in juvenile justice is only as good as the model which focuses the analysis, the operational validity of the variables specified by the model, and the data which informs the study. It is on these issues that there is perhaps the greatest debate, especially with regard to issues of variable specification and definition. For example, in consideration of legal variables ( e.g., seriousness of referral ) there have been a large number of definitions and coding schemes (McCarthy & Smith's, 1986 ) Most often these are operationally defined as a dichotomous variable (Frazier and Bishop, 1988); or (Kempf, 1992). Other studies have ranked categories of disposition by weight of the consequence in an attempt to change the variable from categorical to ordinal (McElrath & Poulos, 1988).

Problems arising from the variety of coding schemes are not solely related to issues of construct validity. Different schemes have also made it difficult to make true comparisons of results in racial bias studies employing the same variables with different operational definitions (Messner and Golden, 1991). For instance, although with the advent of more sophisticated multivariate analysis procedures employed in recent studies which leads to greater consistency in findings of minority over-representation, there still remains sufficient inconsistency to reconsider specification issues where legal factors are concerned. For example, Kempf (1992) cites 15 studies which found evidence of racial bias in the delinquency system and 13 which did not.

If the difficulty of appropriate specification is a problem in defining legal constructs and variables (where there is at least some systemic similarity from state to state with regard to the structures of juvenile justice), the problems associated with choice and specification of extra-legal factors seem almost insurmountable. Perhaps the best example of the depth of the problem was provided by Tittle and Meier's (1987) meta-analysis of studies employing measures of socio-economic status as an influence on juvenile delinquency, in which they discovered a sufficient number of inadequacies which led them to conclude, "Criminologists seem no closer today than fifty years ago to understanding the relationship between social class and crime" (p. 271).

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### *Guidelines for the Conduct of Delinquency Research*

To guide the research through the tasks of appropriate model and variable specification, Pope and Feyerherm (1991) have identified some fundamental issues with which researchers should contend regardless of theoretical orientation. In delinquency research investigators should:

1. Beware of the masking effects of data aggregation (e.g., geographic, period of time, offense and disposition categories), since disparities in treatment by race are often lost in the process.
2. Consider that the decisions made at different stages of the juvenile justice process (e.g., the decision to detain) have the potential to influence subsequent decisions (e.g., adjudication), and therefore the focus of analysis should be the process.
3. Extend their focus of research to consider pre-intake events such as the encounter with law enforcement.
4. Use research designs which combine quantitative and qualitative methods.
5. Employ multivariate analysis to better identify the effects of individual variables and variable subsets, when controlling for others.
6. Be sensitive to community and organization context.
7. Expand the focus of analysis to include several minority groups.
8. Consider the youth's family context (e.g., single-parent households).
9. Consider that the treatment of youth in rural and suburban contexts may differ from treatment in the urban setting, and that analysis should examine these effects by context.
10. Be aware of the effects of diminishing non-random samples as youth are processed further into the juvenile justice system.

### *Conclusion*

The Florida initiative addresses each of these issues as well as model and variable specification issues. The purpose of the methodology is to be comprehensive in the investigation and to build models which consider a broad context of theoretical effects. To that end, there is a data retrieval structure in place for current and future studies

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incorporating the legal variables associated with official decision-making in Florida's juvenile justice system. In addition, a host of data elements which offer demographic and biographical background on youth in the system, their family backgrounds and histories, and for certain decision-makers who are also a part of the system, are included in the database. With the addition of a multitude of school performance and conduct variables provided annually by the Florida Department of Education, and access to child abuse/neglect data currently under negotiation, it should be possible to integrate many or all of the guidelines suggested by Pope and Feyerherm (1991) into a comprehensive research design.

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## CHAPTER III

### Description of Florida's Juvenile Justice System

The following discussion briefly illustrates the various stages of Florida's juvenile justice system. It should be noted that there is some variability in procedure among the various court jurisdictions in the state of Florida. This chapter is offered as an introduction to normal procedures followed within the system.

#### *Taking a Child into Custody*

Once contact is made, each law enforcement officer must make the decision as to whether or not the juvenile in question should be taken into custody. A few of the factors which can affect this decision include the severity of the offense, prior contact with the juvenile, the juvenile's demeanor and the attitude or wishes of the complainant. The officer generally issues an arrest form which is submitted to the County Clerk's Office, then forwarded from there to the State's Attorney's Office and Delinquency Intake at HRS. No data available to this study is retained on juveniles who are not taken into custody.

#### *Intake Processing*

Once an arrest form has been filed, juveniles are usually processed by Delinquency Intake. At this point, two decisions must be made. The first is the decision with regard to the detention status of the juvenile. The second is a recommendation with regard to the judicial handling.

*Detention placement.* Options here include release to parents, in-home detention, and secure detention. The delinquency intake case worker completes the Risk Assessment Instrument (RAI) to determine which action should be taken that is in the best interest of the child and that particular community. The decision with regard to detention placement rests upon the RAI score the youth receives at this screening. The most restrictive option for juvenile processing is the decision to place the juvenile in one of Florida's twenty secure detention facilities.

*Recommendation with regard to judicial handling.* The HRS delinquency intake worker makes a recommendation with regard to judicial handling for each juvenile who is referred to the juvenile justice system. Regardless of where the juvenile goes after referral, the delinquency intake worker will make a recommendation as to disposition of the case. Options for the intake recommendation to the state's attorney include the recommendation to file (or not to file) a petition to adjudicate the juvenile delinquent, to motion for waiver to adult court, to file charges directly with the adult criminal court, or to file a grand jury indictment. This recommendation is submitted to the state's attorney whose decision results in the juvenile moving in one of two directions: non-judicial handling or judicial handling.

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*Non-Judicial Handling*

Non-judicial handling allows for disposition of delinquency cases without requiring court action. The most common disposition under non-judicial handling is referral to the Juvenile Alternative Services Program (JASP). JASP is a diversion program which functions as an alternative to judicial handling and serves as an alternative to juvenile commitment.

*Judicial Handling*

The juvenile judge, taking into account the recommendations of the intake worker and the state attorney, has many options for disposition. These options include release, referral to JASP (for a limited number of cases), community control, referral to a residential or non-residential commitment program, and transfer of the case to the adult court system.

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## CHAPTER IV

### Method

There were several primary research goals on the initial agenda of Florida's Minority Over-Representation Initiative. The first was a simple description of youths as they passed through Florida's juvenile justice system, by race, for each of Florida's 67 counties. A second goal was to examine some of the events and variables associated with the decision to refer a youth including inferences about the role of race (both of the juvenile and his/her complainant/victim) family make-up and demographic make-up of the jurisdiction. A third goal was to get some sense of how intake case managers, as the youth's first point of contact with the delinquency system, view the relative seriousness of referral and disposition categories given his/her knowledge of the local attitudes in a particular jurisdiction. Finally, there was a need to focus the analysis more locally on a potential site for Phase II of the Minority Over-representation Initiative.

There were also other ancillary goals no less imperative: a) to remedy the delinquency system's incapacity to identify and count the nearly 7,500 Hispanic-American clients who are referred to the system annually by devising a method to gather accurate race data on clients; b) to build a permanent structure for delinquency research enabling the replication and expansion of the current analysis on an annual basis; c) to expand the focus of delinquency research in Florida to include the study not only of delinquent behavior but non-delinquency, incorporating information from several state agencies in the analysis.

### *Subjects*

Florida's delinquency services system is managed by the Department of Health and Rehabilitative Services (HRS), the agency charged with the administration of all social services statewide.

In the analysis, the sample was examined *individually* in order to view the entire public school youth population between the ages of 10 and 17 (hereafter referred to as adolescent ) who entered the juvenile justice system between April 1991 and August 1992 (N = 61,893). Characteristics of this population and frequencies and means for all variables discussed later in this chapter are presented in Chapter VII.

### *Data Collection*

Data for this study were collected from five major data sources representing agencies within the Florida Department of Health and Rehabilitative Services, the Florida Department of Labor and the Florida Department of Education. In addition, county-level economic and demographic data were obtained from the 1990 U.S. Census Bureau to build context variables to aid the next phase of analysis.

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Variables on youth, case managers and decision making have been constructed from many sources for an on-going analysis of juvenile justice decision making. A data dictionary itemizing variables and their data sources is found in Appendix A.

A. *HRS Data Sources*

The HRS data sets provided data on youth referred to the delinquency system, on case manager decisions, background and characteristics and on the youth's eligibility for AFDC or Food Stamp aid.

*The Client Information System.* During the 16-month interval of analysis, 61,893 public school juveniles were formally referred to Florida's juvenile justice system. To build the data file, delinquency referral histories of individual juveniles were collected for all youths whose cases were referred and disposed, judicially or non-judicially, from April 1, 1991 through August 13, 1992. (This interval was chosen because it captured intervals for important data from two other state departments, Labor and Education).

In Florida's automated data system, delinquency records are stored in the Client Information System (CIS) data set. The system presents client information in a series of extract formats, intended to provide the practitioner in the field ready access to any client information on file. CIS extracts accessed for this study provided client demographic data, client referral/disposition history, system decisions and actions such as the decision to detain or release a youth, the decision to file or not file a petition, and the decision to adjudicate or not, among other data. For youth who are committed formally to a state residential program, a more comprehensive data system stores scores of data elements, including biographical and demographic information, family background and functioning and youth behavioral indicators. As the system is set up, each referral is entered as a case. To shift the unit of analysis from referrals to individual clients required a sophisticated computer program to sort through some 10,000,000 cases in the data set and to build records for the individuals who were referred and disposed during the interval of the analysis. When individual records were sorted and unduplicated, the file generated represented a complete delinquency history for each juvenile

*HRS Office of Personnel Management.* An extensive employee data base, also with numerous extract programs, is maintained for the 37,000 workers employed by HRS. To collect information on HRS intake case managers, roughly 750 employees, a data set was generated containing several elements including demographics, length of service, and years of education. This was done to enable trend analyses of relations among individual client and case manager traits relative to juvenile justice outcomes.

*HRS Division of Economic Services.* Economic Services maintains records for individuals who receive AFDC and Food Stamp program support, some 10,000,000

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records in all. Since no other individual client family income data was available to the project at the population level of analysis chosen for this study, these data sets were accessed to provide a gross indicator of the effects of AFDC/Food Stamp program eligibility on delinquency and to obtain family structure for this sub population of the study. When this data set was joined with the delinquency data set nearly one-third, 25,783 of the delinquent youth were found to be eligible for AFDC/Food Stamp support.

*The Florida Department of Education's Public School Student Records File.* At the end of each federal fiscal year the Florida Department of Education (DOE) conducts summary analyses of various public school and student performance indicators. This report generates several elements of data for individual students such as academic performance, attendance, school conduct, drop out/expulsion/truancy/suspension status, exceptionally, and first language fluency. For the 16-month interval of analysis, individual school records were obtained for 2.1 million youth in Florida's public schools. A data merge joining these records with the HRS data sets was performed to yield school performance indicators for youth who were referred to Florida's delinquency system in 1991-92.

*The Florida Department of Labor's Corporate Employment Record.* The Florida Department of Labor maintains its Unemployment Insurance Wage File containing quarterly earnings on each of Florida's corporate employees. Although not sufficient for a thorough analysis of a relationship between youth employment and delinquency because no record of non-corporate employment is available, in the near future this data will be joined with all other data sets to enable the analysis employing this data as an indicator of the relation. Since non-delinquents are also contained in the master data set, it will be possible to build a cohort investigation comparing non-delinquents and delinquents and employment effects.

*The 1990 U.S. Census.* This investigation is roughly contemporaneous with the data collected for the 1990 U.S. Census. Demographic data for each of Florida's 67 counties has been collected for the study to construct factors we have characterized as "environmental characteristics". In the more comprehensive analysis, factors will be constructed as indicators of the economic and social milieu of the jurisdiction where the child resides to enable an examination of the role of the child's context as it influences legal outcomes.

#### *Operational Definitions for Selected Variables*

For the analyses undertaken in this phase of the research process, only data from HRS data sources and the Florida Department of Education were examined. Of the scores of variables potentially available, the following are selected and defined for those descriptive analyses presented in subsequent chapters.

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*Youth's Latest Reason for Referral.* The Client Information System categorizes 49 felony and misdemeanor referral codes. For more efficient analysis, these codes were collapsed into eleven categories of referral: (a) felonies against persons, (b) property felony, (c) other felony, (d) felony drug violation (excluding marijuana), (e) felony-marijuana, (f) person misdemeanor, (g) property misdemeanor, (h) other misdemeanor, (i) misdemeanor drug violation (excluding marijuana), (j) misdemeanor marijuana, (k) miscellaneous other dispositions.

Only the youth's most recent referrals received during 1991-92 project interval were considered for analysis by offense category (i.e., "priors" are represented as a frequency of all prior referrals). In addition, in the cases in which multiple charges are preferred against an individual, the charge considered the most serious is used for analysis.

*The Detention Decision.* There were five categories of detention decisions reflecting the placement or release of the client: (a) detention; (b) crisis home; (c) an HRS or public shelter facility; (d) release or placement with relative; (e) youth not placed (released to parent). These were collapsed to two categories: (a)detained (i.e., item 1); (b)not detained (i.e., items2-5).

*Intake Recommendation to the State's Attorney/Action taken by the State's Attorney.* Relative to intake recommendations and possible state's attorney actions, there are five categories: (1) no petition recommendations; (2) petition for a hearing recommendations; (3) direct filing of information recommendations; (4) waiver of case to adult court and, (5) grand jury indictment. These categories were condensed to three in ascending order of seriousness: (1) no petition; (2) petition; and (3) information / waiver/indictment.

*Adjudication Decisions.* In Florida, a case can either be sent to court for adjudication or some non-adjudicated resolution of the case may occur. A third option, adjudication withheld may be used as a coercive in which the case is placed in legal dormancy conditional upon the future behavior of the child.

*Disposition of the Juvenile.* The juvenile's case disposition is recorded by the Client Information System data base according to 45 category codes. About half of these describe judicial dispositions (e.g., code 12: work restitution); the rest describe non-judicial dispositions (e.g., code 34: closed without sanctions). For all codes, six categories were defined to provide for more efficient analysis, in ascending order of seriousness: a) Release (i.e., not guilty); b) Non-residential treatment program; c) Community supervision (similar to supervised probation); d) Judicial Alternative Services Programs; e) Commitment to an HRS facility ( i.e., training school); f) waiver of a case over to adult court. For the analysis, the disposition associated with the youth's most recent referral was chosen.

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*Youth's History of Prior Delinquency.* Although the youth's latest referral(s) received were the focus of the primary analysis of decision-making and disposition relations, counts of priors (if any) were also made for each youth, operationalized as any referral received on a date prior to the most current referral. This variable was constructed at both integral and dichotomous levels.

*Total Referrals.* Total referrals was expressed as a count of all referrals in a youth's delinquency record up to a total of 99.

*Youth Demographic Variables.* Age was calculated as of August 13, 1992, the last date of the 1991-92 interval of interest. Race/ethnicity were categorized as Caucasian, African-American, Hispanic, Asian-American and Native American. Data on the youth's gender was also collected for each client.

#### *School Variables*

- 1) Grade Point Average: The youth's cumulative grade point average for students enrolled during the 1991-92 academic year was recorded on the traditional four-point scale.
- 2) Days absent: All recorded absences expressed as days missed during the 1991-92 academic year.
- 3) Disciplinary Action: Five categories of discipline were provided by the Department of Education. No action, corporal punishment, in-school suspension, out of school suspension and expelled.
- 4) Grade Level: The youth's grade level during 1991-92.
- 5) Enrollment status: Expressed dichotomously as not enrolled (0) and enrolled (1).

*Techniques of Investigation.* Methods and analyses for each of the five investigations undertaken in this project are presented in Chapters IV through VIII. Ongoing multivariate analysis is currently underway and supplemental findings to this report will be submitted throughout the second phase of Florida's initiative.

## CHAPTER V

### General Summary of Statewide Findings

This chapter contains information with regard to gender, race, and age of juveniles referred to the Department of Health and Rehabilitative Services (HRS) for the entire state of Florida. It also includes an examination of the racial composition of the population at each stage of processing within the juvenile justice system, from referral to disposition.

#### *Gender, Age, and Racial Composition*

The data consists of unduplicated CIS (Client Information System - HRS) cases which were merged with a data file provided by the Department of Education. Only cases which were successfully matched with the DOE file were retained for this discussion. This merge created a total number of 61,190 cases.

The majority (74.9%) of clients referred to intake were male. Of those referred to HRS, 51.5% were Caucasian, 37% were African-Americans, 10.5% were Hispanic, and less than 1% of the sample were Asian Pacific Islanders or Native Americans (Table 1). When the number of clients referred to intake is compared to the total population at risk (juveniles age 10 through 17) in the state of Florida, a different picture of distribution by race emerges. Whereas the number of Caucasians referred is 4% of the juvenile Caucasian population, the number of African-Americans referred amounted to 8% of their respective population. The proportion of Hispanics referred also composed 4% of the juvenile Hispanic population, whereas the number of Asian-Pacific Islanders referred was 2% of their juvenile population. Although the number of Native Americans referred as a proportion of the total intake population was less than 1%, they constitute 5% of the Native American juvenile population.

	Caucasian	African-American	Hispanic	Asian-Pacific Islander	Native American
<b>Number Arrested</b>	31,518	22,681	6,450	424	117
<b>Percentage of Total Arrests</b>	51.5%	37.1%	10.5%	.7%	>.2%
<b>Percentage of Juveniles by Race</b>	4%	8%	4%	2%	5%

Table 2 shows the frequency of referrals by age of juveniles from 10 up to the age of 17. Whereas about one-fourth of referred juveniles are between 10 to 13 years of age, three-fourths of the referrals are juveniles 14 years and older. After the age of 17 a drop in the number of referrals occurs, probably due to the tendency to refer juveniles 17 and older to adult court.

<b>Age Group</b>	<b>Frequency</b>	<b>Percentage</b>
10	575	1.0%
11	2,166	3.6%
12	4,220	7.0%
13	7,293	12.1%
14	10,775	17.9%
15	13,443	22.3%
16	14,976	24.8%
17	6,864	11.3%
<b>Total</b>	<b>60,312</b>	<b>100%</b>

### *Legal Characteristics*

#### *Categories of Offenses Occasioning Referral*

The offenses which occasioned referral of juveniles in the sample to HRS were grouped into 11 categories (Appendix F).<sup>1</sup> In the light of the increasing publicity and reported growth of drug-related arrests and convictions in the juvenile justice system, drug-related felonies and misdemeanors were grouped into four separate categories (including or excluding marijuana offenses for each), to allow for a better understanding of these reported trends. The categories were grouped as follows: Felonies against persons, property felonies, drug felonies (excluding marijuana), marijuana felonies, other felonies, misdemeanor felonies against persons, property misdemeanors, drug misdemeanors (excluding marijuana), marijuana misdemeanors, other misdemeanors, and other delinquent acts.

The majority of offenses for which juveniles were referred to intake were property offenses (Table 3) Of the total number of referrals, 21.6% were property felonies and 34.0% were property misdemeanors, both of them together amounting to over half of all referrals. Offenses against persons constituted the second most frequent group of reason for referral, with felonies against persons accounting for 9.4% and misdemeanors against

<sup>1</sup>Many juveniles arrested are charged with multiple offenses. For purposes of this analysis, the most serious offense in each case was used.

persons accounting for 11.0%. Other types of crime made up 24% of referrals: Other felonies constituted about 1.4% of the referral reasons, and 9.2% of referrals were for other misdemeanors. Other delinquent acts, which include a variety of offenses such as contempt of court, traffic offenses, and the violation of penal ordinances (Appendix A), constituted 10.2% of the referrals. The various offenses related to drug violations made up only 3.2% of all referrals. Of these, felony drug violations (excluding marijuana) and misdemeanor marijuana violations were most prevalent (1.5% and 1.1%, respectively). Felony marijuana and misdemeanor drugs (excluding marijuana) each occurred in less than .5% of all cases.

**Table 3**  
*Frequency of Offenses by Categories*

<b>Offense Category</b>	<b>Frequency</b>	<b>Percentage</b>
<b>Felony against Persons</b>	5,677	9.4%
<b>Felony against Property</b>	13,092	21.6%
<b>Drug Felonies (except Marijuana)</b>	928	1.5%
<b>Marijuana Felonies</b>	197	0.3%
<b>Other Felonies</b>	825	1.4%
<b>Misdemeanors against Persons</b>	6,662	11.0%
<b>Misdemeanors against Property</b>	20,646	34.0%
<b>Drug Misdemeanors (except Marijuana)</b>	185	0.3%
<b>Marijuana Misdemeanors</b>	661	1.1%
<b>Other Misdemeanors</b>	5,603	9.2%
<b>Other Delinquent Acts</b>	6,183	10.2%
<b>Total</b>	60,659	

The analysis below will show the distribution of offenses by race suggests racial over-representation in several categories. African-Americans are over-represented among those arrested for felonies against persons, other felonies, and felony drug violations excluding marijuana and misdemeanors against persons. Caucasian youths are over-

represented among those arrested for felonies and misdemeanors against property, other misdemeanor felonies and misdemeanor drugs excluding marijuana.

The widest gaps in over- and under-representation by race can be found for referrals involving drug arrests. Whereas African-Americans are over-represented among those arrested for felony drugs (excluding marijuana), this trend is reversed for misdemeanor drug referrals (excluding marijuana). Among juveniles arrested for misdemeanor drugs, the percentage of caucasians is five times that of African Americans and three times that percentage of African Americans arrested for uses vary. This is also the case with regard to misdemeanor marijuana offenses. The question arises whether these differentials in referrals result from selective labeling tendencies of law enforcement agents who may tend to prefer the more serious charges within general offense categories upon minority youths. More detailed analysis of the exact nature and context of the offenses involved is needed in order to provide more information.

#### *Detention Status*

Detention status is recognized as one of the major characteristics contributing to harsher sentencing of minority juveniles (Cohen 1975, Frazier & Cochrane, 1985). The detention of juveniles in secure confinement is limited by the Florida Statutes to those youths who present a risk of failing to appear at court or committing another offense in the interim between arrest and court appearance. The high number of cases that were not detained (89%) in the population of referred youths seems to be evidence of general compliance with this statute. However, a breakdown by racial background (Table 4) shows clear patterns of minority over-representation at statistically significant levels.<sup>2</sup>

	Caucasian	African-American	Hispanic	Asian-Pacific Islander	Native American
<b>Percentage Detained</b>	8.1%	16.4%	7.7%	7.3%	7.7%
<b>Percentage Released</b>	91.9%	83.6%	92.3%	92.7%	92.3%
<b>Total Cited</b>	31,518	22,681	6,450	424	117

<sup>1</sup> $\chi^2(4, N = 61,190) = 1015.257, p = .0000$

<sup>2</sup>The reader should be aware that with large sample sizes, as is the case with this research, statistical significance is achieved even in the case of small differences. Therefore the *size* of differences as well as statistical significance should be given strict scrutiny.

African-Americans are the largest ethnic group detained (55%), while 38% of those detained are Caucasians, 7% Hispanics, .5% Asian Pacific Islanders, and .1% Native Americans.

*Case Manager Recommendation*

The effect of case managers on the over-representation of minorities in the juvenile justice system has been studied by a number of researchers (Frazier & Bishop, 1990; Unnever et al, 1980). A notice of arrest is issued upon apprehension of juveniles for violations of the law. The notice is referred to HRS, where case managers investigate the case, and make recommendations as to whether the state's attorney should file a petition in Juvenile Court seeking to adjudicate the child delinquent for crime, recommend that the state's attorney motion for a waiver of the matter to adult court (if the child is under 16 years of age) or direct file the case to adult court (if the child is 16 or older). If the crime is particularly notorious, the case manager may recommend filing an indictment for grand jury investigation. Intake recommendations of case managers will be especially relevant to judicial outcomes where state's attorneys and judges consider this information important to their decision making.

Recommendations of case managers are most frequently for no petition (54.1%), that is, the recommendation that a formal petition not be filed with the court (Table 5). Recommendations for waiver to adult court or commitment are almost non-existent.

**Table 5**  
*Percentage of Ethnic Group within Categories of Case Manager Recommendations<sup>1</sup>*

	Caucasian	African-American	Hispanic	Asian-Pacific Islander	Native American
<b>No Petition</b>	61.5%	46.4%	63.0%	66.7%	48.2%
<b>Petition</b>	34.5%	48.7%	33.5%	29.3%	48.2%
<b>Adult Court</b>	0.4%	0.8%	0.3%	0.0%	2.6%
<b>Waiver</b>	0.0%	0.1%	0.0%	0.0%	0.0%
<b>Indictment</b>	0.0%	0.0%	0.0%	0.0%	0.0%
<b>N/A</b>	3.6%	4.0%	3.3%	3.9%	0.9%
<b>Total</b>	30,448	21,848	6,230	409	114

<sup>1</sup> $\chi^2(20, n = 59,049) = 1408.642, p = .0000$

Patterns of disparity by ethnic group of the juvenile emerge: A higher percentage of Caucasian, Hispanic, and Asian-Pacific Islander youths are recommended for no petition than are African-Americans or Native Americans. African-Americans and Native Americans are also over-represented among youths who receive recommendations for petitions. Although the numbers are quite small, a higher percentage of African-Americans and Native Americans are recommended for direct filing to adult court than Caucasians, Hispanics, or Asian-Pacific Islanders.

*State's Attorney Action*

Because the decision to pursue adjudication by filing a petition ultimately rests with the state's attorneys, their influence on juvenile processing is considerable. Even though state's attorneys were more likely not to enter petitions against juveniles than to adjudicate them in court, the frequency of the decision to petition is higher for state's attorneys than for case managers. In almost four percent of cases, state's attorneys make motions to the court for a waiver of juvenile jurisdiction and transfer of the case and child for criminal prosecution in adult court (or if the child is 16 or older, simply file the petition in adult court), indicating a somewhat harsher orientation towards juveniles referred to them than case workers. This may be due to the fact that caseworkers generally have more direct contact with the individuals arrested.

In general, state attorneys' actions towards juveniles of different ethnic backgrounds (Table 6) were consistent with the patterns of case manager recommendations, except for the tendency to motion for about 1/3 fewer waivers to adult

**Table 6**  
*Percentage Ethnic Group within Categories of State's Attorneys' Actions<sup>1</sup>*

	Caucasian	African-American	Hispanic	Asian-Pacific Islander	Native American
<b>No Petition</b>	55.0%	44.4%	60.2%	60.8%	46.5%
<b>Petition</b>	42.0%	49.3%	36.9%	37.0%	47.4%
<b>Adult Court</b>	2.7%	5.4%	2.5%	2.2%	6.1%
<b>Waiver</b>	0.2%	0.7%	0.3%	0.0%	0.0%
<b>Indictment</b>	0.1%	0.2%	0.1%	0.0%	0.0%
<b>Total</b>	30,299	21,721	6,212	408	114

<sup>1</sup> $\chi^2(16, n = 58,754) = 1002.837, p = .0000$

court for Caucasians than African-Americans. Whereas the decision not to adjudicate was the most frequent state attorney action for Caucasians as a group (55.0 %), only 44.4% of African-Americans avoided adjudication. Thus, in addition to the over-representation of African-American juveniles in detention populations, their greater likelihood of being legally prosecuted through direct filings and waivers to adult court further predispose them to harsher judicial outcomes.

*Adjudication*

The majority of juvenile cases were not adjudicated (76.8%). The remaining 23.2% of cases were either adjudicated or the judge withheld adjudication, and the juvenile was referred to an alternative program, such as the Juvenile Alternative Services Project (JASP). Should the juvenile be arrested again, the court may re-open the case in which adjudication was withheld, and find the juvenile delinquent. Because the withheld option is largely believed to serve as a warning or threat to the juvenile, it may in fact be perceived as a sentence of adjudication. Therefore, withheld adjudications were included in the adjudicated category for the purposes of this analysis. Statistical analysis resulted in significant differences between the ethnic groups (Table 7). Higher percentages of Hispanic juveniles were not adjudicated, whereas Caucasian, African-American, and Native American juveniles were more frequently adjudicated/withheld than either Hispanic or Asian-Pacific Islander juveniles.

	<b>Caucasian</b>	<b>African-American</b>	<b>Hispanic</b>	<b>Asian-Pacific Islander</b>	<b>Native American</b>
<b>Not Adjudicated</b>	77.4%	73.6%	84.9%	79.5%	74.1%
<b>Adjudicated/Adjudication Withheld</b>	22.6%	26.4%	15.1%	20.5%	25.9%
<b>Total</b>	31,306	22,542	6,395	420	116

<sup>1</sup> $\chi^2(4, n = 60,779) = 369.106, p = .0000$

*Disposition*

Because it specifies the institutional type of treatment in response to the offense committed, the judicial disposition represents the most crucial step in the formal processing of the juvenile. Judicial dispositions were combined into seven categories (Appendix G) consisting of release, referral to other program, community control, commitment, Juvenile Alternative Services Project (JASP), adult court, and other miscellaneous dispositions. Of these categories, sentencing to commitment and adult court are the dispositions considered the most serious.

Of all juveniles, 20.6% were released by judges, 26.5% were sent to JASP, 15.7% were sentenced to community control, 4.8% were committed, 2.8% were transferred to adult court, 1.7% were sentenced to other HRS programs, and 27.9% experienced miscellaneous outcomes such as return to parents' custody (runaways), Driver Improvement School, restitution, or counseling (Appendix G). When comparing the percentages of juveniles of each ethnic group within categories of dispositions, disparities are evident at statistically significant levels (Table 8). Higher percentages of Caucasian, African American, and Native American juveniles are released than either Hispanic or Asian-Pacific Islander youths.<sup>3</sup> Although the percentage of all juveniles referred to other HRS programs is small, almost twice the percentage of Caucasian youths are referred compared with African-American and Hispanic juveniles. Perhaps the most striking instances of over-representation are found in the most serious categories of judicial dispositions: Almost twice the percentage of African-Americans suffer commitment, compared with Caucasian juveniles, and more than three times the percentage of Hispanics. In the case of transfer to adult court, the percentage of African-Americans transferred is more than twice the percentage of Caucasian, Hispanic or Asian-Pacific Islanders.

	Caucasian	African-American	Hispanic	Asian-Pacific Islander	Native American
<b>Released</b>	20.8%	21.7%	16.0%	14.8%	25.9%
<b>Referral</b>	2.2%	1.2%	1.0%	1.7%	1.7%
<b>JASP</b>	27.6%	22.2%	36.3%	34.0%	20.7%
<b>Community Control</b>	15.5%	16.6%	13.5%	14.3%	19.0%
<b>Commitment</b>	3.8%	7.1%	2.1%	2.4%	1.7%
<b>Adult Court</b>	1.7%	4.5%	2.1%	1.9%	4.3%
<b>Other</b>	28.4%	26.8%	29.0%	31.0%	26.7%
<b>Total</b>	31,308	22,543	6,396	420	116

<sup>1</sup> $\chi^2(24, n = 60783) = 1420.024, p = .0000$

<sup>3</sup>Please note that the sample size for Native Americans is small compared with the other ethnic groups, therefore results concerning this group should be interpreted with caution.

*Percentages of Ethnic Groups within Categories of  
Judicial Disposition by Type of Offense*

The question whether these patterns of over- and under-representation by race with regard to judicial dispositions persist in cases of juveniles who are arrested for similar offenses confronts the problem of unequal treatment in the justice system more directly. Even though this analysis does not control for the effects of prior criminal history, number of offenses committed, or other variables which may affect the results, general trends may still be detected. The following section examines the relation between judicial dispositions and ethnicity of the juvenile within categories of offenses. Even though the grouping of the individual offenses into 11 broad categories may overlook differences which may exist at a more detailed level of analysis, overall patterns of discrepancies are important and can still indicate general trends.

*Felonies against Persons*

Following arrests for felonies against persons, approximately the same percentages of the ethnic groups were released.<sup>4</sup> A slightly smaller percentage of African-Americans were relegated to community control than other ethnic groups (Table 9). Although

	Caucasian	African-American	Hispanic	Asian-Pacific Islander	Native American
<b>Released</b>	28.4%	26.0%	26.1%	12.0%	50.0%
<b>Referral</b>	1.6%	0.7%	0.6%	4.0%	0.0%
<b>JASP</b>	18.5%	12.8%	18.0%	0.0%	12.5%
<b>Community Control</b>	19.9%	17.8%	22.6%	28.0%	25.0%
<b>Commitment</b>	4.9%	8.4%	4.0%	12.0%	0.0%
<b>Adult Court</b>	6.7%	13.9%	11.7%	16.0%	12.5%
<b>Other</b>	19.7%	20.5%	16.9%	28.0%	0.0%
<b>Total</b>	1,925	3,198	521	25	8

<sup>4</sup>Please note that sample sizes for Asian-Pacific Islanders and Native Americans are very small, therefore conclusions about their distributions should be made with great caution.

$$1\chi^2(24, n = 5,677) = 151.475, p = .0000$$

numbers who experienced commitment were small, the percentage of African-Americans was almost twice that of Caucasian and Hispanic juveniles. A smaller percentage of African-Americans were referred to JASP than Caucasians or Hispanics. The percentage of Caucasian juveniles transferred to adult court was lower than that of either African Americans or Hispanics. From this analysis, there appears to be a significant tendency for African-Americans to experience more severe judicial dispositions after the commission of felonies against persons.

### *Property Felonies*

Although it appears that Asian-Pacific Islanders are under-represented among those released after being arrested for felonies against property, their small numbers suggest caution in drawing solid conclusions (Table 10). The same caveat applies more strongly to interpretations concerning the over-representation of Native Americans among those released. More robust conclusions may be drawn concerning Caucasian, African-American, and Hispanic juveniles. The percentage of African-Americans relegated to commitment is almost twice as high as that for Caucasian or Hispanic juveniles.

	Caucasian	African-American	Hispanic	Asian-Pacific Islander	Native American
<b>Released</b>	20.5%	24.1%	22.6%	14.9%	30.6%
<b>Referral</b>	0.6%	0.4%	0.4%	1.1%	0.0%
<b>JASP</b>	30.2%	21.2%	33.2%	39.1%	25.0%
<b>Community Control</b>	21.4%	19.1%	19.2%	21.8%	27.8%
<b>Commitment</b>	5.6%	10.1%	3.4%	4.6%	2.8%
<b>Adult Court</b>	4.1%	6.5%	3.5%	4.6%	5.6%
<b>Other</b>	17.7%	18.5%	17.7%	13.8%	8.3%
<b>Total</b>	7,496	4,114	1,359	87	36

$\chi^2(24, n = 13,092) = 280.206, p = .0000$

Higher percentages of both Caucasian and Hispanic youths are referred to JASP compared with African-Americans as well. Finally, higher percentages of African-American juveniles are transferred to adult court than either Caucasian or Hispanic youth.

*Felony Drugs (Excluding Marijuana)*

African-American juveniles composed 80.9 % of all juveniles arrested for this category of offense (Table 11). Because the cell sizes in this category are so small, only comparisons between African-Americans and Caucasians are meaningful. The percentage of African-American juveniles given commitment for this offense is three times higher than that of Caucasian juveniles. The percentage of Caucasian youths referred to JASP is five times higher than the percentage of African-Americans. And the percentage of African-Americans transferred to adult court for this offense is twice that of the percentage of Caucasian juveniles.

**Table 11**  
*Percentage of Ethnic Group by Disposition for Felony Drugs (Excluding Marijuana)<sup>1</sup>*

	Caucasian	African-American	Hispanic	Asian-Pacific Islander	Native American
Released	19.6%	23.7%	30.8%	0.0%	0.0%
Referral	0.0%	0.1%	0.0%	0.0%	0.0%
JASP	22.3%	4.4%	19.2%	0.0%	0.0%
Community Control	24.3%	21.4%	23.1%	100.0%	0.0%
Commitment	5.4%	16.1%	3.8%	0.0%	0.0%
Adult Court	8.8%	17.4%	7.7%	0.0%	100.0%
Other	19.6%	16.8%	15.4%	0.0%	0.0%
Total	148	751	26	1	2

$\chi^2(24, n = 928) = 92.489, p = .0000$

While 14.2% of Caucasians were transferred to adult court or suffered commitment, 33.5% of African-Americans were transferred or committed.

*Felony Marijuana, Misdemeanor Drugs (Excluding Marijuana), and Misdemeanor Marijuana Offenses*

The cell sizes for juveniles arrested for felony marijuana, misdemeanor drugs (excluding marijuana), and misdemeanor marijuana offenses within some ethnic categories are quite small. Results of any analysis must therefore be interpreted with extreme caution. The cell frequencies for most of the dispositions in the misdemeanor drugs (excluding marijuana) category ( $n = 185$ ) and for felony marijuana offenses ( $n = 197$ ) were too small to warrant a meaningful discussion. Judicial sentencing for offenses concerning felony marijuana, misdemeanor drugs, and misdemeanor marijuana, however, follow the same general patterns of those for felony drug arrests. Table 12 displays the percentages of each ethnic group by disposition for misdemeanor marijuana:

	Caucasian	African-American	Hispanic	Asian-Pacific Islander	Native American
<b>Released</b>	17.9%	14.2%	10.4%	20.0%	0.0%
<b>Referral</b>	1.7%	0.0%	0.0%	0.0%	0.0%
<b>JASP</b>	35.8%	25.8%	47.8%	40.0%	0.0%
<b>Community Control</b>	15.1%	19.2%	16.4%	20.0%	0.0%
<b>Commitment</b>	1.7%	5.8%	3.0%	0.0%	0.0%
<b>Adult Court</b>	0.6%	4.2%	1.5%	0.0%	0.0%
<b>Other</b>	27.1%	30.8%	20.9%	20%	0.0%
<b>Total</b>	469	120	67	5	0

<sup>1</sup> $\chi^2(18, n = 661) = 29.830, p = .039$

The percentage of African-Americans who are committed is more than three times higher than the percentage of Caucasians committed, and almost twice as high as the percentage of Hispanic juveniles committed for misdemeanor marijuana offenses. In addition, the percentages of Hispanics and Caucasians referred to JASP is higher than that of African-Americans, and the percentage of African Americans transferred to adult court is slightly less than three times higher than the percentage of Hispanic juveniles, and seven

times higher than the percentage of Caucasians. Again, cell sizes are very small, but the trend is clear.

### *Other Felonies*

As is the case with felony marijuana, misdemeanor drugs (excluding marijuana), and misdemeanor marijuana offenses, the cell sizes for juveniles arrested for other felonies (Table 13) are comparatively small ( $n = 825$ ), and the Chi-square statistic is not significant. Results of the analysis illustrate trends, but must be interpreted with some caution.

**Table 13**  
*Percentage of Ethnic Group by Disposition for Other Felonies<sup>1</sup>*

	Caucasian	African-American	Hispanic	Asian-Pacific Islander	Native American
Released	28.4%	27.8%	29.7%	0.0%	100.0%
Referral	0.7%	0.0%	0.0%	0.0%	0.0%
JASP	11.8%	8.9%	15.6%	25.0%	0.0%
Community Control	16.6%	20.2%	18.8%	0.0%	0.0%
Commitment	14.9%	13.9%	1.6%	0.0%	0.0%
Adult Court	3.7%	7.4%	4.7%	0.0%	0.0%
Other	24.0%	21.7%	29.7%	75.0%	0.0%
Total	296	460	64	4	1

<sup>1</sup> $\chi^2(24, n = 825), p = .126$

In the case of other felonies, a category which includes such offenses as carrying a concealed firearm or escape (Appendix G), the prevailing patterns of over- and under-representation are less evident. For example, the percentages of Caucasians, African Americans, and Hispanics who were released seems fairly even. Differences in percentages within each disposition category are relatively small with only a few exceptions: The percentage of Hispanics who suffer commitment is considerably smaller than either that of Caucasians or African Americans, and African Americans tend to be

under-represented among those referred to JASP, and over-represented among those transferred to adult court.

*Misdemeanor Offenses against Persons*

Because the cell sizes for Asian-Pacific Islander and Native American juveniles in this category are so small, only comparisons among Caucasian, African-American, and Hispanic youths are meaningful. The percentage of Caucasian juveniles released after arrest for misdemeanors against persons is higher than that of African-Americans, and considerably higher than that of Hispanics (Table 14). On the other hand, a higher percentage of Hispanics than either Caucasians or African-Americans were referred to JASP. The percentage of African-Americans transferred to adult court is over five times higher than the percentage of Caucasians. Once again, though cell sizes are small, nearly twice the percentage of African-Americans compared with the percentage of Caucasians suffered commitment, and more than five times the percentage of Hispanic juveniles.

**Table 14**  
*Percentage of Ethnic Group by Disposition for Misdemeanors against Persons<sup>1</sup>*

	Caucasian	African-American	Hispanic	Asian-Pacific Islander	Native American
Released	29.0%	26.5%	20.6%	32.0%	46.2%
Referral	2.4%	1.3%	1.8%	4.0%	0.0%
JASP	24.7%	25.3%	34.0%	16.0%	0.0%
Community Control	12.6%	14.3%	15.9%	16.0%	15.4%
Commitment	2.4%	4.3%	0.8%	0.0%	7.7%
Adult Court	.3%	1.7%	0.8%	0.0%	0.0%
Other	28.5%	26.6%	26.1%	32.0%	30.8%
Total	3,100	3,032	491	25	13

<sup>1</sup> $\chi^2(24, n = 6,661) = 110.161, p = .0000$

*Property misdemeanors*

As was the case with dispositions for misdemeanors against persons, a smaller percentage of Hispanic juveniles was released, compared with Caucasian and African-American youths (Table 15). Hispanics were also over-represented among youths referred to JASP, as was the case with misdemeanors against persons. Likewise, a similar pattern with regard to commitments may be observed: Although cell sizes are quite small, nearly twice the percentage of African-American juveniles suffer commitment compared to the percentage of Caucasians, and over four times the percentage of committed Hispanics. Transfers to adult court are very similar percentages.

**Table 15**  
*Percentage of Ethnic Group by Disposition for Misdemeanors against Property<sup>1</sup>*

	Caucasian	African-American	Hispanic	Asian-Pacific Islander	Native American
Released	16.9%	15.6%	8.8%	12.4%	7.9%
Referral	3.5%	2.4%	1.4%	2.0%	5.3%
JASP	32.8%	35.1%	54.2%	39.6%	26.3%
Community Control	9.7%	12.3%	6.7%	6.9%	13.2%
Commitment	1.5%	3.1%	0.7%	0.0%	0.0%
Adult Court	0.3%	0.5%	0.3%	0.0%	0.0%
Other	35.5%	31.0%	27.7%	39.1%	47.4%
Total	11,724	6,454	2,227	202	38

<sup>1</sup> $\chi^2(24, n = 20,645) = 563.030, p = .0000$

*Other Misdemeanors*

Very similar patterns in sentencing for misdemeanor offenses were found in this category as well (Table 16). A smaller percentage of Hispanic youths were released, compared to percentages of African-American or Caucasian juveniles. Once again, a higher percentage of Hispanics were referred to JASP, compared to the percentages of Caucasians or African-Americans. The cell sizes under commitment were again very

small, but once again, the frequency of African-American committed or transferred to adult court is two to three times higher than the percentages of Caucasians or Hispanics.

**Table 16**

*Percentage of Ethnic Group by Disposition for Other Misdemeanors<sup>1</sup>*

	Caucasian	African-American	Hispanic	Asian-Pacific Islander	Native American
<b>Released</b>	26.4%	30.2%	19.5%	16.7%	33.3%
<b>Referral</b>	3.1%	1.5%	1.5%	0.0%	0.0%
<b>JASP</b>	26.0%	23.5%	42.4%	41.7%	33.3%
<b>Community Control</b>	7.7%	9.2%	7.0%	5.6%	0.0%
<b>Commitment</b>	1.1%	2.7%	0.8%	2.8%	0.0%
<b>Adult Court</b>	0.4%	1.3%	0.8%	0.0%	0.0%
<b>Other</b>	35.2%	31.6%	28.0%	33.3%	33.3%
<b>Total</b>	3,238	1,660	660	36	9

<sup>1</sup> $\chi^2(24, n = 5,603) = 156.340, p = .0000$

*Other Delinquent Acts*

Within this referral category we again find patterns of over- and under-representation somewhat different from those observed in other categories (Table 17). Lower percentages of Hispanic juveniles are released than percentages of Caucasian or African-American youths. Well over half of Hispanic juveniles, however, are sentenced using other alternate dispositions, such as restitution, counseling, or some other alternative (Appendix G). Community control dispositions, especially in the case of Caucasian juveniles, are used for a higher percentage of youths across ethnic groups than in any other category of offense. Only in this category of offense is the trend toward over-representation by African-American juveniles among youths given commitment, or transferred to adult court not evident. In this case, Hispanic juveniles are under-represented among the commitment population, and (although cell sizes are quite small) Caucasians are over-represented among the population transferred to adult court. The tendency for higher percentages of Hispanics to be referred to JASP is not apparent for this offense category.

	<b>Caucasian</b>	<b>African-American</b>	<b>Hispanic</b>	<b>Asian-Pacific Islander</b>	<b>Native American</b>
<b>Released</b>	17.5%	15.9%	11.7%	16.1%	12.5%
<b>Referral</b>	0.3%	0.1%	0.3%	0.0%	0.0%
<b>JASP</b>	7.9%	6.8%	6.5%	16.1%	12.5%
<b>Community Control</b>	34.6%	26.4%	18.3%	35.5%	37.5%
<b>Commitment</b>	12.9%	12.6%	4.2%	6.5%	0.0%
<b>Adult Court</b>	0.9%	0.5%	0.4%	0.0%	0.0%
<b>Other</b>	26.0%	37.8%	58.6%	25.8%	37.5%
<b>Total</b>	2,554	2,663	927	31	8

<sup>1</sup> $\chi^2(24, n = 6,183) = 356.033, p = .0000$

Because the small numbers of Asian-Pacific Islander and Native American juveniles made Chi-square analysis unreliable, the analysis was run a second time without these categories. In every case, with the exception of felony marijuana dispositions, the Chi-square statistic achieved significance.

### *Summary*

In summary, patterns of minority over- and under-representation emerged in various degrees at each stage of processing in the juvenile justice system, starting at referral and continuing with case manager recommendations, state attorney actions, and judicial dispositions

- African-Americans were over-represented among those juveniles referred to the juvenile justice system, compared with all other ethnic groups.

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- African-Americans were over-represented among those juveniles detained, compared with all other ethnic groups.
  - African-Americans were under-represented among those juveniles who received recommendations for no petitions from case managers, compared with Caucasians, Hispanics and Asian-Pacific Islanders. Compared with the same groups, African-Americans were over-represented among juveniles whose case managers recommended that the state's attorney file a petition with the juvenile court. In addition, the percentage of African-Americans whose case managers recommended that the state's attorney file a motion for transfer to or direct file to adult court was two to three times higher than the percentage of Caucasians or Hispanics.
  - African-Americans were over-represented among those juveniles against whom State's attorneys filed petitions in juvenile court. They were also over-represented among those against whom the state's attorney filed motions for transfer to adult court, or filed against directly in adult court. Percentages for African-Americans were two to three times higher than their Caucasian or Hispanic counterparts.
  - Hispanic juveniles were over-represented among those cases which were not adjudicated. African-Americans were over-represented among those cases which were adjudicated or adjudication was withheld.
  - Hispanics were under-represented among those juveniles who were released, and over-represented among those who were referred to JASP, compared with Caucasians and African-Americans. African-Americans were over-represented among those juveniles who received more serious dispositions: The percentage of African-Americans who were committed or transferred to adult court was two to three times higher than the percentage of Caucasians or Hispanics.
  - These patterns of over- and under-representation were also found when dispositions were broken down by type of offense.

The over- and under-representation of ethnic minorities at the various stages of processing in the juvenile justice system in Florida indicates the need to raise awareness among decision makers within the system. In addition, they should be encouraged to evaluate established processing routines and procedures and to implement changes to decrease over- and under-representation based on the ethnic background of juveniles.

The trends observed statewide in over- and under-representation of minorities may not hold true within different regions within the state. These imbalances may be influenced by differences within bureaucratic districts of HRS, differences in practices and philosophies of particular jurisdictions, or demographic characteristics of the various areas within the state. This analysis should be understood as a preliminary effort to identify minority over- and under-representation in the juvenile justice system at a broad level of

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analysis. The trends described above did not include statistical controls for the effects of age, gender, family background, educational, or legal characteristics. The urban, suburban, or rural setting, as well as the economic and social context of the juvenile's environment were not controlled for in the analysis. In addition, categories which collapsed offense types and dispositions, necessary for the analysis reported here, mask some of the variance contributed by the items within them. Future research during Phase II will include these variables within multivariate models, including indirect and interactive effects on the disproportionate representation of minorities in the juvenile justice system.

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## CHAPTER VI

### District Summary of Findings

The following descriptions of minority over-representation in Florida's juvenile justice system are at the district level. The Department of Health and Rehabilitative Services in Florida is comprised of 15 districts which may contain from 1 to 13 counties. The descriptions essentially summarize the distribution of African American juveniles as compared to Caucasian youth at each stage of the juvenile justice process, in each of the 67 Florida counties.

Each summary begins with a brief description of the district's contextual characteristics including: urban and rural measures, African-American population, number of families and children below the poverty level, and unemployment rates (Bureau of the Census, 1990). Only those counties which have large disparities are described. The process of juvenile justice begins with arrest and referral, followed by detention, case managers' intake recommendation, state's attorney action, adjudication and finally judicial disposition. Since data on arrests are not available for this analysis, the description starts with referrals. Racial over-representation and discrepancies will be discussed at each of these stages in the process.

Although there is a substantial Hispanic population in Florida, it is concentrated in a few districts. Therefore, the discussion of Hispanic minority over-representation will be restricted to those districts in which Hispanics make up at least 10% of the total referred population. These districts are noted by a bullet. It is understood that any type of discrimination, no matter how small the population it affects, is reprehensible. However, in order to gain a meaningful assessment of the problem of minority over-representation small proportions within groups need to be excluded.

As mentioned earlier, these are summations of the distribution of juveniles within individual counties by Districts and only those counties which show a large discrepancy or over-representation at particular stages in the juvenile justice system are discussed.

#### DISTRICT 1

Counties: Escambia, Okaloosa, Santa Rosa and Walton.

District 1 contains two largely urban counties (Escambia and Okaloosa) and two suburban (Santa Rosa and Walton). The African-American population is concentrated in Escambia county comprising 20% of its population. Okaloosa has the highest percentage of children living below the poverty level (14%). The average unemployment level for the district is 7%.

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In all counties within District 1 African-Americans were approximately twice as often as Caucasians drawn from the population-at-risk. For Escambia county, African-American youths made up almost half of those referred to intake. There were two extremes within the district at the detention decision. In Okaloosa county, African-American youths were about 20% of those referred but the percentage of African American youth detained was 4 times that of Caucasian youth. In Walton county only two individuals were detained and they were Caucasian.

At the intake stage, African-Americans throughout the district were more often recommended for petition by case managers than Caucasian juveniles, except for detained juveniles in Walton; in Santa Rosa county all detained African-Americans were recommended for petition. State's attorneys' actions in most cases were very close to intake worker's recommendations. However, in Escambia county not only were African-Americans more often petitioned than Caucasians, but also twice as many received a direct file (information) or waiver to an adult court.

At the adjudication stage, once again there are variations of extremes by county. While in Escambia county African-Americans were less represented than Caucasians at the adjudication stage. At the disposition stage, African-Americans who were detained and adjudicated received the most restrictive penalties throughout the district: in Okaloosa and Escambia county African American juveniles comprised the only ethnic group referred to adult court (18% and 2%, respectively). Caucasian juveniles, on the other hand, experienced a higher percentage of commitments than African Americans in Escambia, Okaloosa and Santa Rosa and for youth adjudicated and detained in Escambia County. In Walton county: African-Americans more often than Caucasians received the disposition of Juvenile Alternative Services Programs (JASP), and in Santa Rosa detained and adjudicated Caucasian juveniles composed the only ethnic group sentenced to adult court (10%).

The over-representation of African-American youth in district 1 is quite apparent. With the exception of Walton county, African-Americans within this district were referred twice as often from the population-at-risk than Caucasians; were detained more often than Caucasian juveniles, received more intake worker recommendations of petition, more severe state's attorney actions, and a higher percentage of adjudication's and more restrictive or harsh dispositions.

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## DISTRICT 2

Counties: Bay, Calhoun, Franklin, Gulf, Holmes, Gadsden, Jackson, Jefferson, Leon, Liberty, Madison, Taylor Wakulla and Washington.

District 2 can be characterized as mostly rural, containing only two predominately urban counties (Leon and Bay). Three counties have large African-American populations: Gadsden with 58%, Jefferson with 43% and Madison with 42%. Franklin and Gadsden counties have the highest percentage of families below the poverty level with 23% and 22% respectively, Wakulla and Washington counties have the highest percentage of children living below the poverty level at 16% each. The highest unemployment rate is in Taylor county at 10%.

At the referral stage, Gadsden Jefferson and Madison counties had the highest proportion of referred African-Americans with 91%, 81% and 83% respectively. African-Americans were drawn from the population-at-risk nearly 3 times as often than Caucasians in 4 counties: Franklin, Gadsden, Leon, and Taylor. However, in Liberty county African-Americans were equally drawn from the population-at-risk, but it must be noted that only 14 juveniles were referred. At the detention stage, the most severe over-representation was in Jefferson county in which African-Americans were detained 4 times as often as Caucasians. Calhoun, Gulf, Taylor, Madison, Jefferson, Franklin and Washington had fewer than 19 detained individuals each and the distributions should be viewed with caution.

Bay, Gadsden, Jackson and Leon counties processed between 45 and 900 juveniles each. Other counties processed less than 100 each making reliable analysis difficult. With regard to intake recommendations for juveniles who were not detained, higher %'s of African-Americans from these four counties received petition recommendations. Only Leon county detained more than 100 juveniles (115). Of these, intake recommendations were fairly equivalent. Smaller numbers were detained in Bay (67), Gadsen (36) and Jackson(27), making reliable analysis impossible.

In most counties within the district, the number of adjudicated juveniles were too small to make analysis reliable. Bay and Leon counties did however have higher percentages of African-Americans who were not detained but were later adjudicated. At the disposition stage in the district, there was an odd mixture of lenient and severe punishments for African-Americans. In Bay not detained and adjudicated African-Americans and in Calhoun not detained and not adjudicated African-Americans more often than Caucasians received J.A.S.P. In Jackson, Leon and Gadsden counties, detained and adjudicated African-Americans more often than Caucasians received adult court. In Leon, Bay and Gadsden, detained and adjudicated African Americans were more often committed than comparable Caucasians.

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Again, the over-representation of African-American youth in District 2 is quite apparent. With the exception of Holmes and Liberty counties, African-Americans within the district were drawn from the population-at-risk more often than Caucasians, and in some counties nearly 3 times more often. On average African-Americans were more often than Caucasians detained. Again African-Americans were more often than Caucasians to have an intake worker recommendation of a petition, more severe state's attorney actions, adjudication's and to receive the most restrictive or harshest dispositions.

It must be noted that within District 2 there is an odd mixture of lenient and severe punishments for African-Americans. As shown earlier, many counties appear quite punitive in the referral, recommendation, and adjudication stages, but are rather lenient at the disposition stage. This demonstrates a need for greater contextual assessment of the underlying processing mechanisms within each county.

### **DISTRICT 3**

Counties: Alachua, Bradford, Columbia, Dixie, Gilchrist, Hamilton, Lafayette, Levy, Putnam, Suwannee and Union.

District 3 can be summarized as a rural district with no urban counties as it has been defined for this study. The highest concentration of African Americans is in Hamilton county comprising 39%. Hamilton county also has the highest percentage of families below the poverty level at 25%. Suwannee county has the highest percentage of children living below the poverty level at 14%. The lowest unemployment rate can be found in Alachua county (3%), with the average for the district being around 6%.

The number of juveniles referred in many of the counties within this district is rather small, so caution must be used in interpreting the numbers. With this in mind, African-Americans on average were one-half of those referred, with the exception of Hamilton in which African-American youth comprised two-thirds of those referred. Throughout the district, African-Americans were drawn from the population-at-risk twice as often as Caucasians, with the exception of Putnam county in which African-Americans were drawn from the population-at-risk almost 3 times as often as Caucasians. In Lafayette county only one African-American was referred.

At the detention stage there was a small detained population, however, in most counties, African-Americans were detained twice as often as Caucasians. African-Americans received an intake workers recommendation of a more often than Caucasians. In Union county African-Americans who were not detained received a petition nearly three times as often as Caucasians. The state's attorney action almost mirrored the intake worker's recommendation in most counties; however, the state's attorney action tended to be slightly more severe with African-Americans filing more direct files as well as petitions than for Caucasians in Alachua, Bradford and Columbia.

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African-Americans, in general, were more often adjudicated than Caucasians. In Hamilton, Suwannee and Union counties, not detained African-Americans were adjudicated twice as often as Caucasians. The number of detained and adjudicated juveniles within counties was small and conclusions on these populations should be reserved. A mixed picture emerged at the disposition stage where, in general, a higher percentage of not detained African Americans than Caucasians were committed in Columbia and Suwannee; opposite trends prevailed in Levy. More detained African Americans than Caucasians were committed in Alachua and more not detained African Americans than Caucasians were sent to community control in Alachua and Columbia. Again, Levy county showed opposite trends to those just described. In Dixie county African-Americans received J.A.S.P. or "other" dispositions more often than Caucasians.

In many counties in District 3 there were relatively small numbers of referred juveniles, yet African-Americans were still over-represented in the referred populations. In Hamilton county, African-Americans comprised two-thirds of the referred population. With the exception of Levy county, African-Americans throughout the district were, in general, detained more often than Caucasians, received the most severe intake worker and state's attorney recommendations, were adjudicated more often and received more punitive dispositions than Caucasians.

#### **DISTRICT 4**

Counties: Baker, Clay, Duval, Nassau, St. Johns.

District 4 can be summarized as a suburban district with only one large urban county (Duval). Duval county contains the largest concentration of African Americans at 24%. Baker has the highest percentage of families below the poverty level (13%), while St. Johns county has the highest percentage of children below the poverty level at 30%. Baker county also has the highest unemployment rate at 7%.

African-Americans were almost half of those referred in this district. In St. Johns county African-Americans were one-third of those referred. African-Americans were drawn from the population-at-risk twice more often than Caucasians, except in St. Johns county, in which African-Americans were nearly 3 times more often drawn from the population-at-risk. Throughout the counties in the district, African-Americans were more often detained than Caucasians, with the exception of Baker county in which no African-Americans were detained.

At the intake worker recommendation stage, not detained African-Americans in St. Johns and Duval received a higher percentage of petitions than Caucasians, while the percentages for detained juveniles were similar. While state's attorneys filed a higher

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percentage of petitions for African Americans than Caucasians in Duval and Clay, in St. Johns they filed more petitions for not detained African Americans than Caucasians and fewer petitions for detained African Americans than detained Caucasians

Detained African-Americans in Clay and St. Johns counties were more often than Caucasians adjudicated, whereas in Duval county, not detained African-Americans were more often than Caucasians adjudicated. At the disposition stage, not detained and adjudicated African-Americans were more often than Caucasians to receive adult court or community control in Clay county, while Caucasians were sentenced to community control more often than African Americans. In Duval county, detained and adjudicated African-Americans were more often than Caucasians committed or transferred to an adult court. In Baker county, a higher percentage of not detained and of not adjudicated African-Americans than Caucasians were sentenced to JASP

As with the other Districts, African-Americans in District 4 were more often than Caucasians drawn from the population-at-risk and made up a disproportionate number of those referred. However, the pockets of apparent fair representation of African-Americans in the system must be noted. The exception was Baker county, in which African-Americans were only slightly more often than Caucasians drawn from the population-at-risk, were less often than Caucasians detained, and to receive harsh recommendations or dispositions. In the other four counties African-Americans were still more often than Caucasians detained, received the most severe intake worker and state's attorney recommendations, were adjudicated more often and received more punitive dispositions.

## DISTRICT 5

Counties: Pasco and Pinellas

District 5 has two counties and can be considered urban. Pinellas county is the most densely populated county in the state with 100% of the population living in urbanized areas, and Pasco county with 60% of the population living in urbanized areas. Neither county has a high concentration of African Americans in the population, Pinellas with 8% and Pasco with 2%. Pasco county has the higher percentage of families below the poverty level (8%) and a higher unemployment rate at 7% when compared to Pinellas. In both counties 10% of the children live below the poverty level.

In Pinellas county African-Americans were one-third of those referred and were nearly 3 times more often drawn from the population-at-risk than Caucasians. In Pasco county African-Americans were less than 10% of those referred but were drawn from the population-at-risk more than twice as often as Caucasians. At the detention stage, African-Americans in both counties were detained twice as often as Caucasian youth.

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Not detained African-Americans in both counties received the intake worker's recommendation of a petition more often than Caucasians. Not detained African-Americans in both counties received a state's attorney action of a petition or a direct file of information more often than Caucasians, and in Pinellas county detained African-Americans were waived to an adult court more often than Caucasians as well.

In Pinellas county both detained and not detained African-Americans were adjudicated more often than Caucasians. For the disposition stage in Pasco county not detained African-Americans received J.A.S.P more often than Caucasians. In Pinellas county, both detained and not detained African-Americans were more often committed than Caucasians.

Although District 5 only contains two counties, the same types of dynamics appear to be at work here as in some of the larger districts. At the referral stage, African-Americans were well over-represented in both counties, i.e., they were more often than Caucasians drawn from the population-at-risk. In District 5, African-Americans experienced higher percentages of detention, harsher recommendations, more adjudication's and received more restrictive sanctions than Caucasians.

#### • DISTRICT 6

Counties: Hillsborough and Manatee.

District 6 also contains two counties and can be considered urban. In both Hillsborough and Manatee counties more than 80% of the population live in urbanized areas. Hillsborough county has the higher percentage of African Americans and Hispanics in the population with both at 13%. Hillsborough also has a higher percentage of families below the poverty level (10%) and children below the poverty level (13%) when compared to Manatee. Both counties have unemployment rates of 5%.

At the referral stage African-Americans in this district were around one-third of those referred and were twice as often drawn from the population-at-risk than Caucasian juveniles. In Hillsborough county, Hispanics made up 12% of those referred and they were drawn from the population-at-risk at similar levels as Caucasians. African-Americans in both counties were twice as often detained as Caucasians. African-Americans in Manatee county received intake worker recommendations for petitions and direct file of information more often than Caucasians and Hispanics. Not detained as well as detained African Americans in Hillsborough county received more petitions than did Caucasians, and detained African-Americans received more direct files of information from state's attorneys than Caucasians. The percentage of detained African-Americans in Manatee county that received a direct file of information from state's attorneys was almost twice that of Caucasians and three times as many African-Americans than Caucasians were waived to an adult court in Manatee.

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In Manatee county, African-Americans both detained and not detained were more often adjudicated than Caucasians . However, the percentage of detained Hispanics who were adjudicated was higher than that for Caucasians or African-Americans. In Hillsborough county, not detained African-Americans were more often adjudicated than Caucasians. At the disposition stage, not detained and adjudicated African-Americans were committed nearly twice as often as Caucasian youth. While detained and adjudicated African-Americans in both counties were more often committed or sent to adult court than Caucasians, detained Hispanics were transferred to adult court more often than Caucasians or African-American.

In District 6, African-Americans were well over-represented at the referral stage in both counties and were more often than Caucasians drawn from the population-at-risk. In District 6, as in District 5, African-Americans were detained twice as often as Caucasians. A higher percentage of detained and adjudicated Hispanics and African Americans in Hillsborough county were sentenced to adult court than Caucasians and more African-Americans were committed than juveniles from any other ethnic group. In Manatee county, of those juveniles who were detained and adjudicated, African-Americans were the only individuals sentenced to adult court.

• **DISTRICT 7**

Counties: Brevard, Orange, Osceola, and Seminole.

District 7 can be summarized as urban. Three counties are mostly urban areas (Orange, Brevard, and Seminole) while Osceola is mostly suburban. Orange county has the highest percentage of African-Americans in the population at 15%. Seminole county has the highest percentage of families below the poverty level (12%) and Osceola county has the highest percentage of children living below the poverty level at 14%. The unemployment rates average around 5%.

At the referral stage African-Americans were around 20% of those referred for all counties in District 7 with the exception of Orange county. In Orange county African-Americans were nearly half of those referred, and were 3 times more often drawn from the population-at-risk than Caucasians. There were two counties with a substantial number of referred Hispanic populations, Orange (13%) and Osceola (19%). In both counties Hispanics were drawn from the population at risk with similar proportions as Caucasians. African-Americans were detained more than twice as often as Caucasians throughout District 7.

At the stage of intake worker's recommendation, African-Americans in Orange county received direct files of information more often than Caucasians. African-Americans in Orange County received petitions more often than Caucasians for both detained and not detained youth. Not detained African-American youth in Seminole and

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Brevard counties received petitions more often than Caucasians. African-Americans in Orange county received a state's attorney recommendation of a petition, a direct file of information or waiver to an adult court more often than Caucasians.

Not detained African-Americans were adjudicated more often than Caucasians in all counties. Not detained Hispanics were adjudicated at a higher percentage than Caucasians in Orange, Osceola and Seminole counties. Detained Hispanic youth had a higher percentage of adjudication than Caucasians in Brevard and Seminole counties. In every county in District 7, African-Americans both detained and not detained, were more often than Caucasians committed, whereas Hispanics were sentenced to community control more often than Caucasians or African-Americans.

District 7 appears to be over-represented at every stage when it comes to African-Americans. African-Americans were 3 times more often drawn from the population-at-risk, and twice as often detained in all the counties. African-Americans most often received the harshest intake worker and state's attorney recommendations, experienced high proportions of adjudication's and received the most restrictive dispositions. Hispanics were represented at the same levels as Caucasians with the exception of the disposition stage in which Hispanics received community control more often than Caucasians or African-Americans.

• **DISTRICT 8**

Counties: Charlotte, Collier, Desoto, Glades, Hendry, Lee, and Sarasota

District 8 can be considered a suburban district with a high percentage of the population living outside of urban areas, but not within rural areas. Hendry county ranks highest in all the selected categories with an African American population of 17%, a Hispanic population at 22%, 15% of families below the poverty level, 16% of the children below the poverty level and an unemployment rate of 13%.

At the referral stage in Desoto, Hendry and Lee counties, African-Americans comprise around one-third of those referred, while in Collier county African-Americans were less than 10% of those referred. There were substantial percentages of Hispanics referrals in Collier and Hendry. Since the number of referrals in Glade county is very small (16), it will not be included in this discussion.

In Desoto, Hendry, Lee and Sarasota, African-Americans were 2 to 3 times more often drawn from the population-at-risk, while in Collier county, African-Americans and Hispanics were drawn equally from the population-at-risk as compared to Caucasians.

Since the number of detained juveniles in Charlotte, Desoto, Hendry and Glades was very small (under 20 for each county), the discussion pertaining to these sub

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populations should be viewed cautiously. In Charlotte, Collier and Lee counties, African-Americans were twice as often and in Sarasota three times as often detained as Caucasians. In Collier county Hispanics were detained more often than Caucasians.

In Collier and Sarasota counties in District 8 African-Americans more often than Caucasians received an intake workers recommendation of a petition or a direct file of information. In Sarasota and Collier detained African-Americans received petitions more often than Caucasians. For all counties in District 8, there was a higher percentage of recommendations by intake workers and state's attorney actions for petitions for African-Americans than Caucasians. While a higher percentage of African Americans than Caucasians in Charlotte and Lee were directly filed to adult court by state's attorneys, in Collier, Sarasota and Desoto this trend was reversed. Detained Hispanics in Sarasota received a higher percentage of recommendations and state's attorney actions for petition than Caucasians.

At the adjudication stage in Collier, Hendry, Lee and Sarasota counties, not detained African-Americans were more often than Caucasians adjudicated, and in Charlotte county, detained African-Americans were over twice as often adjudicated than Caucasians. In Collier county no detained Hispanics were adjudicated. In all counties Hispanic juveniles were more often adjudicated than Caucasian juveniles.

With the exception of Glades and Hendry county, a higher percentage of African-Americans than Caucasians were committed. The percentage of detained African Americans sentenced to adult court was higher than for Caucasians in Charlotte as well as in Lee county. The numbers however are extremely low in Charlotte and should be reviewed with caution. The percentage of Caucasians referred to community control was, with the exception of Lee county, higher than for African Americans. In Lee county, not detained African Americans were referred to community control more often than Caucasians.

African-American youth within district were over-represented in several stages of the juvenile justice system. In Desoto, Hendry and Lee counties, African-Americans were 2 to 3 times as often than Caucasians drawn from the population-at-risk. While in Charlotte, Collier, Desoto and Sarasota counties, African-Americans received the most restrictive sanctions in terms of commitment, Caucasian youth in Sarasota were sentenced to adult court in higher proportions than other juveniles.

Hispanics were drawn from the population-at-risk to similar proportions as Caucasians. However, with the exceptions of Collier, Hendry and Lee, they received more petitions and were adjudicated somewhat more often than Caucasians.

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• **DISTRICT 9**

County: Palm Beach.

District 9 only has one county, Palm Beach. Palm Beach is an urban county with more than 90% of the population living in urbanized areas. African-Americans and Hispanics each comprise 12% of the population. Six percent of the families live below the poverty level and 10% of the children live below the poverty level. The unemployment level is 7%.

At the referral stage, African-Americans were almost 40% of those referred, and were approximately twice as often drawn from the population-at-risk. Hispanics were 11% of those referred and were drawn from the population-at-risk a little more often than Caucasians. African-Americans were over twice as often detained, and received an intake worker's recommendation of a petition more often than Caucasians. Hispanics were slightly more often detained than Caucasians. While state's attorneys filed more petitions against not detained African-Americans than Caucasians, both detained and not detained African-Americans received more direct files to adult court than Caucasians.

Detained Hispanics received an intake worker's recommendation of a petition less often than Caucasians or African-Americans. However, detained Hispanics received a state's attorney action of a petition more often than Caucasians or African-Americans. Not detained African-Americans were more often than Caucasians adjudicated. Of those juveniles not detained there was twice the percentage of African Americans committed as Caucasians. Detained African-Americans were more often than Caucasians transferred to an adult court. Detained Hispanics were adjudicated more often than Caucasians or African-Americans and received community control more often than the other two groups.

African-Americans were over-represented at every stage of the juvenile justice process in District 9, comprising 39% of those referred and were twice as often drawn from the population-at-risk as Caucasians. African-Americans were also more often detained than Caucasians, given the harshest recommendations, adjudicated and given the most restrictive dispositions. Although Hispanics were only slightly more often drawn from the population-at-risk than Caucasians, they were adjudicated and received community control more often than Caucasians or African-Americans.

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- **DISTRICT 10**

County: Broward

District 10 also consists of one county, Broward, which is an urban county, with 99% of the population living in urbanized areas. African-Americans comprise 15% of the population. Seven percent of the families and 11% of the children live below the poverty level. The unemployment level is at 6%.

At the referral stage, African-Americans were 42% of those referred and were more often drawn from the population-at-risk than Caucasians or Hispanics. Hispanics comprised 10% of those referred and were drawn equally from the population-at-risk. African-Americans were three times as often as Caucasians detained, while Hispanics were only slightly more often detained than Caucasians. African-Americans slightly more often than Caucasians and Hispanics received an intake worker's recommendation of a petition.

A higher percentage of African-Americans than any other group were recommended for petition by intake workers, and state's attorneys entered a higher percentage of petitions for not detained African-Americans than for other juveniles. However, state's attorneys filed more petitions and waivers to adult court against detained Hispanics than against other detained youth. Detained Hispanics were also adjudicated more often than Caucasians or African-Americans. For the disposition stage, African-Americans were more often than Caucasians committed. Detained Hispanics received community control and transfer to an adult court more often than Caucasians and African-Americans.

In District 10, African-Americans were over-represented at almost every stage of the juvenile justice process. In District 10, African-Americans comprised less than half of those referred and were twice as often drawn from the population-at-risk. African-Americans were also more often than Caucasians detained, given the harshest recommendations and received the most restrictive dispositions. Although Hispanics were not over-represented from the population-at-risk, they received more petitions from state's attorneys if they were detained than Caucasian juveniles, and were adjudicated and transferred to adult court more often than Caucasians or African-Americans.

- **DISTRICT 11**

Counties: Dade and Monroe

District 11 contains two counties and is a mixture of urban and suburban areas with Dade county being urban and Monroe county being mostly suburban. Dade county has the higher concentration of African-Americans (21%), and the highest concentration of Hispanics at 49%. Fourteen percent of the families and 12% of the children live below

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the poverty level in Dade county. The unemployment level for Dade county is 7% while Monroe county has a relatively low unemployment rate of 3%.

At the referral stage, African-Americans in Dade county were nearly one-half of those referred and were twice as often drawn from the population-at-risk than Caucasians or Hispanics. Hispanics were more than one-third of those referred and were drawn from the population-at-risk at the same levels as Caucasians. However, in Monroe county, African-Americans were less than a quarter of those referred but, were 3 times as often drawn from the population-at-risk than Caucasians. Hispanics were 16% of those referred but were twice as often as Caucasians drawn from the population-at-risk.

At the detention stage, African-Americans in Dade county were detained over twice as often as Caucasians, African-Americans in Monroe county were more than 3 times as often as Caucasians detained.

African-Americans in Dade county were more often than Caucasians to receive an intake workers recommendation of a petition. In Monroe county, not detained African-Americans and Hispanics received an intake workers recommendation of a petition more often than Caucasians. Detained African-Americans and Hispanics in Monroe county received a state's attorney action of a direct file of information more often than Caucasians. While state's attorneys filed more petitions against not detained African American juveniles than against Caucasians, they filed a higher percentage of petitions against Hispanic detained juveniles than against African-Americans or Caucasians. African-Americans and Hispanics in Dade county were more often than Caucasians adjudicated.

For the disposition stage in Dade county, detained African-Americans received adult court transfers more often than Caucasians or Hispanics. Detained Caucasians were more often committed than juveniles from other ethnic groups. Detained and adjudicated Hispanics and African Americans received community control slightly more often than Caucasians. In Monroe county, African-Americans were more often than Caucasians or Hispanics committed.

District 11 only contains two counties, but the same types of dynamics appear to be at work here as in some of the other Districts. At the referral stage, Caucasians were only 13% of those referred while African-Americans in Dade county were nearly one-half of those referred and Hispanics were more than a third. African-Americans were more than twice as often than Caucasians drawn from the population-at-risk in Dade and in Monroe county, African-Americans were 3 times as often drawn from the population-at-risk as Caucasians. Also, in Monroe county Hispanics were twice as often as Caucasians drawn from the population at risk. African-Americans were 3 times as often detained. In Dade county, detained African-Americans received adult court transfers more often than Caucasians or Hispanics. However, Caucasians were committed more often than other

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youth. Detained adjudicated Hispanics received community control more often than Caucasians or African-Americans.

## DISTRICT 12

Counties: Flagler and Volusia

District 12 also contains two counties and is a mixture of urban and suburban effects. Flagler county is more suburban with 63% of the population living outside of urbanized areas and Volusia county is mostly urban with 75% of the population living in an urbanized area. Volusia county has a higher concentration of African Americans in the population (9%) and a higher percentage of families living below the poverty level at 8%. In both counties, 11% of the children live below the poverty level and both counties have unemployment rates of 6%.

At the referral stage, African-Americans in Flagler county were nearly one-third of those referred, and were more than 3 times as often drawn from the population-at-risk as Caucasians. In Volusia county African-Americans were nearly a third of those referred and more than twice as often drawn from the population-at-risk as Caucasians. At the detention stage, African-Americans in Flagler county were twice as often detained. However, it should be noted that the number of detained juveniles in Flagler county is small and caution should be exercised in interpreting this data. African-Americans in Volusia county were detained nearly 3 times as often as Caucasians.

In Flagler county, not detained African-Americans received a intake workers' recommendation of a petition more often than Caucasians. However, state's attorneys filed more petitions against Caucasians and Hispanics than African Americans, again these small numbers should be reviewed with caution. In Volusia county African-Americans were more often than Caucasians to receive a state's attorney action of a petition or a direct file of information.

At the adjudication stage in Flagler and Volusia counties, not detained African-Americans were more often than Caucasians adjudicated. At the disposition stage, all not detained adjudicated African-Americans in Flagler county received community control. In Volusia county, detained African-Americans were more often than Caucasians committed.

At the referral stage in District 12, African-Americans in Flagler county were nearly one-third of those referred and were more than 3 times as often drawn from the population-at risk. African-Americans in this district were twice as often detained as Caucasians. Throughout the district, African-American youth who were detained most often received petitions from intake worker and state's attorneys. While more African-Americans than other juveniles were committed in Volusia, of the youth not detained in Flagler county only Caucasians were committed. The exception was the adjudication

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stage in Flagler county, in which African-Americans were less often than Caucasians adjudicated.

### **DISTRICT 13**

Counties: Citrus, Hernando, Lake, Marion and Sumter.

DISTRICT 13 contains five counties which can be classified as mostly suburban, with only Sumter county being rural. Sumter county also has the highest concentration of African Americans (16%) and the highest percentage of families below the poverty level at 14%. Lake and Marion counties had the highest percentages of children living below the poverty level at 11%. All counties within the district had an average unemployment level of 7%.

At the referral stage in Lake and Sumter counties, African-Americans comprised about one-third of those referred. In the remaining counties, African-Americans were less than 25% of those referred. In Lake county, African-Americans were more than twice as often drawn from the population at-risk than Caucasians, while in the remaining counties, African-Americans were only slightly more often than Caucasians drawn from the population-at-risk. At the detention stage, African-Americans in Citrus county were 5 times as often detained as Caucasians and in Lake two times as often. Conversely, African-Americans in Sumter county, were less often than Caucasians detained.

In all counties of district 13, not detained African-Americans were more often than Caucasians to receive an intake worker's recommendation of a petition. In Hernando county, all detained African-Americans were petitioned. The state's attorney action was the most severe in two counties: in Citrus county the percentage of detained African-Americans was 4 times that of Caucasians who receive a direct file of information adult court. In Citrus County, only detained African Americans were waived to adult court. In Marion county, the percentage of detained African-Americans was 7 times that of Caucasians who received a direct file to adult jurisdiction. In Lake county a higher percentage of Hispanics than African Americans or Caucasians were directly filed to adult court by state's attorneys.

At the adjudication stage, African-Americans in Marion county were more often than Caucasians adjudicated. In the remaining counties within the district the numbers of African-Americans at the adjudication stage were very small, making it difficult to obtain a meaningful assessment. However, African-Americans appeared to be adjudicated less often than Caucasians. African-Americans in all counties within District 13, except in Lake county for detained youth, were more often than Caucasians committed.

Within District 13 there was an interesting mixture of lenient and harsh treatment of African-Americans. African-Americans in District 13 were up to 3 times more often than Caucasians drawn from the population-at-risk. African-Americans received harsher

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recommendations than Caucasians and were more often than Caucasians committed in almost every county within the district (with the exception of Lake county).

• **DISTRICT 14**

Counties: Hardee, Highlands and Polk.

District 14 contains three counties and can be classified as mostly rural, with only Polk county being mostly suburban. Polk county has the highest concentration of African Americans at 13%. Hardee county has the highest concentration of Hispanics at 23%, has the highest percentages of families below the poverty level (17%), the highest percentage of children below the poverty level (14%) and the highest level of unemployment at 11%.

At the referral stage, African-Americans were almost 40% of those referred. In Hardee county African-Americans were around 25% of those referred, but were more than 3 times as often drawn from the population-at-risk than Caucasians. Hispanics in Hardee county were 22% of those referred but were two times less often than Caucasians drawn from the population-at-risk. At the detention stage in Hardee county, none of the 34 African-Americans referred were detained and in Highlands county, African-Americans were detained equally with Caucasians. Only five juveniles were detained in Hardee. In Polk county, African-Americans were detained more often than Caucasians and to the same proportions as Hispanics.

African-Americans in District 14 were more often than Caucasians to receive an intake worker's recommendation of a petition or a direct file of information, with not detained African-Americans in Hardee county received almost twice as often a recommendation for a petition and 3 times as often to receive a recommendation of a direct file of information. Not detained Hispanics in Hardee county received an intake worker's recommendation of a petition more often than Caucasians. Not detained African-Americans were also more often than Caucasians to receive a state's attorney action of a petition. Detained African-Americans in Highlands county were more often than Caucasians waived to an adult court.

African-Americans were more often than Caucasians adjudicated in Highlands county. Adjudicated African-Americans in Highlands and Polk counties were committed more often than Caucasians or Hispanics.

While in Hardee and Highlands the number of detained youth was small, in Polk county the ratio of the percentages of detained African American and Hispanics to detained Caucasians was 5 to 3.

In District 14, African-Americans were on average one-third of those referred and in Hardee county they were more than 3 times as often drawn from the population-at-risk as Caucasians. There were some interesting results at the detention stage in District 14.

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African-Americans and Hispanics in Hardee county received more often than Caucasians intake worker recommendations of petitions and direct files and more petitions from state's attorneys. While in Highland county African Americans were adjudicated more often than Caucasians, in Polk county this relationship was reversed for detained juveniles. In both Polk and Highlands more African Americans than Caucasians were committed.

## **DISTRICT 15**

Counties: Indian River, Martin, St. Lucie and Okeechobee.

District 15 contains four counties and is a mixture of urban and suburban effects, with Martin and St. Lucie counties being urban and Indian River and Okeechobee being suburban. St. Lucie county has the highest percentage of African Americans in the population at 16%. Okeechobee has the highest percentage of families living below the poverty level at 15%. However, St. Lucie had the highest percentage of children living below the poverty level at 29% and the highest unemployment level at 13%.

At the referral stage African-Americans, on average, were over a third of those referred. In St. Lucie, African-Americans were nearly one-half of those referred. Throughout District 15, African-Americans were more often than Caucasians drawn from the population-at-risk, with African-Americans in Okeechobee county being more than 4 times as often drawn from the population-at-risk than Caucasians. At the detention stage, African-Americans throughout the district were up to twice as often detained as Caucasians. With the exception of St. Lucie, the number of juveniles detained in this district was small and conclusions should be drawn with this limitation in mind.

Not detained African-Americans were more often than Caucasians to receive a state's attorney recommendation of a direct file of information in all counties except Okeechobee. A higher percentage of African Americans than Caucasians received a recommendation of petition from states attorneys in small counties.

Not detained African-Americans were more often than Caucasians adjudicated throughout the district, with the exception of Okeechobee, in which detained African-Americans were more often than Caucasians adjudicated. At the disposition stage, not detained African-Americans throughout the district were more often than Caucasians committed. Specifically, the percentage of not detained African-Americans in Indian River county was 7 times that of Caucasians committed, and the percentage of not detained African-Americans in Martin county was 4 times that of Caucasians committed. In St. Lucie a higher percentage of both detained and not detained African-Americans were committed than Caucasians.

At the referral stage in District 15, African-Americans were, over a third of those referred and in Martin county were more than 3 times as often drawn from the population

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at risk. At the detention stage in District 15, African-Americans were, on average, twice as often detained. Not detained African-Americans in District 15 were more often than Caucasians to receive the harshest intake worker and state's attorney recommendations, and were more often than Caucasians adjudicated, except for Okeechobee. The largest disparity within all the districts was at the disposition stage. In Indian River county, the percentage of not detained African-Americans was 7 times that of Caucasians committed, and the percentage of not detained African-Americans in Martin county was 4 times that of Caucasians committed.

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## CHAPTER VII

### Phase II Project Analysis

As the proposed site of the Minority Over-representation Initiative's Phase II intervention, special attention has been given to Hillsborough County in this analysis. Over-representation of minority youths in the local delinquency system has been chronicled for a number of years. For instance, higher percentages of African-American youths who have been referred to the delinquency system have been transferred to adult court than other ethnic groups. The purpose of this case study is to focus a more detailed analysis on Hillsborough County. It provides an example of the dynamics of a system in which minority over-representation has been documented. It also provides a descriptive statistical analysis to aid planners involved in the intervention phase of the project.

#### *Demographic Characteristics of Youths at the Arrest Stage*

##### *Racial Distribution*

During the sixteen month interval of this analysis, 5323 youths from the Hillsborough County public school population were referred to the delinquency system, a total of 5.5% of all children in the county between the ages of 10 and 17. African-Americans, who make up 16.5% of Hillsborough County youths in the 10-17 age interval, were clearly over-represented, comprising 38.8% of all referrals. Caucasians, who make up 65.1% of youths in the Hillsborough County population, were 49.1% of all referrals, whereas Hispanic youths, comprising 12.9 % of the juvenile population, constituted 12.1% of those referred. Only two Native-Americans and 16 Asian-Americans were referred, representing less than one percent of the referral population.<sup>1</sup>

##### *Gender Distribution*

Of the 5,323 juveniles referred, 27.0% (1436) of the population was female. Among females, African-Americans were over-represented, making up 42.3% (607) of all adolescent females referred (Table 1). Hispanic females comprised 10.7% of the total female population (154). Of the 3,887 male juveniles referred, African-Americans were 37.6% of the total (1460), and Hispanics 12.6% (490).

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<sup>1</sup>Since their small numbers resisted statistical manipulation, trends for Native Americans and Asian-Americans in this sample are not included in the overall analysis.

	Caucasian	African-American	Hispanic	Total
Male	49.8%	37.6%	12.6%	3,887
Female	47.0%	42.3%	10.7%	1,436
% of Total Population	65.1%	16.5%	12.9%	

The overall ratio of females to males, approximately 1:3, was roughly the same ratio within the three race categories analyzed (Table 2).

	Caucasian	African-American	Hispanic
Percentage Male	74.2%	70.6%	76.1%
Percentage Female	25.8%	29.4%	23.9%
Total	2,612	2,067	644

### *Age Distribution*

Table 3 (below) represents the overall distribution of referrals by age and race. The proportional representation of youths arrested increases as age increases. It is noteworthy, however, that a large increase in referrals occurs between the age categories 10-11 and 12-13. This is followed by a very small increase in frequency between the 12-13 and 14 interval, followed by another spike in the fourth interval, at age 15.

When age trends in referrals were considered by race category, although referral trends for Caucasians and Hispanics tended to mirror the general trend of increasing frequencies with increasing age, African-Americans followed a different frequency pattern. Higher percentages of African-Americans are contained within the younger categories of age. As they reach the ages of 16 and older, percentages of African-Americans drop, probably due to their early departure from the juvenile system.

**Table 3**  
*Distribution of Age Categories within Ethnic Groups*

Age	Caucasian	African-American	Hispanic
10-11	1.5%	2.6%	1.3%
12-13	12.5%	18%	12.9%
14	13.9%	16.4%	15.4%
15	19.3%	21.2%	23.1%
16	24.6%	19%	24.1%
17-18	28.2%	22.8%	23.3%

Of the 5,323 juveniles in this sample, 1,978 were first-time referrals. The mean age of first-time referrals for the full sample was 15.5 years. The average age of first-time Caucasian and Hispanic youths was about the same: Caucasians averaged 15.8 years ( $sd = 1.4$ ), and Hispanics averaged 15.6 years ( $sd = 1.3$ ). First-time African-Americans were significantly younger, averaging 15.0 years of age ( $sd = 1.51$ ). This difference was found to be statistically significant ( $F_{2, 1,978} = 44.43, p < .001$ ). When the age analysis was further stratified by sex, the same trends among races tended to persist.

#### *Detention/release Decision*

##### *Demographic Characteristics*

Of the population referred to Hillsborough County's delinquency system in 1991-92, 10.5% were detained at intake (555). Higher percentages of African-Americans were detained than either Caucasian or Hispanic youths. Table 4 compares the percentages of racial groups released and detained:

Detention Status	Caucasian	African-American	Hispanic
Released	92.3%	85.0%	92.6%
Detained	7.7%	15.0%	7.4%

<sup>1</sup>(n = 5274)

For both Caucasian and Hispanic youths, the ratio of those released to those detained was roughly 12:1, but the ratio for African-Americans was less than 6:1. Twice the percentage of African-Americans were detained compared with the percentages of Caucasian and Hispanic juveniles.

African-American females were detained at a higher rate than either Hispanic or Caucasian females, comprising 7.3% of all African-American females referred (44 of 602). Of referred Caucasian females, 6.5% were detained (43 of 663), compared with 3% of Hispanic females (4 of 14).

#### *The Detention Decision, Offense Seriousness, Prior Record and Race*

When legal factors were considered in conjunction with race and the decision to detain, the majority of the 555 youths detained were those charged with two of the more serious offense categories: felonies against persons (n = 159) or felonies against property (n = 183), accounting for nearly two-thirds (61.6%) of all detainees. Although African-Americans were equally-likely to be referred for both person and property felonies, both Hispanic and Caucasian detainees were four times as likely to be referred for property felonies as for felonies against persons. <sup>2</sup>

For all youths referred in these two felony categories, there were differential findings by race for those who had prior records versus those youths who were first-time referrals. For first-time referrals for felonies against persons, regardless of race, the ratio of release to detention was roughly 4:1 (105:27). For first-time referrals for felonies against property, youths were released nearly 98% of the time (211 youths released of 216 referred).

When prior record was considered in conjunction with race categories, race

<sup>2</sup>In the project survey of HRS intake caseworker perceptions of referral and disposition seriousness, on a nine-point scale (1 "not at all serious" to 9 "extremely serious"), felonies against persons were rated as significantly more serious than felonies against property (felonies against persons,  $m = 7.2$ ; felonies against property:  $m = 6.1$ ;  $t_{132} = 31.8$ ,  $p < .0001$ .)

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anomalies in the rate of detention/release were most apparent for youths with a prior record of delinquency ("priors"). For instance, African-Americans with priors accounted for 38.6% of all referrals (189 of 490), but nearly one-half of all youths detained (80 of 167). Caucasian and Hispanic youths with priors were detained at a significantly-lesser rate ( $X^2_{2, n=167} = 9.50, p < .01$ ). When the race analysis was further stratified by the 11 offense categories (see description of categories in Chapter 2), clear racial differences in treatment emerged for youths who were referred for person felonies. The percentage of Hispanic youths with priors who committed felonies and were detained was four times higher than that of Caucasians and two times higher than African-Americans.

For misdemeanor referral categories (against persons, property, victimless, drug and other), first-time offenders, regardless of race were seldom detained. For those with prior records, there were no statistically significant differences in detention trends by race category.

Four categories of drug referrals were also analyzed by race: Felony drug (except marijuana), felony marijuana, misdemeanor drug (except marijuana), and misdemeanor marijuana. Although referrals in all four categories totaled only 4.2% of all referrals, (209 of 5272), African-Americans accounted for 65.1% of those referred for these four categories (136 of 209). The majority (77.9%) of African-Americans referred fell into the felony drug (not marijuana) category (106). African-Americans accounted for 91.4% of all referrals in this category (106 of 116). With a prior record, 50% of African Americans were detained.

### *Intake Case Manager Recommendations and State's Attorney Actions*

#### *Recommendations of Intake Managers*

Data were collected and analyzed with regard to the recommendations of intake managers for those cases referred during the 16-month time period. Of the possible recommendations for action in a case (see Chapter 2 for an explanation of possible recommendations), HRS intake case managers recommended petitions for 51.8% (2,311) of the juveniles. A recommendation not to petition was made in 46.6% (2,076) of the cases. Of all juveniles referred, only 1.6% (71) received recommendations for a waiver to adult court, direct filing to adult court, or grand jury indictment from intake case managers.

<b>Recommendation</b>	<b>Caucasian</b>	<b>African-American</b>	<b>Hispanic</b>
<i>No Petition</i>	53.0%	35.3%	55.0%
<i>Petition</i>	46.0%	62.0%	44.3%
<i>Waiver, Direct File, Indictment</i>	1.0%	2.7%	0.8%

A higher percentage of African-American youths received recommendations for petitions from intake managers than percentages of either Caucasians or Hispanics. The percentage of African-Americans transferred to adult court was two to three times that for Caucasian or Hispanic juveniles.

*Seriousness of Offense, Prior Record, Race and the Intake Recommendation Decision*

For all race categories, the more serious recommendations (i.e., petition, waiver, direct filing, indictment) were made for the more serious referrals. When prior record was added as a control variable and considered in conjunction with offense categories, some racial differences were revealed. When minority youths were referred for felonies against persons (n = 240), the ratio of petition recommendations to no petition recommendations decreased from one in three (19:61) for youths with no prior record, to less than one in 50 (3:157). For Caucasian youths referred for the same category (n = 145), the gradient of decline in odds for a recommendation not to petition was considerably less, decreasing from roughly one-in-two (15:36) to one-in-10.5 (8:86). On the basis of this finding, it was concluded that for the most serious offense category, felony-against-person, race would seem to have influenced the intake manager's recommendations when seriousness of offense and prior record were considered.

African-Americans and Hispanic-Americans were less over-represented in the felony against property category than in the felony against person category. The rate of recommendations not to petition for property felonies was similar to that for felonies against persons. For both Hispanics and African-Americans, whether with or without prior delinquency history, the percentage of recommendations to petition was higher compared with the percentage for Caucasians

For the category felony-drug (not marijuana), the harshest recommendations were made at a rate higher than in any other offense category. Although in the other ten offense categories the frequency of all types of recommendations for transferal to adult court never exceeded 3.5% of all recommendations by category (usually for youths with prior

records), this recommendation was made nearly 11% of the time (9 of 83) for youths with a prior history of delinquency. This finding is significant because the majority of offenders within this particular category of offense are African-Americans (106 of 116).

*Intake Case Manager Recommendations to the State's Attorney and State's Attorney Actions: A Comparison*

As a comparison of Tables 5 and 6 suggests, both intake case managers and state's attorneys selected transfer to adult court as the recommendation/action for African-Americans more frequently than for both Hispanics and Caucasians. Although in all race categories, the frequency of intake recommendations for all types of transfers to adult court was about one-sixth the frequency of the state's attorney's recommendation/action taken in this category (71:399), it is noteworthy that African-Americans received 63.4% of all such recommendations compared with state's attorneys who took the same action for African-Americans 53.6% of the time.

<b>Recommendation</b>	<b>Caucasian</b>	<b>African-American</b>	<b>Hispanic</b>
<i>No Petition</i>	49.1%	35.3%	55.0%
<i>Petition</i>	44.4%	62.0%	44.3%
<i>Transfer to Adult Court</i>	6.5%	2.7%	0.8%
<b>Total</b>	2,332	1,679	522

<b>Action Taken</b>	<b>Caucasian</b>	<b>African-American</b>	<b>Hispanic</b>
<i>No Petition</i>	49.1%	33.9%	50.6%
<i>Petition</i>	44.4%	54.0%	43.2%
<i>Transfer to Adult Court</i>	6.5%	12.2%	6.3%
<b>Total</b>	2,332	1,760	544

Table 7 is a comparison of Intake Case Manager recommendations with actions taken by the State's Attorney. It is of interest because it illustrates the degree to which the two are in agreement. The cells in the diagonal (from upper left to lower right, the shaded cells) display the percentages of agreement in recommendation/action. The cells below the diagonal are those for which State's Attorney actions were more harsh (15.4% of all actions), and those above the diagonal are those for which the Intake Case Manager recommendations were more harsh (7.7% of all recommendations). Although these cases of disagreement are not broken down by race, it is evident that when State's Attorney actions deviate from Intake Case Manager recommendations, they are harsh twice as often as they are more lenient.

**Table 7**  
*Comparison of Intake Case Manager Recommendations with State's Attorney Actions<sup>1</sup>*

State's Attorney Actions	Case Manager Recommendations		
	<i>No Petition</i>	<i>Petition</i>	<i>Transfer to Adult Court</i>
<i>No Petition</i>	38.2%	7.1%	0.1%
<i>Petition</i>	8.1%	37.7%	0.5%
<i>Transfer to Adult Court</i>	0.2%	7.1%	1.0%

<sup>1</sup>n = 4448

*The Decision to Adjudicate*

In the Hillsborough County population, 21.0% (1104) of the 5264 referrals were adjudicated, with significant differences in adjudicated/not adjudicated rates by race ( $X^2_2$ ,  $n = 5264 = 118.0$ ,  $p < .0000$ ). Aside from the seriousness of offense and the issue of prior record, researchers have noted previously that the decision whether to adjudicate a case is influenced by the prior decision to detain or to release the youth following initial referral (McCarthy & Smith, 1986). In this sample, youths who were detained after referral (Table 8) were adjudicated at a significantly higher rate than youths who were not detained (49.2% compared with 17.6%, respectively). The only significant difference in adjudication rates by race was African-American youths who were not detained (Table 9). A significantly higher percentage of these juveniles were adjudicated than were Caucasian or Hispanic youths ( $X^2_4$ ,  $n = 4719 = 104.971$ ,  $p < .0000$ ).

**Table 8**  
*Comparison of Adjudication Status by Ethnic Group for Hillsborough County Juveniles Who Were Detained<sup>1</sup>*

	Caucasian	African-American	Hispanic
Not Adjudicated	47.0%	47.4%	42.6%
Adjudication Withheld	6.0%	2.6%	4.3%
Adjudicated	47.0%	50.0%	53.2%
<b>Total</b>	200	308	47

<sup>1</sup>n = 555

**Table 9**  
*Comparison of Adjudication Status by Ethnic Group for Hillsborough County Juveniles Who Were Not Detained<sup>1</sup>*

	Caucasian	African-American	Hispanic
Not Adjudicated	82.6%	73.1%	86.7%
Adjudication Withheld	3.4%	2.1%	1.9%
Adjudicated	13.9%	24.7%	11.4%
<b>Total</b>	2,389	1,743	587

<sup>1</sup>n = 4,719

When prior record was considered as a variable, youths without a prior history of delinquency were seldom adjudicated. Only 3.8% (73) of youths without priors were adjudicated. Of those adjudicated, the percentage of African-Americans adjudicated was twice that of either Caucasian or Hispanic youths, a statistically significant difference ( $X^2_{2, n = 73} = 14.11, p < .001$ ). For all youths with a prior delinquency history, adjudication was much more likely (Table 10). A higher percentage of African-American youths were adjudicated than their Hispanic or Caucasian counterparts ( $X^2_{2, n = 2,693} = 28.1, p < .0000$ ).

<b>Adjudication Status</b>	<b>Caucasian</b>	<b>African-American</b>	<b>Hispanic</b>
Not Adjudicated	67.6%	58.7%	71.5%
Adjudicated	32.4%	41.3%	28.5%
<b>Total</b>	1,160	1,263	270

<sup>1</sup>n = 2,693

When the effect of prior referral was examined within offense categories for those cases which were adjudicated, no statistically significant racial differences could be detected..

*The Disposition Stage*

Dispositions, both judicial and non-judicial, were categorized into six general types: Release, community control, Juvenile Alternative Services Programs (JASP), commitment, adult court, and a general category of "other dispositions." Intake case managers considered the direct filing adult court and the waiving of a case to be heard in adult court the most serious dispositions, followed by commitment, JASP, community control and several of the less serious dispositions listed in the other category. Because other studies analyzing the factors associated with legal dispositions make the consistent claim that disposition is influenced mostly by an interaction between seriousness of the offense and the youth's delinquency history, the analysis of the distribution of dispositions by race was conducted with these variables in mind. The distribution of dispositions by race is displayed in Table 11:

<b>Disposition</b>	<b>Caucasian</b>	<b>African-American</b>	<b>Hispanic</b>
Release	17.8%	18.7%	14.3%
Other HRS Programs	0.3%	0.1%	0.3%
Community Control	14.4%	19.1%	12.3%
Commitment	2.9%	7.2%	2.0%
JASP	19.1%	12.4%	18.6%
Transfer to Adult Court	5.3%	9.4%	4.7%
Other Dispositions	40.2%	33.0%	47.8%
<b>Total</b>	<b>2,612</b>	<b>2,067</b>	<b>644</b>

<sup>1</sup>n = 5,323

*Disposition, Offense Seriousness, Prior Record and Race*

According to the survey of intake worker perceptions of referral seriousness, the felony person category was rated most serious of all 11 categories. When this category was examined with regard to disposition categories for youths who had no prior record (n = 132), it was found that African-Americans were significantly more likely than others to be released or receive miscellaneous dispositions not accounted for in the other 10

categories. Among youths with prior records charged with felonies against persons, higher percentages of Caucasians were released or placed in community control as a disposition than those of African-American youths. Nearly twice the percentages of African-American youths received commitment or adult court dispositions than either Caucasian or Hispanic youths (Table 12). This difference was statistically significant ( $X^2_{10, n = 253} = 27.563, p = .0021$ ).

**Table 12**  
*Dispositions of Juveniles with Prior Referrals by Ethnic Group, Hillsborough County<sup>1</sup>*

Disposition	Caucasian	African-American	Hispanic
<i>Release</i>	39.8%	20.1%	23.8%
<i>Community Control</i>	20.4%	20.1%	4.8%
<i>Commitment</i>	4.3%	10.8%	0.0%
<i>JASP</i>	6.5%	1.4%	4.8%
<i>Adult Court</i>	20.4%	28.8%	42.9%
<i>Other Dispositions</i>	8.6%	18.7%	23.8%
<b>Total</b>	93	139	21

<sup>1</sup>n = 253

In the category of misdemeanors against persons, there was no significant difference in disposition by race for first-time offenders. For youths with prior records (344), higher percentages of Caucasians were released, and lower percentages received community control or commitment dispositions than percentages of either African-American or Hispanic youths. Furthermore, the percentage of African-American youths waived to adult court was three times higher than the percentage of Caucasians, and accounted for 82.8% of all adult court handling in this category (24 of 29 cases).

The relations among disposition, both felony and misdemeanor property referrals, prior record, and race were also analyzed. Caucasian youths accounted for 66.7% of all first-time property felony referrals (n = 144/216) and were most commonly given JASP dispositions. The percentage of Caucasian youths released was four times the percentage of African-American youths and three times that of Hispanic youths.

Of the remaining categories of referral, subsamples were either too small to allow reliable interpretation, or statistical differences were not significant. The felony drug (not marijuana) category bears brief mention because it is a category populated almost exclusively by African-American youths (n = 106 of 116). For African-American youths in this category with a prior history of delinquency (84 of 106), more than half were referred to adult court (40) or were committed to an HRS facility (9).

*School Variables and Delinquency in Hillsborough County  
School Enrollment Patterns, Attendance and Delinquency*

Of the 4994 youths for whom data were available, 84.6% (4172) were enrolled during the 1991-92 academic year. Less than 0.5% were expelled (26) and nearly 4% (209) withdrew during the school year. In the category of school-aged juveniles who were not enrolled in school during the year (Table 13), nearly half were African-American youths (121 of 253). Overall, students who withdrew from Hillsborough public schools averaged nearly twice as many delinquency referrals as enrolled students (mean withdrawn student referrals = 8.93; mean "enrolled student" referrals = 5.00).

<b>Table 13</b>			
<i>Distribution of Public School Enrollment Status by Ethnic Group Membership, Hillsborough County Public Schools<sup>1</sup></i>			
<b>Enrollment Status</b>	<b>Caucasian</b>	<b>African-American</b>	<b>Hispanic</b>
<b>Enrolled</b>	2,357	1,802	582
<b>Not Enrolled</b>	112	121	20
<b>Total</b>	2,469	1,923	602

n = 4,994

Students from the referral population were absent from school an average of 28.6 days from school during 1991-92. Within the referral population, the average days absent for Caucasians was 26.9, for African-Americans, 30.4, and for Hispanic students, 29.6. Interestingly, in each of the race categories, females students missed an average of two days per year more than males did.

*School Performance, Conduct and Delinquency*

The juveniles within the referral population often exhibited problem behavior within the school system, and were the subject of discipline in that setting. School disciplinary action is categorized within Department of Education data into four

dispositions: (a) no disciplinary action, (b) corporal punishment, (c) in-school suspension, and (d) out-of-school suspension. Of the referral population, 44.4% (2366) were given out-of-school suspension (Table 14). Of the African-Americans who were referred, 50.6% received out-of-school suspensions during 1991-92 (1046). The percentage of Caucasians receiving out-of-school suspensions was 39.2%, and for Hispanic youths 45.8%. There was no significant difference in the frequency of in-school suspensions by race, a disposition meted out to less than 4% of the Hillsborough County delinquent student population. Corporal punishment was applied to only eight students in the population.

**Table 14**  
*Distribution of School Discipline Dispositions by Ethnic Group<sup>1</sup>*

Discipline	Caucasian	African-American	Hispanic
<i>No Action</i>	57.0%	45.3%	51.9%
<i>Corporal Punishment</i>	0.2%	0.0%	0.3%
<i>In-School Suspension</i>	3.5%	4.0%	2.0%
<i>Out-of-School Suspension</i>	39.2%	50.6%	45.8%
<b>Total</b>	2,612	2,067	644

*n* = 5,323

It was not possible to determine if out-of-school suspensions were related to the youth's latest referral during the interval of the analysis. The three ethnic groups were compared with regard to the average number of referrals for youths who were given out-of-school suspensions. The average number of referrals for suspended African-American students was 6.1 (sd = 8.23); for Caucasians, 4.3 (sd = 2.4); and for Hispanics, 3.7 (sd = 6.6). These differences were statistically significant ( $F_{2, 2363} = 22.06, p < .0000$ ).

<b>Table 15</b> <i>Distribution of Grade Point Averages among Hillsborough County Juvenile Referrals by Gender and Race</i>			
<b>Gender</b>	<b>Caucasian</b>	<b>African- American</b>	<b>Hispanic</b>
<i>Male</i> (n)	1.04 (1,937)	0.70 (1,460)	0.95 (490)
<i>Female</i> (n)	1.23 (675)	0.84 (607)	1.00 (154)
<b>Total</b>	2,612	2,067	644

In terms of the delinquency population's academic performance, the mean grade point average was 1.01 on a four-point scale. African-Americans averaged below 1.00, and Caucasian and Hispanic youths in the sample performed only slightly better (Caucasian mean GPA = 1.01; Hispanic mean GPA = 0.95).

When the frequency distribution of the Hillsborough County delinquency population was examined by grade level, the distribution for the entire population revealed an almost classic normal curve. Table 16 depicts the modal delinquency activity between the eighth and tenth grades.

**Table 16**  
*Distribution of Hillsborough County Juvenile Referrals by Grade Level*

Grade	Frequency	Percent
3	3	0.1%
4	46	1.0%
5	156	3.3%
6	328	7.0%
7	735	15.6%
8	1,072	22.8%
9	1,007	21.4%
10	752	16.0%
11	487	10.4%
12	117	2.5%
<b>Total</b>	<b>4,703</b>	<b>100</b>

Further examination revealed differences in skewness by race category (Table 17). For instance, for Caucasian youths 55.8% of delinquency referrals in 1991-92 occurred among ninth through twelfth grade levels. By contrast, the majority of referrals for African-Americans were made for youths before the ninth grade.

<b>Grade Level</b>	<b>Caucasian</b>	<b>African-American</b>	<b>Hispanic</b>
3	0.0%	0.1%	0.2%
4	0.6%	1.6%	0.5%
5	2.7%	4.5%	2.1%
6	5.6%	9.0%	5.9%
7	14.8%	16.8%	15.2%
8	20.5%	25.5%	23.5%
9	21.2%	21.1%	23.5%
10	17.1%	13.8%	18.3%
11	14.1%	6.4%	7.8%
12	3.4%	1.2%	2.9%
<b>Total</b>	<b>2,302</b>	<b>1,823</b>	<b>578</b>

<sup>1</sup>n = 4,712

When a review of referrals by grade level was conducted for each of the eleven referral categories, the frequency distributions by grade tended to mirror the race distribution for all referrals in proportion by grade level. Some anomalies were found, however, and deserve brief mention. For instance, although the grade distribution of felonies against persons showed no deviation from the general trend, for felony property offenses more than 60% of the youths referred (63) were grade nine or higher. In the misdemeanor against person category, 31.1% of all African-American youths referred (98) were eighth graders. In the property misdemeanor category, 61.8% of all referrals for

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African-American youths (273) were youths between the third and eighth grades.

### *Discussion and Concluding Comments*

In this preliminary and descriptive analysis of the relation between race and the treatment of Hillsborough County youths in the delinquency system, the findings of previous studies conducted at the state level in Florida (Frazier & Bishop, 1988; The Florida Supreme Court Race and Ethnic Bias Study Commission, 1990) have been confirmed by the Hillsborough County population during the 1991-92 interval examined. Minority youths are treated differently at every stage of the system.

Although juvenile justice researchers have contended that the seriousness of a youth's legal disposition is dependent upon (a) the seriousness of the offense with which he/she is charged, and (b) the youth's prior history of delinquency, the Hillsborough County study suggests that minority status leads to differential treatment at all stages of the delinquency system. Especially for those African-American youths who are referred for the most serious offenses, the combination of offense seriousness, prior record, and being African-American would seem to result in differential treatment when compared with their Caucasian or their Hispanic peers.

This disparity of treatment was apparent in a review of intake case manager recommendations and state's attorney decisions. Racial bias with regard to decision-making was apparent in certain categories of analysis, especially when seriousness of offense and prior record were held constant.

There are also other considerations by which decision makers and their choices must be evaluated. In their discussion of the philosophical orientations of law enforcement and corrections personnel within Florida's juvenile justice system, Farnsworth, Frazier, and Neuberger (1988) have differentiated differences with regard to the treatment of youths who have committed delinquent acts. Contending that there are two general philosophies which tend to prevail at different stages of the process, they have determined that in general, intake case workers and public defenders are more likely to endorse a rehabilitation model of treatment, whereas state's attorneys, law enforcement officers and judges tend to adopt a punitive just deserts philosophy.

These differences were apparent for the two juvenile justice groups in Hillsborough County. Differences in harshness of recommendations between intake case managers and state's attorneys were most pronounced for the more serious recommendations/actions (i.e., petition, transfers to adult court). State's attorneys took actions considered more harsh twice as often as they were more lenient, compared with case intake manager's recommendations. In other words, although there was some evidence of race disparities in recommendations by both intake and state's attorneys,

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overall, the tendency of state's attorneys to support the harsher recommendations is consistent with the Farnsworth et al. thesis, because the more serious recommendations tend to connote a punishment disposition. This does not obviate the fact that decision making varied dramatically by race category, which calls for greater scrutiny of policy and attitudes at the local level.

*Intervention Strategies Guided by the Data*

Although sophisticated causal modeling with regard to minority over-representation is part of the HRS delinquency research agenda for the upcoming year, certain trends in the available data may be sufficiently informative to aid policy making and program intervention to curb delinquency in Hillsborough county. For instance, preventive strategies might take note of the age and school grade distributions of the most frequent delinquency activities, keeping in mind that these distributions tend to differ by race.

There would also seem to be a tendency at different age/grade levels for youths of different racial backgrounds to become involved in different types of delinquent behavior. African-American youths, for instance, are considerably over-represented in the felonies against person category relative to other group frequencies. Caucasians tend to be most involved in misdemeanor and felony property offenses. With regard to Hispanic trends, the frequency of felony property delinquency activity seemed to increase dramatically at the ninth-grade level. A more detailed scrutiny of such trends may help to locate intervention programs more strategically in terms of initiation of interventions and intervention themes (e.g., aggression/anger management programs for youths, beginning no later than the seventh grade.)

When strategies are formulated, the relation between behavior of youths and school performance must not be ignored. At a time when the schools and social service agencies are becoming aware of their need to collaborate, shared strategic planning needs to acknowledge the potential that decision making in either agency has on the other. The analysis suggested a positive relation between schools' use of out-of-school suspension as a disciplinary device and frequency of delinquency referrals in a youth's record. Although this relation could not be proved conclusively in this preliminary analysis, the simple correlation of the two events mirrors other findings presented to the Florida Legislature in 1993, and would suggest an ideal opportunity for HRS staff and educators in full-service schools to consider alternatives to the out-of-school suspension policy, where possible.

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## CHAPTER VIII

### Description of Phase II Pilot Project

The pilot project will involve a collaboration with the HRS District 6 Centralized Receiving Facility and Pre-Placement Program. The collaboration will identify and monitor minority youth processed in this facility to allow minority service providers the opportunity to offer alternative programs to the increasing number of children who progress deeper into the juvenile justice system. The coordination and training components are critical to reducing the number of minority youth entering further into the juvenile justice system. The monitoring component will have a direct impact in reducing recidivism and the number of youth entering adult corrections programs.

The Pilot project staff will develop and implement a coordinated and integrated system of prevention and intervention services for minority youths and families. They will also establish a clearinghouse to facilitate planning and coordination of minority programs, and provide staff training workshops.

Hillsborough County is an appropriate location for this pilot project for the following reasons:

- There is documented need for the program in Hillsborough County based upon the high level of minority over-representation revealed in the Phase I findings.
- The Florida legislature has allocated funds for two more centralized receiving facilities in the state increasing the likelihood of pilot project replication. Funding is being requested for two additional facilities for 1994-95.
- The Children's Board of Hillsborough County has offered \$77,000 in matching funds to supplement activities of the pilot project.
- The HRS Centralized Receiving Facility in Tampa is the pilot receiving facility in the state, and as such provides a unique opportunity to focus services for minority youth at the initial point where cases are received.

#### *Pilot Project Staffing*

The Pilot Project will be staffed by the Program Manager, two Program Specialists and one Program Assistant. Oversight of the Pilot Project is the responsibility of the Project Director of the Florida Initiative, Ms. Allison Haigler. Ms. Haigler will receive

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continuous support and direction from the Minority Issues Work group as well as from the Governor's Juvenile Justice and Delinquency Prevention Advisory Committee and key Juvenile Justice and Delinquency Prevention Advisory Committee Staff (JJDP). The pilot project program manager, the program specialists and the program assistant have yet to be identified. They will be responsible for the completion of the above named objectives. Furthermore, all staff persons must possess at a minimum, the following qualifications:

- A Bachelors Degree from an Accredited University.
- Extensive knowledge of Florida's Juvenile Justice System.
- The ability to write monthly financial and general progress reports.
- The ability to coordinate and produce the objectives listed above through constant interaction through existing agencies.

All quarterly progress and financial reports required under the pilot project will be sent by the Program Manager to the Project Director and appropriate JJDP staff. The Project Director will be responsible for informing the Minority Over-Representation Initiative's Minority Issues Work Group of developments and progress as they occur. Ms. Emma Johnson, Secretary Specialist of the Minority Initiative, will continue to provide expert clerical support.

Ms. Haigler, while serving as the liaison to the work group, will also be responsible for:

- The day-to-day operations of the entire grant.
- Serving as the project's spokesperson.
- The overall compilation and dissemination of reports to the proper authorities or entities.
- The coordination, facilitation and follow-up of a national information exchange conference on Minority Over-Representation in the Juvenile Justice System.
- Assisting the Technical Assistants with the development of Florida's manual on Minority Over-Representation for nationwide distribution.
- The supervision of clerical support, as well as the pilot project staff.
- On site visits to the Pilot Project as needed.
- The organization and facilitation of a work group who will serve in an advisory capacity.
- An array of support and technical assistance to the overall welfare of the project.
- All quarterly and annual reports to the Federal Office.

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## CHAPTER IX

### Recommendations

A number of recommendations are given in this section which have been contributed by a variety of sources including researchers, intake workers, parents of delinquents, and judicial personnel. The recommendations grow out of the common desire to make the system as a whole more aware and sensitive to the problems of minority over-representation. The recommendations are classified into three categories: (a) comprehensive recommendations, those intended to alleviate systemic factors contributing to the problem of minority over-representation, (b) specific recommendations, modifications within targeted programs, and (c) research recommendations.

It must be noted that the following recommendations sometimes overlap, and do not fit neatly into these three described categories. The overlap is necessary because the over-representation of minority youth in Florida's juvenile justice system is a complex problem that requires an holistic approach.

#### *Comprehensive Recommendations*

- More minority personnel should be hired in decision-making positions. These individuals should come from the communities and neighborhoods in which the youths live.
- All decision makers should be exposed to cultural and gender sensitivity issues and training.
- Existing programs that create links between the juvenile justice system and the community must be evaluated, and if successful, replicated. Careful evaluations of the existing programs funded by JJDP to specifically address minority over-representation should continue. They should become the bases for continued and expanded funding as well as future program development and improvement.
- Juvenile justice professionals should encourage community participation in meetings or forums in which the decision makers, families and young people can express their ideas and opinions on the problems faced by juveniles and the community. They should also develop collaborative activities with community stake holders (state's attorneys, public defenders, the judiciary, law enforcement, the business community, educators, human services and juvenile justice counsels and boards, Department of Corrections staff, and

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other public or private social service agencies). Through meetings and panels, communication and trust will evolve to help all interested parties deal with the problem of minority over-representation.

- Juvenile justice workers should spend enough time in the communities in which the youths live to familiarize themselves with their social setting, and the problems which confront minority youths.
- Juvenile Justice decision makers should develop a clear, consistent and objective decision-making criteria for dealing with juvenile offenders.

#### *Specific Recommendations*

- The substantial increases in state funding for delinquency prevention and juvenile justice in Florida should be carefully implemented to ensure appropriate focus on the needs of minority youths. These funds include the 2 million dollars made available for grants to communities for development of collaborative delinquency prevention projects involving social services, education, law enforcement, and other community-level organizations.
- Flexible service hours and home visits by intake workers should be instituted in order to accommodate family schedules, communication problems, or transportation difficulties. Parent interviews are a necessary condition to participation in some diversion programs. Rigid schedules, problems in telephone communication, and transportation difficulties may contribute to exclusion of minority children from such diversionary programs.
- Less intrusive or diversionary programs such as arbitration panels and teen courts should be established. These can be viewed as part of a network throughout the community that involves neighborhoods, businesses, schools and other agencies that can help decide what is truly in the best interest of youths, their parents and the community.
- The Risk Assessment Instrument (RAI) used to calculate a score determining appropriateness of detention needs to be re-examined for differential results which are influenced by race. Appropriate

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changes should be made in the instrument if such differential results are found.

- Those juveniles who are appearing before the system for the first time should be identified and matched with a mentor. These mentors should act as role models who can assist the juveniles in developing their potential and provide connections back to the community.
- The juvenile justice system should provide increased support for aftercare to assist reintegration of minority youths into the community after state intervention.

#### *Research Recommendations*

- Research needs to be conducted on the contribution of decision makers at each stage to the problem of over-representation.
- Data should be gathered in order to close gaps in our knowledge of the contribution of law enforcement to differential treatment during initial contact with juveniles.
- Careful attention should be paid to the need for accurate data entry, especially with regard to ethnic group status. In many cases the juvenile's race is miscoded, or the forms do not provide the correct categories. This type of incorrect classification adds problems to the task of assessing minority over-representation throughout the system.
- Research should be conducted with regard to the socio-economic factors which interact with the juvenile justice process and contribute to minority over-representation. For example, qualitative data based on interviews with intake workers suggests that lack of telephone service, or inability to attend parent interviews necessary to diversion placement may contribute to the problem. The nature and extent of these interactions should be documented.
- Looking towards the future, further research is needed to assess the roles that other agencies may play in the over-representation of minorities in the juvenile justice system, particularly the police and school. Other researchers seem to suggest that there are crucial decision-making points outside the focus of this study that may contribute to the ways in which minority juveniles are treated.

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- Further in-house research should be conducted to assess the usefulness and success of new and innovative programming as it arises.
  - Research should be conducted more on a micro level. As mentioned earlier, measuring the extent, nature and cause of minority over-representation in the juvenile justice system is a complex problem. Multiple variables and methodologies should be employed in order to adequately address this complexity. More encompassing causal and structural models which are able to examine multiple variables and their effects both separately and jointly should be utilized when appropriate, in order to help establish causality. The data bases which were created for this project should be much more thoroughly analyzed as time and resources allow. Such data collection and analyses should continue on an on-going basis.

#### *Conclusion*

These recommendations should be viewed as additive in effect, or as an holistic approach to the complex problem of the over-representation of minority youths in the juvenile justice system. It is clear that one research project will not provide all of the answers to such a multi-faceted problem. However, it is hoped that through the implementation of these recommendations we can begin a serious attempt at reducing the differential treatment and over-representation of minority youth in Florida's juvenile justice system.

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