

JUVENILE PROBATION AND PAROLE

DECISION-MAKING GRANT: FINAL REPORT*

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CHAPTER ONE
Processing Juvenile Delinquents **N CJRS**

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Statement of the Problem

ACQUISITION
It has long been noted that deviance involves more than just an act committed by a perpetrator. It also entails a societal response to the act. This involves a definition of the act by certain others as deviant and the application of formal or informal sanctions to the person suspected of committing the act. As Kai Erikson has noted, "deviance is not a property inherent in any kind of behavior; it is a property conferred upon that behavior by the people who come in direct or indirect contact with it." (Erikson, 1966, p. 6.) It thus becomes a problem for societal scientists to determine the context within which a particular act will be defined as deviant. This involves an analysis of the origin and meaning of social norms, and an analysis of how these norms are defined and enforced, either informally, by members of society, or formally by institutionalized agents of social control. The present research is an attempt to examine the process in which agents of social control perform their assigned task of interpreting and enforcing social norms.

The function of interpreting norms, is an integral part of all law enforcement. It becomes particularly important, the more vague and general the laws are. Vague and imprecise statutes allow wide discretion concerning how, when, and against whom they should be enforced. It is the assumption of this paper that this is a particularly important factor in the enforcement of statutes of juvenile delinquency and the application of sanctions to delinquents. The ambiguity of delinquency statutes and the wide discretionary powers given to agents of social control who apply societal sanctions to delinquents means that the delinquent is not being judged solely on his actions, but on other criteria

that these agents deem relevant. This research was conducted to determine what criteria are used by agents of social control in deciding how to deal with juvenile delinquents. The particular focus of this study will be on decision-making within juvenile correctional institutions. Institution staff are given the task of deciding whether to detain juveniles who are committed to the institution or whether to return them to the community on probation. For those juveniles who are kept in the institution, the staff is given the task of deciding when and with what conditions or stipulations to return the juvenile to the community on parole. These two decisions will be the focus of this study. An attempt will be made to determine the criteria used by the staff in making these decisions, and the manner in which they perform that task.

In the remainder of this Chapter, the role of discretion in the criminal justice system will be explored, particularly as it relates to juvenile justice. An attempt will then be made to examine how this discretion is manifested by agents of social control in an organizational setting. The setting for the study and methods used to research the decision-making process will be discussed in Chapter Two and the results will be examined in Chapters Three, Four, and Five. Chapter Six will attempt to draw conclusions from the data and suggest some implication for social policy and recommendations for improving the decision-making process.

The Ethos of Juvenile Justice and the Role of the Juvenile Institution

It is not surprising that discretion plays a central role in the administration of juvenile justice. To begin with, many of the factors which produce discretion in the adult justice system are also present in the juvenile justice system. More important, however, it must be recognized that the very purpose of the establishment of a separate system of justice for juveniles was to permit a more informal and personal handling of juvenile cases. The belief

was, and still is to a large extent, that juveniles are not set in their behavior patterns, that given the proper environment and moral education, they can be deflected from criminal directions into law-abiding ones. State intervention into the lives of juveniles is thus justified on the basis that the state is acting in the child's behalf. It is acting because the child is viewed as too immature to be responsible and fully aware of the consequences of his or her own behavior. (For a full discussion of the origins of the "juvenile justice" movement, see Platt, 1979.)

This functioning as an intervener requires much discretion, since the so-called "protectors" of the child have to be able to identify the symptoms of future delinquency. If agents of social control, therefore, feel that delinquency results from a "negative" home environment or from "negative" peer influences, the belief that such a condition exists for a particular child will justify societal intervention. In the extreme case, then, a juvenile may be institutionalized, not because he or she has committed a criminal act, but because his or her environment suggests, in the eyes of agents of social control, a situation which may lead to future delinquency. The agents of juvenile justice, then, must be given great latitude or discretion in order to assure that they effectively fulfill their task of identifying and correcting delinquent and pre-delinquent youths. The juvenile, therefore, is not judged solely on the acts committed but on the way these acts are interpreted in light of the context and circumstances in which they occur.

What the foregoing suggests, is two basic viewpoints on the nature of juvenile delinquency. The first holds juveniles responsible for their acts and seeks to punish them when they commit crimes. The second views the delinquent as a troubled, misguided youth, the product of a deficient environment, who needs the help of state agencies to overcome the problems which underlie his delinquency.

It is the latter viewpoint which formed the basis for the establishment of the juvenile court, as Cicourel [1968] points out in his analysis of juvenile justice:

The concern with juvenile delinquency has often led to a view that delinquents are responsible for their acts and should be held accountable and be punished for them, although the conceptions of what are 'good' adolescents and what the punishment should be have changed. A second view holds that adolescents are continually having 'natural' problems growing up, and since a certain amount of permissiveness is necessary, their acts therefore should not be viewed within the context of adult activities, but treated as temporary outbursts to be controlled gradually when maturity is reached in adulthood. This second view translates 'natural' problems into environmental, community, familial, or personal problems and absolves the juvenile from serious responsibility... The juvenile court law, therefore, can be viewed as a social movement designed to standardize and regulate procedures for articulating rules governing juvenile conduct with their 'natural' problems as delineated by the second view. [Cicourel, 1968, pp. 23-24].

In recent years, however, reformers of the criminal justice system have argued that the effect (aside from the intent) of institutionalizing juveniles is to punish them, since authorities are forcibly removing juveniles from their homes and placing restrictions on their activities. The argument of these reformers is that juvenile court proceedings are, in essence, criminal proceedings, and that juveniles are, in fact, being denied their constitutional right to due process under the law.

These reformers have questioned the right of the state to intervene in the lives of juveniles "for their own good". In addition, they argue that despite all the rhetoric of advocates of juvenile correctional institutions, nothing rehabilitative has been shown to have been accomplished in these institutions.

This debate suggests an important dilemma facing the enforcers of juvenile justice today. On the one hand, juvenile justice still maintains that it's interests are the treatment and proper training of needy juveniles. On the other hand, some juveniles commit crimes and are viewed as dangerous to society.

The juvenile justice system has an obligation to protect society. The question of how the members of this system deal with this dilemma is an integral part of this study, because before they can make decisions about specific juveniles, they have to come to some conclusions regarding the purpose of juvenile justice, and the ends served by it.

Robert Emerson's excellent analysis of the juvenile court (Emerson, 1969) has suggested that the treatment-punishment dilemma underlies much of the juvenile court proceedings. While the juvenile court officially maintains that it is acting in behalf of the juvenile's welfare and that all decisions and dispositions of cases are made in the interests of "what is best for the child," there is also a realization that commitment to an institution serves a more punitive purpose than mere probation. Treatment is, therefore, relative. It ranges from "pure" treatment, such as individual psychiatric therapy to more punitive, restrictive types of treatment such as incarceration in a juvenile institution, although the latter is still seen as treatment designed to help the juvenile become more responsible for his or her behavior.

Emerson suggests that the court is pulled in two directions. On the one hand, its treatment philosophy demands that it not treat juveniles as official criminals but rather, that it provide some form of community or group treatment. On the other hand, the court is a political agency, dependent upon the public and other official agencies for support. The public, the police, schools and often the parents of juveniles view delinquents as a nuisance and danger to society and demand action. To quote Emerson:

One fundamental set of problems and demands confronting the juvenile court arises from the pressure and expectations of those initiating court action that 'something be done.' In this sense, the court must work out practical solutions to cases that satisfy, or at least take some cognizance of the concerns of complainants [p. 83].

One of the criteria the court will use in making dispositions is the availability of a community placement. But social welfare agencies do not want those hard core kids that refuse to benefit from, or disrupt their programs. Since the court depends on these agencies to ease its work load and provide alternative placements for delinquents, the courts must cooperate with them. As a result, those delinquents with less serious problems are handled by community agencies and those with, perhaps, a greater need for treatment, are sent to juvenile correctional institutions.

"In the course of negotiating with other agencies, the juvenile court treatment goals are subtly displaced...Treatment is undermined through court cooption into a system of placements biased against delinquents...The court funnels the most desirable and promising delinquents out into the child care system, while transferring the most troublesome cases from this system into correctional and custodial institutions." [p. 80, Emerson]

Thus, juvenile correctional institutions usually receive juveniles after other alternatives have been rejected. The dilemma for decision makers has to some extent been made easier. The court has already decided that juveniles sent to institutions cannot be handled in the community. Nevertheless, juvenile correctional authorities, according to Department of Corrections guidelines, must still justify a recommendation for treatment in the institution. There are several grounds for such a decision, among them the seriousness of the offense and the exhaustion of all possible community alternatives, either because they are unavailable, or because they have been tried and failed. The staff at the juvenile institution has to come to a conclusion about the threat or danger imposed by a particular delinquent as well as his or her suitability for community treatment. In addition, the staff will want to consider the needs of the juvenile, to determine whether he can best be helped by the institution or by an alternative placement. This, then, becomes the crucial dilemma confronting the staff in making decisions. To what degree should they make decisions in terms of

punitive and custodial considerations (i.e., punishing criminals and protecting society), and to what extent should they make decisions in terms of the needs of the juvenile for treatment? The way the staff resolve this issue most likely rests on their conception of the purpose of the institution in particular, and the purpose of juvenile justice in general. Staff members who conceive of the role of their institution in punitive terms might justify the need for incarceration in terms of punishing the juvenile for his serious delinquent acts. Treatment oriented staff may see the need for treatment to prevent the juvenile from committing serious delinquencies. In either case, the staff member will have to have some way of looking at the juvenile and all the information assembled about him and arrive at a decision regarding the seriousness of the delinquency and the danger which the juvenile presents to society.

The same is true regarding consideration of the treatment needs of the juvenile. Some conclusions will have to be drawn from the available data regarding what types of treatment will most benefit the child. A determination, therefore, of the individual's commitment to delinquent behavior, the conditions of his home environment, his psychological and emotional problems, his relationships with peers and others, are just some of the factors that must be considered. Once again, the staff member must sift through a wealth of information, rather quickly, to reach a conclusion regarding the type of treatment best suited for each delinquent.

The question dealt with by this research concerns how the staff goes about sifting relevant material from all the information available to them to decide what to do with juveniles. What criteria do they use as a basis for their decisions? What assumptions do they make about the nature of delinquency and the purpose of juvenile justice to aid them in their decision? In other words, what is the ideology of these institutions concerning their purpose and

function, and how does this ideology influence the way its staff makes decisions about juveniles. As Cicourel maintains, the assumptions which are basic to the ideology of the institution will be reflected in the staff member's conception of the criteria that should be used to make decisions about juveniles.

Each career-generating agency maintains and selects "facts" for interpretation by means of its own ideology, theories, organizational policies, and practices. Therefore, categorization into "points of no return" or the view that "nothing more can be done" or "the right foster home will do the trick" or "the right peer group will change him," and so forth, are needed in the kinds of structural arrangements the agency feels are possible, and the particular encounters a representative of the agency maintains with the juvenile in question. [Cicourel, 1968, p. 68.]

It is suggested here that the decision-making process will be influenced by the way the staff resolves the question of the custodial (or punishment) versus the treatment role of the institution. If the institution's ideology reflects a punitive-custodial orientation, it is likely that decisions will be made primarily on the basis of the offense and prior record of the juvenile, and secondarily on the basis of his attitude and demeanor (i.e., is he surly and tough, resistant to authority, non-remorseful, etc. or is he repentent, polite, likeable, etc.) which may be viewed as an indication of delinquent values. We would expect, under this ideology, that serious offenders are more likely to be institutionalized than non-serious offenders, and that juveniles with "bad" or "negative" attitudes are more likely to be institutionalized than juveniles with "good" attitudes.

If, on the other hand, the organization adopts a treatment ideology, staffings would be less likely to be based on offense, but more likely to be based on the juvenile's home environment, psychological problems, and educational needs. The juvenile's attitude would probably also be important here, because a poor attitude would indicate poor values on the part of juveniles, and general

problems in dealing with others that need to be worked on. Finally, it is possible that both treatment and punitive models are operating at the same time. This would mean that those juveniles who have committed serious offenses and/or are viewed as dangerous to society will be incarcerated, as well as those juveniles who exhibit emotional problems and/or come from an unstable home environment. In other words, the institution resolves its problems of defining its role by adopting an ideology that serves both treatment and punishment/custodial ends simultaneously. To state this in an alternative way, the institution fails to resolve the problem of its purpose and accepts juveniles on both punitive and treatment bases in order to be sure that all angles are covered.

Summary of Previous Research

There are no studies that have been done which deal specifically with the issue of how juvenile institutions decide upon which juveniles to commit to the institution and which not to commit and when to recommend parole. There have, however, been several studies of probation officers which have attempted to uncover the criteria they use to make recommendations to the juvenile court.

Several studies have commented on the relationship between socio-biographic variables such as age, race, sex, and socioeconomic status, and disposition of cases. Among these variables, sex has probably been given the most attention. Terry (1967), in a study of juvenile court dispositions in a midwestern community of about 100,000 population between 1958 and 1962, found that 76.7% of females were institutionalized compared to 59.7% of males. This was true even though females tended to have less extensive records of prior delinquent behavior. Cohn (1967), in a study of 175 pre-sentence investigation reports in the Bronx, N.Y. in 1952 found that girls were three times as likely as boys to be recommended for institutionalization. Most of the girls recommended

for institutionalization had committed status offenses suggesting that a double standard was operating in the recommendation process. More recently, Kratcoski (1974) and Chesney-Lind (1973) have found that females are more likely than males to be incarcerated for non-serious, status-type offenses.

There have been no studies of the relationship of sex to juvenile parole decisions. Scott (1974), in a study of adult parole decisions, found that women tended to be paroled sooner than men, although the difference was not great. In the case of juveniles, however, many of the girls brought to the institution are status offenders (e.g., incorrigible, wayward, runaways, etc.), and probably constitute a different type of individual from those found in the adult courts.

A simple view of the problem would suggest that if the institution adopts a punitive/custodial ideology, it will not be concerned about the sex of the juvenile, but merely the offense. However, this ignores the possibility of a double standard. It is likely, as the current literature suggests, that institutional staff will view status offenses committed by females to be more serious than status offenses committed by males. Thus, females may have to be "punished" in instances where a male would not. Similarly, if the institution adopts a treatment ideology, a female status offender would be seen as having more problems and needing more help than a male status offender. It appears, then, that the issue involving the equal or unequal treatment of females is a question, not of institutional ideology, but of whether or not a double standard exists in the institutional segment of the juvenile justice system.

Neither of the studies mentioned above found a relationship between race and disposition of cases, when other variables are controlled (See Terry, 1967, Cohn, 1967). A similar finding was reported by Scott in his study of parole decisions relating to adult felons. It is not expected that the institutional ideology will affect the commitment or parole decisions relating to race, unless

treatment oriented institutional staff believe that juveniles of different races have different kinds of needs and require different types of treatment, or punitive oriented institutional staff believe that juveniles of some races are "more difficult" or have "poorer character" than others and, therefore, have to be punished more severely. This, however, is a question of the existence or non-existence of racial discrimination.

The relationship of the juvenile's age to decision-making has not been studied. It is suggested here that age should be irrelevant if decisions are made on a punitive basis (a juvenile would be committed merely on the basis of what they did), but highly relevant if they are based on treatment concerns. Younger juveniles, for instance, would be seen as more serious offenders and as possessing more problems than older offenders. On the other hand, treatment oriented staff might be more fearful of the possibly detrimental effects of institutionalization on younger juveniles and might try to find alternative placements for them.

The relationship between court disposition of cases and socioeconomic status (SES) has been examined. Terry (1967), for instance, found no relationship between SES and disposition of cases, when the frequency and severity of offense was controlled. Cicourel (1968) found that juveniles from lower class homes were overrepresented in juvenile institutions, but this was largely due to other factors in the family/home environment, such as marital discord, lack of supervision, and so on. Emerson argues that "for the juvenile court, the crucial difference lies not between middle and lower class families, but between the family life of the 'respectable' and 'disrespectable' poor" (Emerson, 1969, p. 131). Cohn (1967) found that children recommended for institutionalization were more likely than those recommended for probation to have come from fatherless homes and to have had bad relationships with their parent-. Monahan (1972)

found that a greater proportion of institutionalized delinquents than those placed on probation came from "broken homes". Monahan concluded from this that juveniles from broken homes are more seriously delinquent than those from intact homes, but an equally plausible possibility is that authorities are more likely to assign delinquents to institutions if they come from broken homes. Emerson (1969) after a discussion with probation officers, concluded that a poor home situation is used by probation officers as an indicator of a delinquent orientation on the part of the juvenile. For instance, a mother on welfare is acceptable if she maintains control in her home, disciplines children properly, tries to keep them neat and clean, and so on. But a mother who drinks and entertains men and does not control her children will be regarded "as someone producing a breed of criminal-like delinquents". (Emerson, 1969, p. 232) Zimmerman (1971), in an analysis of social history reports filed by probation officers, found that many of them attributed the juvenile's delinquency problem to the family situation, rather than seeing the juveniles themselves responsible. Nevertheless, the disposition was still to institutionalize in most of these cases.

In summary, most of the juveniles who have made it to the institution are from the lower working classes. It appears that class itself, is not the crucial factor in making dispositions but that the quality of the home environment is. In Chapter Two, the construction of an index of family-home environment will be discussed. In terms of institutional ideology, it is suggested that if the institution is punitive oriented, it will place less importance on the juvenile's home environment than if the institution is treatment oriented.

Juveniles enter institutions for many reasons. They may have committed a serious criminal offense, such as robbery, or they may have come to the institution because they could not be controlled at home. The latter category has been called "status offenses" because it consists of offenses which are not

crimes if committed by an adult but relate only to those with a juvenile status. It includes things like running away from home, truancy, incorrigibility, and so on. A study of court dispositions in New York City in 1963 (Lerman, 1971) found that among boys sent to juvenile correctional institutions, those who had committed criminal acts spent an average of 10.7 months in the institution, whereas those who were designated "Persons in Need of Supervision" spent an average of 16.3 months in the institution. Lerman also re-analyzed data from the U.S. Children's Bureau from 19 of the 30 largest cities in 1965. He found that 23% of those juveniles who committed a serious crime (FBI Part I crimes), and 18% of those who committed a less serious crime (Part II crimes) were committed to an institution. In contrast, 26% of the juvenile status offenders were committed to institutions. Cohn (1967) found similar results. Probation officers were more likely to recommend institutionalization for offenses committed against the family (including running away and truancy) as opposed to offenses against life or property. According to Cohn, "to the probation officer, commission of an act against the parents evidenced a family background and personality structure too disturbed to warrant probation. Thus, delinquents who had committed acts against life or property were more often recommended to probation." (Cohn, 1967, p. 200.)

This suggests that probation officers feel justified in recommending institutionalization if either the juvenile has committed a serious crime and has to be punished (and society has to be protected) or the juvenile has committed a status offense and needs supervision and control "for his own sake". Cicourel suggests that the seriousness of the offense is not the crucial factor in dispositions. Rather, the important factors seem to be how these acts are interpreted, in light of the juvenile's past behavior, attitude, and home situation.

The act itself can lead to a variety of actions by law enforcement officials, but the seriousness or triviality of the act depends upon officials' parochial decisions....The important point is how the juvenile's future is conceived because of readings of his past and present behavior. Notions like "bad attitude", "poor home environment", "emotional" problems and the like, transform the juvenile into an object for disposition, irrespective of the "seriousness" of the acts themselves. Acts viewed as very serious may accelerate the process, but...acts viewed as trivial from the perspective of the criminal law can lead to equivalent dispositions. (Cicourel, 1968, p. 302.)

It appears, therefore, that judges and probation officers resolve the question of institutional ideology by selecting the third alternative discussed earlier, defining their role in both treatment and custodial terms. In terms of the present study, then, it is suggested that if the state institutions define their role in punitive terms, offense will be the very criteria used to make decisions, and serious (violent and property) offenders will be more likely to be institutionalized than state offenders. If the institutions hold a treatment ideology, their decisions will be based on factors other than offense (relating more to the perceived "needs" of the juvenile) and there should be no difference between the rates of commitment and length of stay for serious and status offenders. Instead, juveniles with psychological problems or juveniles from unstable environments would be committed. Finally, if both ideologies are operating at the same time, then both serious delinquents and juveniles from unsatisfactory and unstable environments or those with adjustment problems will be committed. In other words, only those few non-serious offenders from a good home environment, with no adjustment problems, with few educational deficiencies, and with a healthy or favorable attitude will not be committed to the institution.

Several studies have suggested that the attributes and demeanor of a juvenile will affect the disposition of his (her) case at various levels of the criminal justice system. Piliavin and Briar (1964) found that the demeanor of the juvenile (including his dress, his manner of speech, the deference he showed the police, and his general attitude) was the key determinant in the police decision to arrest a juvenile. Cohn reported that "if the child cooperated with the probation officer during the pre-sentence investigation, he had a slight edge in his chances of being recommended to probation". (Cohn, 1967, p. 200.) Emerson (1969) made similar comments, suggesting that a delinquent not only had to express remorse, but deference to the court (e.g. stand, address the judge as "your honor", speak in whole sentences, etc.) and to the legitimacy of the societal norm he violated. Cicourel presents several case studies where a juvenile's poor attitude and demeanor resulted in his being institutionalized (See Cicourel, 1968, pp. 239, 240, 262), and Platt (1969) discusses the role of the juvenile's attitude as a determinant of judicial decisions.

In Chapter Two, the construction of an attitude/demeanor scale to measure this variable from case files will be discussed. As suggested earlier, this variable may be seen as important from both ideological perspectives, since a poor attitude may be construed as indicating both a severe, dangerous delinquent from whom society must be protected, as well as a deeply troubled, confused juvenile who needs help.

Scott (1974) failed to find a relationship between institutional adjustment and adult parole. While this has not been studied in juvenile institutions, a strong relationship is expected. Juveniles who exhibit and continue to exhibit negative attitudes and behavior may be considered too dangerous, in punitive/custodial terms, to be released, and not yet "cured", in treatment terms, to be released. Thus, progress in treatment and favorable changes in attitude

and behavior are expected to be related to parole decisions. Unfortunately, the nature of the data makes it impossible to obtain a useful measure of institutional adjustment from the staffing reports. Conclusions regarding this hypothesis will have to be based on observer impressions and staff opinions. This will be discussed in Chapter Two.

If, as suggested above, the institution adopts a punitive/custodial ideology, the juvenile's emotional problems are relatively unimportant. His anti-social tendencies, however, may reflect his potential for dangerous acts. If the institution adopts a treatment ideology, delinquency is viewed as a symptom of an underlying disorder or adjustment problem, then the psychological characteristics of the juvenile are an important indicator of his (her) commitment to delinquent behavior as well as the reasons for becoming delinquent. Emerson suggests that a youth may be seen as 1) basically normal despite some delinquent behavior; 2) a hard core criminal-like delinquent, or 3) emotionally disturbed (Emerson, 1969, p. 91). In the first case, other contingencies may be blamed for the delinquency, such as the parents being absent or otherwise neglecting the child, the child associating with delinquent peers, and so on. These youths are not seen as dangerous to society and perhaps a warning and a little more supervision at home or in a community setting is all that is needed. Emotionally disturbed youth are usually placed in a more specialized treatment facility if one is available. Cohn reported that children returned to the court psychiatrist were more likely to be those with personality disorders. (See Cohn, 1967, p. 202.) It is those youths whose psychological profile (based upon an interview with the psychologist, an MMPI, and the psychologist's interpretation of the "offense" and "social history" reports) reveal a "sociopathic" or criminal-like orientation who, according to Emerson, are regarded as most dangerous to society and most in need of treatment.

Perhaps one of the most important determinants of disposition is the availability of an alternative treatment program in the community. Emerson suggests that, "actual case outcomes reflect the interplay between assessments of moral character and practical contingencies affecting what has to and can be done about the case." (Emerson, 1969, p. 100.) This seems to be especially true if the institution holds a treatment ideology. There is no research, however, which looks into this issue and, unfortunately, this variable turns out to be a very difficult one to measure in this report as well. Most of the conclusions about the role of the availability of community placements in decision-making will be based on inference rather than actual data.

There has been some research on the custodial vs. treatment nature of juvenile institutions. Street, Vintner, and Perrow (1968) have suggested that institutions vary along a treatment/custodial dimension. Feld (1974) has suggested that the ideological orientations of the organizations are transmitted to the staff. It is suggested, therefore, that staff attitudes along this dimension will influence the criteria used to make decisions. Street, Vintner, and Perrow suggest several components of the custodial/treatment dimensions. Among these are: 1) what is the purpose of the institution; to treat, to re-educate and change, or to punish? 2) Who should the clients be - delinquents or all youths with problems (including poor family/home environments)? and 3) What is the institution's capability of treating delinquents? While treatment/custodial attitudes have been related to various aspects of institutional life (See Street, Vintner and Perrow, (1968), Perrow (1963), Zald (1963) and Street (1964), Sarri and Vintner (1965) and Feld (1974) for a discussion of some of these results.), no one has directly related these variables to decision-making. This research will attempt to examine whether individual staff perspectives on the treatment versus custodial nature of juvenile institutions are

related to the way they make decisions about juveniles. In addition, this research will examine other staff attitudes, stereotypes and perspectives about the nature of delinquency and the role of the juvenile institution to determine whether or not they are related to decision-making. These measures will be discussed in Chapter Two.

The decision-making process is perhaps the most important - and least understood - single dimension of the correctional system. The decisions made by parole officers, institutional staff, and paroling authorities not only determine the specific course of action for a given offender, but also have long-range implications for the direction of the correctional process. With regard to the individual offender, the decisions made by significant audiences may affect the future behavior of the individual since audiences may 1) accord or reaffirm the delinquent status, 2) restrict the offender's choice of alternative roles, 3) isolate and stigmatize the offender as a delinquent, and 4) take actions which lead to the offender's conception of himself as a delinquent. This research aims at a detailed assessment of the decision-making process which is being followed for juveniles committed to the Commissioner of Corrections. It is hoped that the results of this study, to be presented in Chapter Three, Four and Five, will be useful in giving institutional staff and administrators greater insight into the decision-making process. It is also hoped that the recommendations presented in Chapter Six will result in improvements in the decision-making process and the amelioration of many of the inequities contained in it.

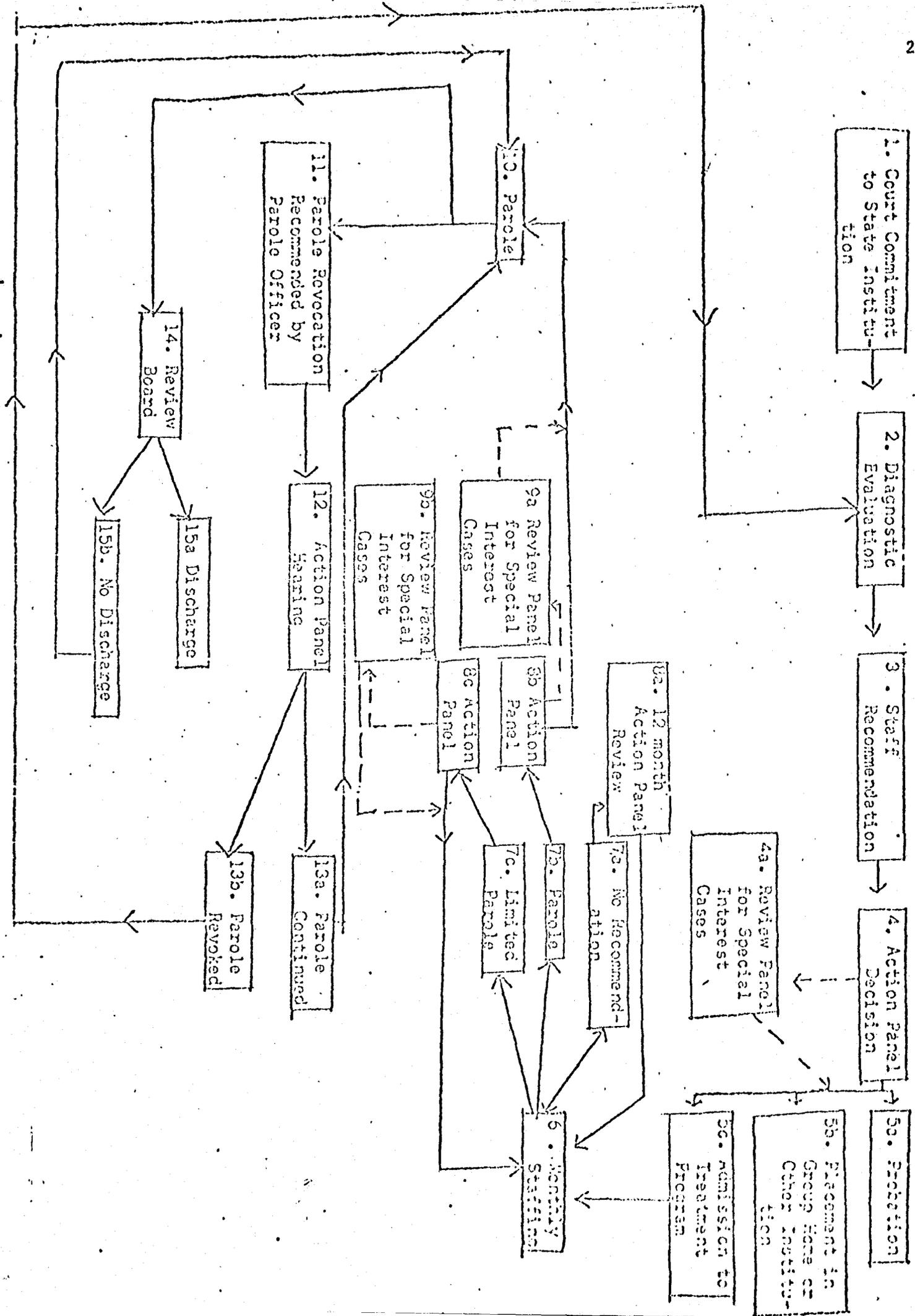
CHAPTER II

Research Setting and Methods of Investigation

Setting for the Study

Before presenting the methods used to collect information for this study, it is necessary to briefly describe the context in which decisions about juveniles are made.

The juvenile's typical involvement through the institution is shown in Figure 1. When the juvenile is committed to the authority of the Department of Corrections, he or she is committed to one of the three statewide juvenile institutions (Minnesota Metropolitan Training Center at Lino Lakes, State Training School at Red Wing, or Minnesota Home School at Sauk Centre) depending upon his or her county of residence. (To make this presentation more readable, the delinquent will henceforth be referred to in male terms. The reader should be aware that these statements apply to females as well as males.) Here he undergoes a three to four week diagnostic evaluation, in which he is tested by a psychologist, placed in a cottage, and observed and evaluated by the staff. At the end of this period, a "staffing" is held (Box 3, Figure 1) to determine whether the recommendation will be to admit the juvenile to the treatment program at the institution, to recommend that the juvenile be returned to the community on probation, or to recommend placement of the juvenile in a supervised community setting, such as a group home, foster home, private treatment center, and so on. The specific nature of the staffing varies in the three institutions. For example, juveniles and their parents are not present at the staffing at the State Training School, but are present in the other two institutions. The Minnesota Home School is the only institution which does not have an intake cottage. The make-up of the staffing teams differ in the three institutions.



There are also some differences in the way staffs at the three institutions go about making their decisions. These differences will be discussed in detail in the next section. The important point, however, is that a recommendation is made. This recommendation is then reviewed by an "Action Panel" (Box 4, Figure 1) made up of three rotating representatives of the institution and juvenile probation services. The Action Panel may adopt the staff recommendation, reject the staff recommendation in favor of an alternative plan, or accept the staff recommendation with modifications. Preliminary observations convinced the researcher that the Action Panel rarely overturns a staff recommendation. (This will be discussed in Chapter Three.) Therefore, primary emphasis in this study is focused on the staff recommendations depicted in Box 3 with the resulting decisions depicted in Boxes 5a, 5b, and 5c (Figure 1).

A second decision to be investigated concerns the recommendation by the staff to parole a juvenile after he has spent some time in a treatment program (Box 7b, Figure 1). Usually, this follows several successful limited paroles or home visits (Box 7c) which indicate to the staff the juvenile's readiness to return to the community. These decisions are not automatically accepted by the action Panel, but revisions are usually minor (e.g., granting a limited parole for three weeks instead of an outright parole so that if the juvenile gets into further trouble, the Action Panel will not have to go through a formal parole revocation hearing to bring him back to the institution). Once again, therefore, the primary decision rests with the staff (Box 6). It is also important to note that only actual decisions are reviewed by the Action Panel. The staff's decision not to recommend parole or limited parole does not constitute a formal decision and is not reviewed by the Action Panel, although an "institution review" by the Action Panel is required for any youth who has not been recommended for parole within one year of the original commitment date.

The staffing recommendation to parole or not to parole is, therefore, a crucial one, determining the course of the juvenile's institutional career.

Once parole has been granted, it may be revoked for just cause at any time until the juvenile is discharged from the authority of the Department of Corrections by the Review Board (Box 15, Figure 1). The Review Board consists of the two aforementioned members of the Review Panel and the Director of Juvenile Releases. Parole revocations involve a hearing before the Action Panel, although the juvenile may waive his right to a hearing. Because parole revocations essentially involve incidents occurring outside the institution itself and are more akin to a legal proceeding than a treatment related decision, they were not dealt with in this study. They are important aspects of the juvenile justice system and were neglected here only because time and resources required that this study focus on just those decisions taking place and related to matters within the institution.

Finally, not represented in Figure 1, which is already over-complicated, is the Appeal Board. Appeals on any Action Panel decision can be made by the juvenile, the juvenile's parents or guardian, the institution, or the probation officer. The Appeals Board is made up of the Director of Juvenile Releases and two rotating members from the Central Office of the Department of Corrections. Discussions with the Director of Juvenile Releases and reports issued by the Appeal Board suggest that most appeals are denied. Those cases that are successfully appealed tend to involve parole decisions. The Appeal Board has published its own

summary of its actions and it is not necessary to duplicate their findings here.

Again, limited time and resources required that this paper restrict itself to the staffing process.

It should be noted here that many juveniles are sent to juvenile institutions on a one-week or ten day "pre-adjudication" basis. In these cases, the judge is saying that he cannot decide what the disposition should be and is asking for a recommendation from the staff at the juvenile institution. A more latent reason for sending juveniles to an institution on a pre-adjudication basis is to give them a taste of life in the institution in the hope that this will deter them from future delinquency. Pre-adjudication decisions are not being studied in this research. Since the juvenile institution's role is only advisory; the decision is still the judges. Thus, the final authority still rests with the juvenile court and the juvenile is not under the jurisdiction of the Department of Corrections.

One final preliminary point is worth noting. This involves the two stages of the commitment process and the nature of the institution's decision about the juvenile's placement. All juveniles who are sent to the institution for a "diagnostic evaluation" have been adjudicated delinquent and committed to the "reception center" at the institution. The purpose of the reception center (which is not a separate institution and sometimes not even a separate cottage) is for evaluation of the juvenile only. The judge has no authority to commit a juvenile to the "treatment program" of the institution. It is the institutional staff who decide whether or

not the child will remain in the institution and be transferred from "reception status" to "treatment status", or whether he will be released to a community placement on probation.

(Note that this is probation and not parole, since the juvenile, at this stage, has not been committed to the treatment program but has only been at the institution for evaluation. Thus, when releasing a juvenile to the community on probation, the institution relinquishes all jurisdiction over him. Violations of probation are handled through the Juvenile Court. Juveniles paroled from the treatment program of the institution, on the other hand, remain under the jurisdiction of the institution, which retains the right to revoke parole.)

Despite the fact that the juvenile has not been formally committed to the institution's treatment phase, the staff is aware that the court by committing the youngster to the reception center of the institution rather than to community probation, has strongly suggested that the juvenile needs treatment or supervision. It is not surprising, then, that most of the juveniles committed to reception status for a diagnostic evaluation are indeed committed to the institution's treatment program.

The Staffing Process in the Three Institutions

As mentioned earlier, the staffing process differs somewhat in the three institutions. In the Minnesota Metropolitan Training Center (MMTC), which ceased operation as a juvenile institution during the course

of this study, a caseworker is employed to review the individual's case history, his offense history and family situation, educational needs, and so on. The bulk of the staffing consists of the caseworker's presentation of the reports. Others present at the staffing include representatives of the treatment programs at the institution (counselors or cottage directors), an educational representative (a teacher or educational counselor), and members of the supervisory staff of the institution. The probation officer is also usually present, and occasionally the juvenile's parents are present.

Some small changes in staffing patterns occurred throughout the research period. In addition to personnel changes, the psychologist stopped attending staffings and the caseworker simply read the psychologist's report. The juvenile seemed to play a less significant role in the staffing process in later staffings than he did in earlier ones. In the earlier staffings, the juvenile was brought into the room immediately after the psychologist read his report. (It was felt that the report might contain information that might be damaging to the delinquent's self-concept.) The juvenile would then be admitted and would take part in the staffing process, responding to questions about his delinquency and making his own suggestions about possible placements. Toward the end of the study, the juvenile would be admitted only after all the reports were read and the decision arrived at. The juvenile would then be brought in, and the decision would be presented and explained to him. It is not certain why this shift in the role of the juvenile at the staffing occurred,

but it is felt that the arrival of a new caseworker had much to do with it. This caseworker preferred to make the recommendation himself and present it to the staff for discussion. Having the juvenile present was not necessary and would increase the length of the staffing.

The staffings at the State Training School (STS) are shorter and simpler. STS has its own intake cottage for boys, but girls on "reception status" are housed in the same cottage as "treatment status" girls (since there was only one girls' cottage). Staffings are held weekly, and in addition to deciding the outcome of juvenile dispositions, the staff also deals with other matters of importance to the running of the program.

Whereas the MMTC staffings average about one-half hour each, staffings at STS are much shorter. Seven or eight juveniles are often staffed in a two hour period. The juvenile is never present at the staffing, nor are his parents. The probation officer is sometimes there. Present also are all the counselors, group leaders and teachers connected with the cottage. The group leader leads the staffing, reading most of the reports, including the group and the juvenile's recommendation. (STS has a guided group interaction program where the treatment group actually recommends a decision. As will be seen later, however, the staff does not necessarily go along with that recommendation.) The group leader asks for comments from the staff who are present, and a discussion ensues. In general, each juvenile will be discussed at staffings once or twice prior to the actual diagnostic evaluation so that by the time a decision has to be made, most staff are well aware of the nature of each case and the opinions of other staff about it.

The parole staffing is held, in much the same manner, in the different treatment cottages. In the case of girls, this is the same as the reception cottage and both types of staffings are held together. Each month, the juvenile receives a letter informing him and concerned others of his progress in the program, and whether parole is to be recommended. Parole will not be recommended, however, unless the treatment group recommends it (although ways used by the staff to get around this problem will be discussed later in this report.) The procedure is similar to the initial staffing, with the group leader leading the discussion.

The most lengthy and thorough diagnostic evaluations are held at the Minnesota Home School. MHS has no reception cottage, preferring to plug kids immediately into the regular program, but does have a separate staffing team for diagnostic evaluations. This consists of a supervisor from the institution (three individuals alternate in this function) who heads the staffing team, the director of the cottage where the juvenile resides and one or two of the counselors there, and the core teacher (teacher of basic subjects - English, math, social studies, etc.) associated with that cottage. Also present is the probation officer, the juvenile, and often the juvenile's parent(s) or guardian(s).

The staffing consists of a reading of all reports, including the social history, psychologist's report, the educational report, and the cottage living report. A lengthy discussion about the juvenile and his delinquency (and other problems) follows. Eventually, a recommendation is made.

The parole staffings are held in the cottage. Each month, the juvenile is rated by the staff on how well he is progressing in his treatment goals. Present at this staffing are the cottage director, who leads the discussion, the counselors from the cottage and the core teacher. The juvenile is also present,

although the staff frequently discusses aspects of the case before the juvenile is brought in. On rare occasions, the juvenile's parents and/or probation officer is present, usually when parole is being considered, or when the juvenile is making no progress and the staff feels that an extended discussion with the family and probation officer regarding future programming is needed. The staffing consists of the juvenile reporting on the progress or lack of progress he has made on his treatment goals, and the staff supplying him with their evaluation of his progress. Sudden, unexpected recommendations for parole are uncommon. In general, the staff will have a general idea of the juvenile's likelihood for parole, based on previous staffings.

Method of Investigation

Having described the setting in which decisions about juveniles are made, it is now possible to elaborate on the methods used to investigate the staffing process. Four principle methods were used: 1) systematic observations of over fifty staffings, 2) a content analysis of a sample of 214 cases from the files of the Department of Corrections, 3) a survey of staff attitudes, and 4) a decision game in which staff make decisions about hypothetical cases selected from the files.

Observations of Staffings

Prior to actually implementing the research, the researcher spent some time at the three state institutions for juveniles (particularly MMTC, because of its proximity to St. Paul) to get an idea of what the staffings were like, and what kinds of factors were taken into consideration by the staff in making decisions about juveniles. These preliminary observations helped give the researcher an overall picture of the staffing process.

To supplement these informal observations, it was decided to observe some of the staffings more systematically, to provide a quantitative basis for some of the more qualitative observations. Fifty-four staffings were systematically observed and notes taken on an observation coding sheet, shown in Figure 2.

Along the left-hand column, under the category "position", the institutional positions of each of the members of the staffing team (e.g. counselor, probation officer, teacher, etc.) were listed, in the order in which they were seated around the table (starting from the person to the left of the researcher). The researcher recorded the number of times that each person spoke, counting one for each time a person spoke after another person spoke. The length of the speech was not considered. Thus, if a person talked continuously, for five minutes, this was counted as one time talking. If a person said one word, followed by a statement from another, and then rejoined with another word, this was counted as two times talking. In addition to this, the researcher took notes on the nature of the role played by each person at the staffing (e.g. reads a report, discusses problems with juvenile, etc.) and any recommendations this person may have had regarding the disposition of the case. Finally, the researcher ranked the importance of each person in determining the decision of the staffing team. This was done on a one to four scale, with "one" being a very important role, "two" being somewhat important, "three" of little importance, and "four" not important at all.

Data was also gathered on the types of activities engaged in by the staff and the subjects discussed. It was impossible, however, for the researcher to keep up with conversation as well as record who spoke, what kind of activity was involved and what subjects were discussed. This was especially true for statements dealing with more than one subject and having more than one objective.

Institution _____ Name _____ Race _____ Sex _____ Age _____ Date _____

Type _____

I. WHO MAKES DECISION

Position	Times Talking	Nature of Role	Observer Rating of Importance	Recommendation if any

II. TYPES OF ACTIVITY

Types	Observer Rating
1) Explaining procedures	
2) Issuing reports	
3) Discussing problems	
4) Lecturing or moralizing	
5) Questioning and grilling	
6) Seeking info	
7) Summarizing and clarifying	
8) Making recommendations	
9) Other _____	
10) Other _____	

III SUBJECT AREAS

Subjects	Observer Rating
1) Delinquency (offense)	
2) FHE	
3) Psychological	
4) Cottage or group living	
5) Education	
6) Goals (and progress)	
7) Prior treatments	
8) Disposition or treatment plan	
9) Community reaction	
10) Other _____	

- IV. - 1) What is recommendation?
 2) Coder impressions - who had greatest role?
 3) What were the most important criteria?
 4) Was decision predetermined?
 5) Was decision democratic?

Other comments and follow-up on back

It was decided, therefore, that the researcher would simply rate the amount of time spent on each of the types of activity and each subject area from memory at the end of each staffing. A one to four scale was used, with "one" designating a substantial amount of time, "two" a good deal of time, "three" a small amount of time, and "four" no time at all. Finally, notes were made at the bottom of the coding sheet on the nature of the decision and how it was reached. Additional comments were made on the back of the coding sheet.

This method was the best way to record what actually goes on at the staffing, as opposed to relying on interviews with the staff to reconstruct the staffing process. However, it suffers from one major drawback. It is dependent upon the researcher's ability to accurately record the conversation, and to accurately assess what is going on. It is possible, for instance, that two observers might perceive the same staffing quite differently. Although the researcher made every effort to be careful and accurate, there is no way to measure the reliability of his observations. By themselves, then, these systematic observations could not be used to arrive at any firm conclusions on the nature of the staffing process. Used in conjunction with the methods to be described below, however, this method proves useful in amplifying and elaborating upon those findings and relating them to the actual staffing process.

Content Analysis of Staffing Reports

An important source of information about the staffing process is contained in the staffing reports filed by the institutions. These are usually written by the caseworkers, group leaders or social service counselors at the three institutions. They contain the social history (or a summary thereof) written by the probation officer, the psychological report, the educational report, and a cottage or group living report. The recommendations of the staffing team, and

sometimes the reasons for that recommendation, is included at the end of the report. These reports, then, contain much information about the juvenile, and about the types of information looked at by the staff in making decisions about juvenile delinquents. It was decided, therefore, to extract relevant information from a sample of the staffing reports concerning the juvenile, and the nature of his offense and background, to see how these factors related to the recommendations of the staff.

A 25% sample of cases committed to the Department of Corrections between January 1, 1973 and June 30, 1974 was selected for analysis. A stratified sample was drawn, stratifying by age, sex, race and institution. Because of the low number of minorities in Minnesota, a disproportionate number of minorities cases were drawn. The sample was weighed as follows: 29% of all whites, 50% of all Indians and Blacks and 100% of all other races (an overall sample of 25.7%). The sample and population sizes for all three juvenile institutions are contained in Figure 3. It is important to note the overrepresentation of minorities in the sample when drawing any inferences from these sample results to the total Minnesota juvenile institutional population.

The coding format used for the coding of data is presented in Appendix A. It should be noted that the content analysis was restricted to information which appeared on the staffing reports, and does not represent all the possible variables one could study. It does mean, however, that those variables which the staff believed to be of sufficient importance to be included in the report, were included. Nevertheless, it is possible that other variables, of which the staff is unaware, or about which there are no objective indicators, may be very influential in influencing decisions. This analysis was limited, then, in the sense that it could only deal with the data which was included in the reports.

Figure 3

SAMPLE AND POPULATION SIZES FOR ALL JUVENILE CASES IN STATE INSTITUTIONS

January, 1973 - June, 1974

(Sample Size is above Slash, Population Size below)

AGE	MHS								STS							
	Male				Female				Male				Female			
	White	Negro	Indian	Other	White	Negro	Indian	Other	White	Negro	Indian	Other	White	Negro	Indian	Other
12 - 14	4	0	2	0	3	0	2	0	8	1	1	1	3	0	2	0
	24	0	4	0	16	0	5	0	36	1	2	1	14	0	0	0
15	9	0	3	0	3	0	2	1	9	0	1	0	3	0	0	0
	44	0	7	0	19	0	3	1	48	0	2	0	15	0	1	0
16	11	0	4	0	3	0	1	1	14	0	3	1	4	0	0	0
	55	0	8	0	16	0	2	1	71	0	5	1	21	0	0	0
17 - 18	9	0	2	0	2	0	0	0	12	0	1	2	2	0	0	0
	43	0	3	0	8	0	1	0	58	0	2	2	8	0	0	0
Total	33	0	11	0	11	0	5	2	43	1	6	4	12	0	0	0
	166	0	22	0	59	0	11	2	213	1	11	4	38	0	1	0

AGE	MONTC								TOTAL
	Male				Female				
	White	Negro	Indian	Other	White	Negro	Indian	Other	
12 - 14	3	2	4	0	1	1	1	1	38
	15	5	8	0	9	2	2	1	145
15	7	2	3	1	3	1	1	0	49
	34	4	5	1	17	2	2	0	205
16	11	10	2	1	2	2	2	0	72
	58	19	4	1	8	3	3	0	276
17 - 18	10	7	1	4	3	0	0	0	55
	47	15	3	4	11	1	0	0	206
Total	31	21	10	6	9	4	4	1	214
	154	43	20	6	45	8	7	1	832

A related problem is the ambiguity of many of the statements on the report and the large amount of missing data. This ambiguity is reflected in such things as the juvenile's attitude or demeanor or his psychological functioning. Because information is often vaguely stated or hinted at, and is not presented in concrete categories, much judgment is required on the part of the coder in transforming the report into quantitative variables. This raises a serious question of reliability, which will be addressed shortly.

Information was gathered on several types of variables. These include personal characteristics of the youth such as age, sex, race, parent's occupation, parent's education, and the size of the youth's home community. These were rather straightforward variables and presented no problems for data collection and coding. Information on parental occupation and education, however, was often too vague to be of use. For example, a delinquent's father who "works for the Highway Department" may be a construction engineer, white collar worker, laborer, and so on.

Information was gathered on several elements of the youth's family/home environment. A scale of family/home environment (FHE) was constructed by measuring whether certain possibly negative influences were present in the home. Based on a preliminary reading of staffing reports and discussions with staff, several variables were selected for inclusion in the scale. Indicators of a poor family/home environment included the absence of two parents in the house, parental instability or fighting, the child's inability to get along with family members, parental inability to supervise or control the youth, parental failure to provide emotional support for the youth, parental demands on the youth being excessive, parents drinking, and the home being in poor physical condition. The total number of these "negative" characteristics which were present in the home became the FHE score for the case, a higher score

meaning a poorer family/home environment. If a negative characteristic was not mentioned, it was assumed either not to exist, or not to be considered important enough to be included in the report. The FHE scale, therefore, measures two things - whether the negative characteristic is viewed as important enough to be mentioned, and whether it is actually present.

Information was gathered on the nature of the commitment offense as well as other prior or concurrent offenses mentioned or alleged in the report. The number of prior placements for delinquency problems, as well as allegations of drug or alcohol use was coded.

Data was gathered on the juvenile's I.Q. and aptitude in reading or math, although I.Q. scores were missing in over one-half of the cases. Students who deviated in the aptitude scores more than one grade from their actual grade were scored as ahead or behind depending upon the direction of deviation and all others were scored as average. A school adjustment profile was also constructed, based on the coder's interpretation of the youth's performance (grades of C were coded as average, below C as poor and above C as good), behavior, attendance and interest (did the child have further educational ambitions [good], want to just finish school [average] or want to drop out [poor]?). Poor ratings were given a score of 3, average 2, and good 1. If one of the four components was not dealt with in the report, it was scored as average (2) provided that there was an educational report filed and that at least one of the four components was dealt with. Otherwise, the school adjustment variable was treated as missing data. The sum of the four scores was used as the school adjustment score (higher scores meaning poorer adjustment).

Data was gathered on community feelings toward the juvenile. Any mention of community, law enforcement, or school feelings against the juvenile

was coded as one (1). The absence of such information was coded zero (0). Again, the questionable assumption was made that if the staff did not mention the community feelings in the report, they did not regard it as important.

The scale of youth attitudes, behavior and demeanor was derived from the reports on cottage and group living. It was comprised of items measuring the child's lack of cooperation in interviews and cottage staff, the child's behavior in the cottage, his appearance, the extent to which he feels remorseful about his delinquency, the extent to which he accepts responsibility for his actions, and the extent to which he possesses self-insight into his delinquency. Negative traits were each scored one (1), positive traits and traits not mentioned in the report were scored zero (0). The total score was the youth's "demeanor" score, with higher scores indicating a negative attitude or demeanor.

The psychological report was analyzed and, if a diagnosis of the juvenile's problem was reported, it was coded as normal (0), mild adjustment problems (1), emotional disorder or neurosis (2), sociopathic personality (3), or both sociopathic and neurotic characteristics (4).

Finally, data on whether the child preferred to be institutionalized was collected. Those cases containing a statement that he did request institutionalization were coded one (1); all other cases were coded zero (0).

Two dependent variables were used. The Action Panel decision, whether that be institutionalization or a less severe disposition, was used to measure the initial decision. In the actual analysis, because so few cases did not receive institutionalization, all such cases of non-institutionalization were treated as probation. The number of days in the institution was used as a measure of the parole decision (the longer they stay indicating the longer it took for parole to be recommended). Although the content analysis was aimed

primarily at the initial decision, it was also used to see if any of the characteristics of the juvenile present when he enters the institution affects his length of stay. It would have been worthwhile to include variables relating to institutional adjustment and attitude and behavior change to parole decisions, but such data was not available in codeable form.

There is one other variable which would have provided insight into the decision-making process, namely, the availability of community placements. Unfortunately, information about community placements is rarely included in the staffing reports unless, of course, the individual is placed in the community. Sometimes, the report mentions that a group home placement was discussed but could not be found or the staff felt that it was not appropriate. Very rarely does the report say that a group home or other community placement is available but the staff did not feel that it was the right disposition for that particular juvenile.

The vagueness of the data and the insinuations and intimations found in the staffing report present a difficult coding problem. The problem is one of reliability. How do we know that a different coder, or the same coder at a different time, would not code some of the items differently. To measure the reliability of the coding, two reliability checks were made. Intra-coder reliability was measured by having the coder recode a random sample of 10% of the cases after she had finished coding all the original cases. Since she coded 214 cases over six months, it is doubtful that she remembered how she coded these cases the first time. In addition, a random sample of a second 10% of the cases was coded by the researcher, and the two compared as a measure of inter-coder reliability. The results of these reliability checks are presented in Table 1. Note that the overall reliability (measured by the percent of items in agreement) is quite high for both tests (95% for intra-coder reliability and 88% for inter-coder reliability). This may be somewhat inflated because the

TABLE 1

INTRACODER AND INTERCODER RELIABILITY FOR
CONTENT ANALYSIS OF STAFFING REPORT

<u>Variable</u>	<u>Intracoder Reliability</u> (% Responses in Agreement)	<u>Intercoder Reliability</u> (% Responses in Agreement)
Institution	100	100
Race	100	95
Age	100	100
Sex	95	100
Date of Evaluation	100	95
County	95	100
Home Community	100	100
Father's Occupation	76	86
Mother's Occupation	86	95
Father's Education	86	95
Mother's Education	81	95
Commitment Offense	95	91
Most Serious Offense	90	95
Number of Prior Placements	71	91
Marijuana Use	90	91
Use of Hallucinogens	95	100
Use of Tranquilizers or Barbiturates	95	95
Heroin Use	95	100
Alcohol Use	100	86
Sniffing	100	95
I.Q.	95	86
Reading Aptitude	100	77
Math Aptitude	100	91
School Performance	81	59
School Behavior	81	64
School Attendance	95	82
School Interest	86	64
Child not with Natural Parents	100	95
Only One Parent in Household	100	95
Parents Fight Frequently	90	86
Parents Do Not have Close Relationship	81	82
Parents Fail to Control Child	71	91

<u>Variable</u>	<u>Intracoder Reliability</u> (% Responses in Agreement)	<u>Intercoder Reliability</u> (% Responses in Agreement)
Parents Demand Too Much	81	86
Child Does Not Get Along with Mother	67	91
Child Does Not Get Along with Father	90	86
Child Does Not Get Along with Siblings	90	95
Child Receives No Emotional Support from Parents	76	73
Poor Physical Condition of Home	95	100
Parents Drink	100	91
Caseworker Characterization of Home Situation	76	73
Coder Impression of Home Situation	86	59
Community's Attitude	90	86
Invalid MMPI	100	86
Lack of Cooperation in Psychological Interview	95	95
Lack of Cooperation in Educational Interview	100	100
Lack of Cooperation in Casework Interview	100	95
Non-Cooperation with Staff	100	82
Child too Aggressive in Cottage	100	100
Child Resists Authority	95	86
Child Has Attempted to Run	95	100
Child Neglects Appearance	100	100
Room Unclean	100	100
Child Shows No Remorse	76	77
Child Fails to Accept Responsibility for Actions	71	77
Child Lacks Self-Insight	76	55
Counselor's Recommendation	76	82
Caseworker's Recommendation	100	82
Probation Officer's Recommendation	81	77
Psychologist's Recommendation	95	68
Psychologist's Diagnosis	86	77

<u>Variable</u>	<u>Intracoder Reliability</u> (% Responses in Agreement)	<u>Intercoder Reliability</u> (% Responses in Agreement)
Child's Preference	100	95
Staff Recommendation	95	91
Action Panel Decision	100	95
Date of Parole	95	100
Number of Cases	21	22
Percent of Sample	10%	10%
Average Reliability	95%	88%

average reliability includes several items, such as the juvenile's sex and age, where no judgment is needed in coding. In general, the areas of lowest intra-coder reliability (none lower than 65% agreement) are found for such items as "child fails to accept responsibility for actions", "child does not get along with his mother", and the like. Inter-coder reliability is lowest in the item "child lacks self-insight and is low on school adjustment items". The low score on coder's impression of the home situation (.59) was due to different definitions held by the coder and the researcher on what constituted a poor home situation. Because of this, that item was not included in the FHE scale. All in all, then, the reliability was demonstrated to be high enough to allow the analysis to be continued.

The statistical analysis consisted of contingency tables comparing the variables described above with the Action Panel decision, institutionalization vs. probation. Chi-square was used to test significant differences and gamma and phi were used as measures of association.

Staff Questionnaire

The staff questionnaire was used to ascertain the staff perception of the decision-making process, and to measure staff attitudes concerning juvenile delinquents, juvenile institutions, and the decision-making process. The questionnaire is presented in Appendix B.

The first part of the questionnaire was aimed at ascertaining some personal background data about the staff (age, sex, education, length of employment, and position in the institution). Parts II and III asked those members of the staff who are involved in the decision-making process to rate the importance of 33 different variables in making their decisions. The variables were selected on the basis of the researcher's preliminary

observations of staffings, preliminary reading of the staffing reports, and informal interviews and discussions with staff. Items relating to personal characteristics of the juvenile, the offense committed by the youth, the psychological characteristics of the youth, school adjustment, the quality of the youth's home environment, the youth's attitude and behavior in the cottage, the youth's progress in his treatment program, and the availability of community placements were among the 33 items.

Subjects were asked to rate each item in terms of the importance it plays for them in making their decision. Ratings were either "very important" (4), "somewhat important" (3), "of little importance" (2), "not important at all" (1), or "information not available to me" (0). The same 33 items were rated for the initial decision (Part II of the questionnaire) and the parole decision (Part III). This permitted direct comparisons between the two decision points.

Parts IV and V asked the staff to rate the importance of the role played by the occupants of different staff positions to each of the two decisions. The different positions were listed and rated in terms of the amount of influence they have in making decisions. Choices were "a great deal of influence" (4), "about the same as anyone else" (3), "only a little influence" (2), "no influence" (1), or "not applicable" (0). Again, the same staff positions were rated for both initial and parole related decisions. Subjects were also asked to indicate whether each of the two decisions were made prior to the staffing, at the staffing, or at the Action Panel.

Part V of the questionnaire asked the staff to rank the severity of several alternative dispositions which are open to the staff. This was used to enable the researcher to develop a scale of severity of disposition, which was used in the decision game analysis to be discussed next.

Part VI was an attitudinal measure designed to measure how the staff conceived the purpose of juvenile institutions. Thirteen alternative purposes were presented, and the respondent was asked to select the three most important (in order of importance) in his opinion.

Part VII consisted of 42 attitudinal items designed to measure the attitudes of staff on several dimensions of institutional treatment. The most important of these dimensions is the custodial/treatment dimensions, measured by items 1, 3, 5, 16, 17, 23, 26, 29, 31, 33, 34, 36, 40, 43, 44, 45, and 47 (See Appendix B.). This was intended to measure the extent to which the staff member believes that delinquents are "bad kids" who should be punished for their actions and held out of society while they are brought into line on the one hand (custodial orientation), and the extent to which staff members believe that delinquency is the result of emotional or psychological problems which require extensive treatment, on the other (treatment orientation). Examples of items used to measure this orientation are "delinquents have to be punished if they are going to learn correct behavior", "firmness will help delinquents learn right and wrong", and "sympathetic understanding is the key to helping delinquents." A factor analysis was performed to make sure that the items were measuring a common dimension. As a result, items loading poorly on the scale were dropped and a revised 14-item scale consisting of items 1, 3, 16, 17, 23, 26, 29, 31, 33, 36, 40, 43, 44, 45, and 47 was used as a measure of treatment/custodial orientation. Cronbach's alpha, a measure of reliability was used to indicate the consistency of responses (i.e., the degree to which people who answered some items with a given orientation answered other items with the same orientation). The reliability for this scale, measured by Cronbach's alpha was .76, indicating sufficient congruence among the items to call them a scale.

It is still possible that although the scale is a reliable measure, it is not measuring custodial/treatment attitudes. An attempt to measure the validity of the scale (the degree to which the scale measures what it purports to be measuring) was undertaken by comparing custodial treatment scores with staff rankings of the purpose of the institution (Part VI of the questionnaire, discussed above).

Custodial/treatment scores derived from the 14-item scale were dichotomized. Staff with scores of 32 or higher (above the median) were designated as custodial oriented; those with scores below 32 were designated as treatment oriented. Rankings of the purpose of the institution were categorized as treatment if two of the three choices were clearly treatment oriented ("Our purpose should be to help them gain an understanding of the kind of things that got them into trouble", "our purpose should be to help them learn to adjust to life in the community" and "our purpose should be to help juveniles grow and mature as human beings.") Respondents who did not choose two out of these three were designated as non-treatment oriented.

Table 2 shows that, indeed, the two measures of custodial treatment attitudes are related. High custodially oriented staff (based on the custodial/treatment scale) are less likely to choose treatment related items as the purpose of the institution than are low custodially oriented staff. The results were significant at the .02 level of significance.

It seems safe to conclude, therefore, that the custodial/treatment scale is both a reliable and a valid measure of custodial/treatment attitudes.

Several other types of attitudes were also measured. Because the Department of Corrections was attempting to increase the number and quality of community treatment facilities, items were included in the questionnaire to determine the extent to which community corrections was preferred by the staff.

TABLE 2

COMPARISONS OF TWO MEASURES OF CUSTODIAL/TREATMENT ATTITUDES
(To Assess the Validity of the Custodial/Treatment Scale)

Custodial/Treatment Scales

		High Custodial	Low Custodial	
Rankings of the Purpose of the Institution	Treatment	43	63	106
	Non- Treatment	31	20	51
		74	83	157

chi square = 5.54

p less than .02

Specifically, the items measured the extent to which staff members believe that juveniles should be treated in the community whenever possible. It was measured by the following items:

It is often better to put a juvenile in the institution even if a community placement is available and the juvenile poses no serious threat to others. (Item 2)

Whenever possible, a juvenile should be treated in the community rather than in the institution. (Item 7)

Another attitude that was measured was racial stereotyping, the belief that Blacks or Indians are more likely to be delinquent than whites. This attitude was measured by the following items:

Indian boys and girls are more likely to be delinquent than are whites. (Item 4)

Black and Indian juveniles are no more likely to be delinquent than are whites. (Item 37)

The likelihood that a boy or girl will become delinquent has nothing to do with their race. (Item 40)

Blacks are usually involved in more serious delinquencies than whites. (Item 46)

It should be pointed out that these items are not measuring stereotypes per se, but merely the belief that Blacks and Indians are more likely to be involved in delinquency. It says nothing about why a person believes this. For example, they may believe that it is due to discrimination. This scale is merely intended as a measure of the extent to which staff members hold stereotypes about the types of people who are likely to become delinquent.

Sex stereotyping measures the belief that girls should be handled differently from boys. It was measured by the following items:

Society has no right to impose different standards on girls than they do on boys. (Item 11)

In general, girls have a greater need than boys to be supervised and protected from improper influences. (Item 18)

Age stereotyping measures the belief that younger juveniles are likely to be less delinquent than older juveniles, and should be treated different from other juveniles. It was measured by the following items:

Younger delinquents are less responsible for their acts than older delinquents who have had more time to learn proper behavior. (Item 15)

There is no relationship between a juvenile's age and the likelihood of his or her involvement in juvenile delinquency. (Item 27)

The faith in Judges scale measures the belief that judicial recommendations are sufficient reason for committing a juvenile, and there is no reason to overturn them. This is a measure of the presumption that people who are committed to the institution are in need of treatment or they would not have been committed in the first place. It was measured by the following items:

Just because a judge has recommended that a juvenile be placed in this institution, it doesn't mean that there are no better placements in the community. (Item 12)

All in all, the judge usually knows what is best for juveniles, and it is foolish to go against his decision. (Item 21)

If a juvenile did not need to be kept in an institution, the judge would not have sent him here in the first place. (Item 25)

Judges often make mistakes, so it is often necessary to go against their recommendations in making decisions about juveniles. (Item 28)

Preliminary observation of staffings and preliminary readings of staffing reports suggested several types of attitudes which might relate to the way the staff makes decisions about juveniles. These attitudes include the attitude toward authority scale, which measures the belief that lack of respect for authority is related to delinquency. This is measured by the following items:

Juveniles who have not learned to respect authority are likely to get in trouble with the law. (Item 6)

There is little or no relation between a youth's attitude toward authority figures and his involvement in delinquent activities. (Item 49)

The Leader/Follower scale measures the belief that leaders, or instigators in delinquent acts are more serious delinquents than followers. It was measured by the following items:

A juvenile who is a follower and merely goes along with others in committing delinquent acts but does not instigate these acts himself does not have a serious delinquency problem. (Item 15)

Even if a juvenile doesn't plan or instigate criminal acts, the fact that he goes along with them is evidence of a serious delinquency problem. (Item 38)

The Juvenile Remorse scale measures the belief that juveniles who show remorse are less delinquent than non-remorseful juveniles. It is measured by:

Just because some juveniles feel sorry about their delinquent acts, it does not mean that they are not dangerous delinquents. (Item 35)

A juvenile who acknowledges his guilt and feels remorse is likely to be less seriously delinquent than a juvenile who shows no remorse. (Item 38)

Belief in psychological explanations of crime reflects the belief that delinquency is best explained as a psychological problem or as the result of psychological factors. It is measured by the following items:

Juvenile crime is usually a manifestation of deeper psychological conflicts. (Item 13)

There is little or no relationship between juvenile crime and psychological or emotional disorders. (Item 20).

Finally, an Effectiveness of Institution scale measures the belief that the institution (where the staff member works) is an effective way of working with delinquents. It is measured by:

There is nothing in this institution which really deals effectively with juvenile delinquency. (Item 10)

A good number of juveniles who come to this institution are more sophisticated in the techniques of delinquency when they leave. (Item 14)

Most of the juveniles who enter this institution leave as better and more responsible people. (Item 42)

Compared to other ways of treating delinquents, this institution has a good program for helping delinquents. (Item 48)

Scores on these scales were computed for each of the staff members, and these measures were related to each other, to staff characteristics, and to decisions made on the decision game.

Parts VIII, IX and X of the questionnaire were used to gain insight into the characteristics looked at by the staff in evaluating the family/home environment, the youth's demeanor, and the severity of different types of offenses. Mean ratings were computed for each item, but these were not used in any of the scaling or attitudinal analyses.

Decision Game

The decision game was an attempt to relate staff responses on the questionnaire with the way they actually made decisions. This was impossible (and is a major drawback of the research) in the sense that there was no way to relate the responses on the questionnaire with the content analysis data, and there was not sufficient time to observe each staff member in a sufficient number of staffings. Furthermore, no one staff member is himself responsible for the decision, although some are more influential than others. The decision game was viewed as a way to experimentally measure the way staff members make decisions about cases.

Those staff members who were directly involved in initial staffings, were given five cases and asked to make recommendations on dispositions. These cases were taken from actual cases on file at the Department of Corrections. A duplicate set of five cases, identical to the first set in all respects except for the sex of the juvenile was created. These sets were randomly distributed to the staff playing the game, so that differences in patterns of information

gathering and dispositions according to the sex of the juvenile could be ascertained. Each game consisted of staff selecting information from cards placed in front of them. They could see the category of information but not the actual information until they asked for it. Subjects were instructed to select categories in their order of importance to the subject in making his decision. Subjects could ask for as many cards as they wanted, but were instructed to inform the researcher of their recommended disposition as soon as they felt they had enough information to make a recommendation. Sixteen different cards were used for each case. They contained information on commitment offense, delinquency history, family and community information, age, race, juvenile's address, intellectual functioning, educational report, psychological functioning, medical information, group living appraisal, caseworker impressions, juvenile's view of the problem and recommendation, parents' recommendation, probation officer's recommendation and psychologist's recommendation. Information was gathered on the order in which information was requested, the amount of information requested, the actual recommendation, and the reasons given for the recommendation.

After the subject made his recommendation, he was allowed to select three more cards and revise his recommendation if he wished to do so. This information was also recorded. Each respondent played five games.

One important drawback of this method must be noted. Subjects were not given information on community placement possibilities since none was available in the case files. Thus, they were instructed to assume that all community options were available. In the real world, of course, all community options are not available. Nevertheless, this method enables accurate comparison of decisions among different staff members and enables one to relate staff attitudes to dispositions.

Statistical analysis consists of frequency distributions and means computed for each of the 16 categories of information which was presented to the staff. If the category was selected first, it received a score of 16; if it was selected second, it received a score of 15, and so on. If a category was not selected, it received a score of 0. Frequencies distributions of reasons why the staff makes decisions was also computed.

Comparisons were made among subgroups of the staff with their recommended dispositions to see which subgroups are more likely to recommend institutionalization or community placements. An average "severity of disposition" score for each staff member was devised by averaging the severity of the recommended disposition of each staff member (according to mean staff ratings of different dispositions obtained from Part V of the questionnaire) for the five dispositions he or she made. A regression analysis, regressing staff characteristics and attitudes on tendency to recommend institutionalization, was then performed.

CHAPTER THREE

The staffing Process at the Three Institutions

Who makes the decision?

The general format of the staffing process at the three institutions is one of discussion around a table. Someone presents the case and the staff discusses it. At initial staffings, this involves reading the commitment offense, delinquent and social histories, psychological and educational reports, discussing the above reports and the problems of the juvenile, and making recommendations. At parole staffings, the discussion revolves around progress made by the juvenile and parole plans.

Although the round-table discussion gives the appearance of equal roles played by all members of the staffing team, closer observation reveals that this is not the case. Probably the least democratic of the staffings are those held at MMTC. Here the caseworker is assigned the role of reviewing the case and presenting a recommendation to the staff, who, in turn, discuss it, and amend or change it. During the course of my observations at MMTC, I observed three different caseworkers at initial staffings. Two played a passive role describing the problem and suggesting the need for a specific type of treatment, but not imposing a solution on the rest of the staffing team. The following statements by the caseworker at the staffing of a 16 year old female shoplifter illustrates this:

I see her as a moody individual, hostile ... coy and uncooperative. I see a lot of hostility towards her mother which is generalized to other adults ... I'm really not sure we have the ability to deal with her here. She needs a program that will watch over her aggressiveness...

Although he has influenced the decision, and through his statements, eliminated some alternatives, the caseworker has not closed the door on other

suggestions, as long as they provide the control and supervision which he feels is necessary.

In other staffings, a particular placement may be suggested and presented to the staff for discussion. For example, one caseworker began the discussion with "we're looking at a short institutional stay for Paul." In all these discussions, however, the caseworker has a distinct disadvantage over the others because he knows what is available and what programs will accept the juvenile. Thus, the caseworker role is most important in determining what the decision will be. The style of the caseworker will influence how much decision-making power he will actually use, and how much he will listen to the rest of the staff, but his position remains the most influential. Table 3 depicts the results of the researcher's systematic observations of staffings. Data was collected on the number of times talking and the observer rating of the individual's importance in determining the decision. Scores range from "one" to "four", with one representing greatest importance and four least importance. (See Chapter 2 for a more complete discussion of the methodology.) From the table, it is apparent that the caseworker at MMTC speaks the most number of times at staffings and plays the most important role.

At STS and MHS, there is no caseworker, although the social service counselor and group leaders assume casework duties at those respective institutions. At STS, the group leader is most familiar with the juvenile, is aware of the juvenile's behavior in the group, and has all the social and psychological information about the juvenile. While observations suggest that they tend to play a less direct role in making recommendations than do the caseworkers at MMTC, they still play the most important role in making recommendations. Participation by cottage counselors is minimal here and generally takes the form of agreement with the group leader's plan. Discounting the probation officer,

TABLE 3

MEAN NUMBER OF TIMES TALKING AND IMPORTANCE TO DECISION OF DIFFERENT STAFFING TEAM MEMBERS

Position	Initial Decision					Parole Decision				
	MMTC		STS		MIS		STS		MIS	
	Number Times Talking	Observer Rating of Importance								
Probation Officer	16.4	2.25	10.5*	1.50*	34.6	1.86	--	--	--	--
Counsellors	4.8	3.07	2.8	3.32	21.7	2.11	5.6	2.93	5.9	2.68
Supervisors	6.8	2.86	1.4	3.80	36.9	1.43	0.7*	3.75	--	--
Juveniles	7.4	3.56	--	--	47.3	2.29	--	--	24.3	2.63
Chaplain	--	--	4.3*	3.00*	--	--	2.2	3.40	--	--
Caseworker	17.5	1.09	--	--	--	--	--	--	--	--
Group Leaders	--	--	10.0	1.67	--	--	22.4	1.50	--	--
Cottage Directors	10.2	2.60	3.5	2.83	21.0	1.80	19.5	1.63	17.3	2.00
Parents	10.5*	3.50*	--	--	27.5	2.82	--	--	--	--
Teachers	5.6	2.90	2.4	3.27	20.7	3.14	3.4	3.17	5.8	2.56
Visitors from the Community	5.2	2.75*	--	--	--	--	--	--	--	--

* n is less than 5.

who is usually not present at STS staffings, Table 3 shows that the group leader talks the most and has the highest rating of importance at STS. The low rating of counselors (2.8 times talking per staffing; mean rating of 3.32) and others suggests that their role is minimal. Indeed, the lower number of times talking by all members of the staffing team attests to the more rapid pace of STS staffings and the absence of prolonged discussions.

At MHS, there is no group leader nor a caseworker per se. Although the social service counselor assumes some of the casework responsibilities, this does not include making a recommendation to the staff. At MHS diagnostic evaluations, the role of directing the staffing is delegated to one of three supervisory staff. As a rule, however, they have no prior dealings with this juvenile and are not familiar with the case prior to the staffing. Thus, they do not possess the same amount of influence in the staffing that the caseworkers at MMTC and group leaders at MHS have. At MHS, the probation officer is usually present and wields much influence. He reads the delinquent and social history, and usually has a treatment recommendation. He is in the commanding position of knowing what is available in the community. If he fails to investigate a specific community placement, the rest of the staff may find it more expedient to recommend institutionalization rather than suspending the staffing until an alternative placement can be investigated. On the other hand, if the probation officer has come up with a community placement and made all the necessary arrangements, the staff is more likely to accept it.

Finally, the Cottage Director is the person at the staffing (along with the social service counselor) who is familiar with the juvenile's behavior at the cottage. He has had the day-to-day experience of supervising, advising and evaluating the juvenile. Thus, he has much insight into the juvenile's

needs and how he will respond to the institutional program or community program.

At MHS, then, the probation officer, supervisor, and cottage director all wield much decision-making influence. The supervisor wields the most, because of his position as chairperson of the staffing team and, perhaps, because he has the highest rank in the organizational hierarchy. The supervisor tends to pull the views of the others together into a treatment recommendation.

It should be noted that the number of times that each member of the staffing team speaks is higher at MHS for all staff than at MMTC or STS. The staffing at MHS is the lengthiest of the three (usually lasting over one hour) and most thorough, in terms of dealing with the juvenile's problems. Note that although the juvenile speaks more than anyone else at the staffing (47.3 times), much of this is in response to grilling and questioning by the staff. Nevertheless, the juvenile (and the juvenile's parents) have a much greater role in terms of the disposition at MHS than they do at STS (where they are never present at the staffing) or MMTC (where juveniles are merely confronted with a decision).

Observations of parole staffings show that counselors have more influence here than at initial staffings. At STS, the group leader and cottage director wield the most influence. At MHS, the cottage director plays the most important role (the supervisor and probation officer are not present at the parole staffing), but others also have a say. Parole staffings were not observed at MMTC.

Once again, it should be pointed out that these ratings of importance are merely the views of the researcher, who observed the staffing process. It is possible that a different researcher would have come to different conclusions regarding the relative importance of the different members of the staffing team. A second measure of the influence of different staff members in arriving at

decisions was ascertained by asking the staff members themselves to rate the relative importance of different individuals to decision-making. Tables 4 and 5 present the results of this sociometric analysis. As Table 4 indicates, cottage directors and group leaders are ranked highest for both initial and parole decisions. This is somewhat surprising since the observations of staffings indicated that the probation officer is not even present at the parole staffing. Nevertheless, parole plans are usually checked out with the probation officer before a juvenile is actually released. So the probation officer does wield some indirect influence on parole decisions.

Supervisors rank third in importance in initial decisions, but seventh in importance in parole decisions. This is consistent with the observations. Caseworkers and social service counselors ranked fourth on both decisions. Cottage counselors, who had little influence in the initial decision were ranked second in the parole decision. This is consistent with the observations, although the observer did not rank the cottage counselor quite that high in importance.

The high rating of the juvenile's treatment group in parole decisions was due primarily to the responses of STS staff (see Table 5). The STS program requires that the group must recommend parole in order for the juvenile to be released. However, observations of staffings revealed that group leaders were instructed to manipulate the group so that a parole recommendation would be forthcoming. At several of the observed staffings, the group leader was instructed to get the group to deal with the juvenile's problems so that parole could be recommended soon. Sometimes, the discussion would revolve around that rather than the juvenile's actual problems. The observer actually witnessed one staffing where the recommendation was to transfer the juvenile to MHS so that he could be paroled from there, rather than damaging the integrity of the

TABLE 4

STAFF RATINGS OF THE IMPORTANCE OF DIFFERENT POSITIONS IN MAKING DECISIONS ABOUT JUVENILES

<u>Position</u>	<u>Initial Decision</u>		<u>Parole Decision</u>	
	<u>Mean Rating</u>	<u>Rank Order</u>	<u>Mean Rating</u>	<u>Rank Order</u>
Cottage directors and group leaders	3.473	1	3.686	1
Probation officer	3.339	2	3.095	5
Supervisors, program directors, etc.	3.183	3	3.049	7
Caseworkers and social service counselors	3.138	4	3.185	4
Psychologist	3.048	5	2.257	10
Juvenile court judge	2.958	6	2.048	11
Cottage counselors	2.828	7	3.267	2
Teachers or educational counselors	2.725	8	3.024	8
Administrative staff (superintendent, assistants, etc.)	2.717	9	2.636	9
Juvenile	2.445	10	3.071	6
Juvenile's treatment group	2.443	11	3.189	3
Juvenile's parents	2.090	12	2.006	13
Chaplain	2.061	13	2.042	12
Visitors from the community (county social workers, school personnel, friends, etc.)	1.921	14	1.836	14

TABLE 5
 STAFF RATINGS OF THE IMPORTANCE OF DIFFERENT POSITIONS
 IN MAKING DECISIONS ABOUT JUVENILES ACCORDING TO INSTITUTION

<u>Position</u>	<u>Initial Decision</u>			<u>Parole Decision</u>		
	<u>MMTC</u>	<u>STS</u>	<u>MHS</u>	<u>MMTC</u>	<u>STS</u>	<u>MHS</u>
Administrative Staff (Superintendent, Assistants, etc.)	3.16	2.35	2.96	3.35	2.22	2.81
Supervisors, Program Directors, etc.	3.68	3.00	3.11	3.68	2.86	2.94
Cottage and Group Leaders	3.44	3.33	3.69	3.63	3.59	3.84
Caseworkers or Social Service Counsellors	3.50	2.79	3.43	3.50	2.67	3.75
Probation Officer	3.28	3.33	3.56	3.22	2.90	3.29
Judge	2.59	3.03	3.13	2.03	1.96	2.20
Teachers or Educational Counsellors	2.38	2.77	2.89	2.50	3.09	3.25
Chaplains	1.87	2.49	1.58	1.84	2.48	1.56
Psychologist	3.03	3.18	2.91	2.63	2.28	1.98
Juvenile's Parents	2.06	1.78	2.52	2.19	1.56	2.49
Visitors from the Community	2.29	1.68	2.04	2.00	1.65	1.98
Juvenile	2.34	2.28	2.72	2.59	3.08	3.33
Juvenile's Treatment Group	2.09	2.68	2.28	2.56	3.61	2.95
Counsellors	2.40	3.00	2.81	2.84	3.40	3.31

group by paroling him without a group recommendation! It seems, then, that although the staff questionnaire has uncovered an aspect of the decision-making process largely hidden to the observer of staffings, the staff has over-estimated its role in decision-making.

Further analysis of Table 5 reveals findings mostly consistent with the observations. At MMTC, supervisors were given a higher rating than observations indicate they should but this may also be due to their role on the Action Panel. Caseworkers were rated second highest in importance in the initial decision. At STS, the highest ranking went to cottage and group leaders and probation officers. The latter was surprising, since probation officers were usually not present at STS staffings. Nevertheless, they do write the social history which contains a recommendation. It seems likely, as mentioned above, that they do wield some indirect influence at the staffing.

The rating for supervisors at MHS initial decisions is somewhat lower than expected, but cottage leaders, social service counselors, and probation officers all rank high.

Ratings for the parole decision reveal a surprisingly high rating at MMTC for supervisors. It is possible that people who supervise a particular treatment program in the cottage were included in this category by the staff. Cottage and group leaders are rated highly in all three institutions. Probation officers are rated highly at MMTC and MHS and teachers receive high ratings at MHS, probably due to their role in evaluating the juvenile's progress on educational goals. The juvenile himself is rated highest at MHS, corresponding to his greater involvement in the staffing process there. The juvenile's treatment group, as discussed above, receives the highest rating at STS, while counselors are rated higher at MHS and STS than at MMTC.

Systematic observations of staffings also included data on the nature of the decision-making process. The results are contained in Table 6. In few cases, was a vote ever taken regarding a disposition. This was more characteristic of STS staffings, and usually took the form of the group leader going around the table soliciting opinions. In all three institutions, a consensus was usually reached where everyone came to accept a recommendation.

It was much more difficult to assess whether or not the decision was pre-determined, that is, whether everyone in the institution knew what the disposition would be before the staffing began. For example, a 17 year old Indian male was scheduled to join the Army as soon as he was discharged from the juvenile institution. Everyone had agreed well before the staffing began that this would be the recommendations. The actual staffing was only a formality.

Parole staffings were often predetermined in the sense that no thought had been given to parole before the monthly staffing and the staffing was geared to discussing problems rather than considering parole. This was particularly true at STS when the treatment group had not recommended parole. In the case of initial staffings, there was usually no such predetermination, although each of the staff members familiar with the juvenile may have reached the same conclusion individually. On the other hand, there seemed to be a presumption that most of the juveniles sent to the institution would be committed to the treatment program. This was evidenced at MHS by the fact that juveniles were expected to draw up a set of treatment goals to work on in the course of their own stay there. The presumption was that they would be committed.

The staffing is designed to be an informal setting where a group of staff can discuss the merits of a particular case and reach a decision regarding a recommendation. While much discussion does take place, the procedure is not wholly democratic and some of the staff have much more decision-making influence than others.

TABLE 6

SOME ASPECTS OF THE DECISION MAKING PROCESS IN JUVENILE STAFFINGS

	Initial Decision			Parole Decision	
	<u>MMTC</u>	<u>STS</u>	<u>MHS</u>	<u>STS</u>	<u>MHS</u>
Percent of Staffing where Vote is Taken	7.7%	40%	0%	14.3%	0%
Percent of Staffings where Consensus is Reached	83.3%	100%	100%	100%	100%
Percent of Staffings where Decision was Predetermined	27.2%	20%	16.7%	85.7%	54.5%
Average Number of People Present at Staffing	8.0	10.2	7.7	11.9	8.2

Comparison of Staffing Methods

It is difficult to describe any one of the staffing methods as superior to the others. Each has its advantages and disadvantages. The primary advantage of the STS staffing is its brevity. It doesn't use the staffing as a forum for castigating delinquents or appeasing parents. On the other hand, by failing to give the juvenile a direct voice at the staffing, it loses the benefit of the juvenile's view on what type of treatment is needed and will work. It is also possible that the juvenile will be left with a bitter feeling that the decision was imposed upon him. This may be mitigated by the fact that the juvenile did have his say in front of the treatment group, and will also appear before the Action Panel when the final decision is to be made. While it may be argued that the juvenile has committed a crime and has no right to a voice in his punishment, the juvenile is being told that he is being treated (for his own good) and not punished. If the treatment is for his own good, however, why doesn't he have a voice in what happens to him?

A further deficiency in the STS staffing process is that its brevity precludes an in-depth exploration of the juvenile's needs and problems, or an in-depth exploration of treatment alternatives. As a rule, the STS staff is confident that they are performing a service for juveniles, and that their program can help juveniles. Therefore, they probably do not feel the need for a long staffing to justify a commitment recommendation to the juvenile or to themselves.

Although the juvenile does appear at MMTC staffings, his role is very minor. He is told what the decision is, and although he can offer comment upon it or disagree with it, there is little he can do to change it. Thus, the MMTC staffing also suffers from the failure to involve the juvenile in the decision. Its primary strength is its use of a caseworker to make recommendations. The caseworker is a professional whose job it is to know what types of programs are available for different types of juveniles. His diagnostic training should enable

him to more accurately diagnose a juvenile's problems and suggest the treatment which has the best chance to succeed. On the other hand, it may be argued that leaving the responsibility for making dispositions largely in the hands of one individual, places too much trust in that person's judgment and fairness. While the rest of the MMTC staff does get to comment on the caseworker's recommendation, the researcher observed only one case among the 14 he observed systematically where they actually yielded influence, and that was then the caseworker could not make up his mind.

It has also been argued that a caseworker is too far removed from cottage life to know the juvenile. Some cottage counselors at STS and MHS expressed the opinion that because they see the juvenile every day and observe his interaction with peers and staff, they are better able to determine his needs and make a recommendation. The issue is an important one, and both viewpoints may have merit. Perhaps if the caseworker were to receive written reports from the counselors containing their observations and recommendations prior to the staffing (rather than hearing their opinions at the staffing, after he has decided upon his recommendation) the input of the counselors would not be wasted. Even in the more democratic settings of STS and MHS, the counselors have little decision-making influence.

The MHS staffings are the lengthiest and the most in-depth. Juvenile involvement is greatest here. While there is no evidence that his presence at the staffing will make him feel any better about being committed, at least he knows who to blame and what factors were considered. He also knows what he must do in order to be paroled, since his treatment goals are laid out for him at the staffing.

This is true at MHS parole staffings as well. Whereas STS presents the juvenile with a "letter" detailing his progress or lack thereof, MHS provides

face-to-face communication and more direct feedback. This may, in fact, account in part for the longer periods of incarceration at STS, where the juvenile knows less of what is expected of him and what he has to do to "get out".

A major drawback of the MHS initial staffing is its length. Much time and effort is put into the staffing by all the participants. Some of the lengthiness could be cut down by eliminating the time spent lecturing and questioning the juvenile (which occupies a good part of the MHS staffing, as will be seen on Chapter Four) and concentrating on the dispositional phase of the staffing. However, this has the negative effect of leaving the juvenile less clear about why he is being institutionalized. Much time is also spent familiarizing the staffing team with the details of the case. The group living supervisor has usually not even seen the juvenile's file before the staffing begins.

The following suggestion, therefore, is put forth to combine the best of these different staffing approaches. A caseworker, whose sole job it is to make diagnoses and recommendations, and find placements for juveniles should be employed at STS and MHS. Armed with the social history, the psychologist's report, and the recommendation of the cottage counselors, he should sit down with the person on the staff closest to the juvenile (e.g., the group leader at STS and the cottage director at MHS), the juvenile, and his parents. It is suggested that the probation officer be excluded from this proceeding, since he is an agent of the court and has already been influential in the judge's decision to commit the juvenile. Furthermore, his recommendations are contained in the social history, and the caseworker could always consult him for an opinion. Here, the caseworker can listen to the opinions of the others, and together with them, present their decision to the juvenile. Treatment goals and educational goals can be worked out at a later date. This type of staffing

would be less time-consuming, would eliminate many of the superfluous things that go on at the MHS staffings, would retain juvenile (and parental) involvement, would include a professional diagnostician, and would include someone with more direct knowledge of and contact with the juvenile.

The Action Panel: Is it Necessary?

The Action Panels observed by the researcher at the three institutions indicated near unanimous agreement with the staff recommendation. Requests for limited paroles (home visits) were granted routinely, although there were sometimes slight moderations in dates. Parole recommendations were also granted routinely, although in two cases, the researcher observed that parole recommendations were changed to two or three week limited parole with a provision that full parole would be granted if no problems arose. This was done to enable the Action Panel to return the juvenile to the institution if events so warranted without going through the formalities of a parole revocation hearing. The researcher observed only one case where an initial recommendation was overruled by the Action Panel. This was a case of a 16 year old Indian male at MMTC who, between the time the staff had recommended commitment and his appearance before the action Panel, had secured a placement in an Indian group home. The Action Panel was impressed by this, and by the boy's sincerity and desire to work out his problems, so they overruled the staff and sent him to the group home on probation.

In only ten cases out of 210 in the content analysis of staffing reports (4.7%) did the Action Panel overrule the staff decision. In seven of the ten, the staff recommended probation and the Action Panel recommended institutionalization. Some of these overrulings resulted from events which occurred between the time of the staffing and the Action Panel meeting, such as a run from the institution or the collapse of a community treatment plan.

The questionnaire results depicted in Table 7 also suggest that very few of the staff actually see the Action Panel as the place where decisions are made. (Some of the small percentage who do may be thinking in legal terms rather than practical terms.)

It may still be argued that the Action Panel, by its mere presence, serves the function of keeping the staff in line and that without it, staff decisions would be arbitrary and unjust. That is, the knowledge that their decisions will be reviewed makes the staff put more thought and justification into their decisions. Yet, there is already an Appeal Board to perform the role of reviewing contested decisions and overturn unjust ones. It seems, therefore, that the Action Panel decision is superfluous. For this reason, this report recommends its cessation in the decision-making process. This recommendation refers only to the Action Panel role in confirming or rejecting staff recommendations. The Action Panel also has the task of hearing parole violation cases. Here it plays more than a rubber-stamping role, since it actually judges cases. This aspect of the Action Panel's duties should be retained, or some other panel should be assigned this function.

TABLE 7
STAFF OPINIONS ON WHEN DECISIONS ARE MADE

	INITIAL DECISIONS		PAROLE DECISIONS	
	<u>Frequency</u>	<u>Percent</u>	<u>Frequency</u>	<u>Percent</u>
Prior to Staffing	56	33%	43	26%
At the Staffing	104	61%	103	63%
At the Action Panel	10	6%	18	11%
Total	160	100%	164	100%

CHAPTER FOUR

Criteria Used in Making Decisions

It is not unusual for an observer to come to a situation and find things totally confusing and unpatterned. However, after several observations, patterns usually do emerge and the observer can systematize and categorize them. In the case of this research, clear patterns, or rules governing the decision-making process did not emerge. There tended to be more exceptions to the rules than actual rules. This pattern of non-systematic decision-making was evidenced, not only by the researcher's observations, but by much of the quantitative data as well. As a result, most of the conclusions in this section will be in the form of generalized statements rather than specific rules.

In this regard, two general conclusions can be made regarding the decision-making process. The first concerns the dilemma, discussed in Chapter One, whether to handle delinquents as criminals who need to be punished and removed from society, or to deal with them as products of a poor environment and emotional problems who need to be helped and treated in the institution. It appears that the staff uses both of these justifications to commit juveniles to the institution. That is, serious delinquents will be institutionalized to punish them, control them, "make them accountable to society," and so on. Non-serious delinquents will be institutionalized to work on their problems, to mature, gain self-insight, work on relating to peers, and a host of other treatment oriented goals. The result is that most juveniles for whom a diagnostic evaluation is held are committed, for one reason or the other, to the institution.

Once committed to the institution, the criteria used to parole a juvenile relate to essentially how well he has progressed in the treatment program. Regardless of the severity of the offense and delinquency history, juveniles are

judged to be ready for parole when they have shown personal growth and maturity, and have improved their relationships with staff and peers. These general conclusions will be discussed in more detail shortly, when the specific findings of the study are presented.

Observations

The reader is reminded once again that the systematic observations of staffing reports reported here are not based on a random sample of all staffings and are subject to the problems of reliability discussed earlier.

Table 8 contains the observer's impressions of the types of activities involved in the staffings and the subject areas involved. Activities were given a score of one to four for each staffing according to the observer's impression of their importance in the staffing, with a score of "one" indicating very important, "two" somewhat important, "three" of little importance, and "four" not important at all. Numbers in the table represent mean ratings of importance.

Table 8 indicates that at initial staffings in all three institutions, making recommendations is the first or second most important activity. Discussing the juvenile's problems is the most important activity in STS and tied for most important in MHS. Thus, it appears that much of the initial staffing does involve the attempt to understand the juvenile's problems and come up with a recommendation. The relatively high importance of lecturing and moralizing and questioning and grilling of juveniles at MHS is due to the fact that the juvenile is present at MHS and much of the staffing is devoted to gaining information from him and lecturing him. Note that at STS, where the juvenile is not present, these activities were rated as "not important at all".

Discussing problems is also very important at parole staffings, although the discussion usually involves institutional adjustment, attitude, and behavior

TABLE 8
 TYPES OF ACTIVITIES AND SUBJECTS DISCUSSED AT JUVENILE STAFFINGS

<u>Activities</u>	<u>Initial Decisions</u>			<u>Parole Decisions</u>	
	<u>MMTC</u>	<u>STS</u>	<u>MHS</u>	<u>STS</u>	<u>MHS</u>
Explaining Procedures	3.83	4.00	3.14	4.00	4.00
Issuing Reports	2.08	2.33	2.71	3.63	2.27
Discussing Problems	2.27	1.50	1.29	1.00	1.73
Lecturing or Moralizing	2.92	4.00	2.14	4.00	2.73
Questioning and Grilling	3.42	4.00	2.14	4.00	2.45
Seeking Information	3.08	3.33	3.00	2.75	3.36
Summarizing and Clarifying	3.08	3.40	3.14	3.25	3.36
Making Recommendations	1.67	1.83	1.29	2.00	2.91
<u>Subject Areas</u>					
Offense	1.92	2.83	2.57	3.29	3.83
Family home/environment	2.33	3.17	3.14	3.71	3.67
Psychological Profile	2.55	3.20	2.86	4.00	4.00
Cottage or Group Living	3.83	2.67	3.00	2.00	2.17
Education	2.92	3.17	2.14	2.86	2.58
Treatment Goals	3.36	3.67	2.14	2.00	1.33
Prior Treatment Experiences	2.50	3.00	3.00	3.86	4.00
Disposition or Treatment Plan	1.08	1.67	1.14	2.14	2.83
Community Reaction	4.00	4.00	4.00	4.00	4.00

as opposed to the juvenile's offense or delinquency problems. The belief that delinquency is a manifestation of psychological and other adjustment problems leads the staff to concentrate their treatment efforts on the juvenile's attitude and behavior in the cottage. The belief is that if the youth works out his problems in relation to staff and other peers, he will be rid of the problems which caused his delinquency, and will be considered a good risk for parole. This becomes especially clear when looking at the subject areas discussed in the two types of staffings. Whereas "disposition or treatment plan" ranks first in initial staffings among subjects discussed, and offense ranks second, the parole staffing places highest priority on discussing the juvenile's progress or lack of progress on his goals, with "cottage and group living" ranked second in importance. "Disposition or treatment plan" ranks third in importance at STS and fourth at MHS, and is more likely to be discussed at staffings involving juveniles who have been at the institution a while, are making progress, and are being considered for parole. Offense is a relatively unimportant issue at parole staffings.

Table 9 represents an attempt to see how important several criteria are in determining the actual decision made by the staff. The two factors which are most important in making initial decisions are the offense (and delinquent history) and the juvenile's attitude and demeanor. Offense is not an important factor in any of the parole staffings. There the juvenile's attitude and demeanor and progress on goals are the most important factors. In general, then, the initial staffing tends to deal with the juvenile's behavioral, environmental, emotional and attitudinal problems at the time of commitment in making diagnostic evaluations, and parole decisions tend to be based on adjustment to the program and progress in the treatment goals of the program.

TABLE 9

MOST IMPORTANT CRITERIA USED IN MAKING DECISIONS AT STAFFINGS

(Percent of Decisions in Which Criteria Was Rated Very Important)

<u>Criteria Used</u>	<u>Initial Decision</u>			<u>Parole Decision</u>	
	<u>MMTC</u>	<u>STS</u>	<u>MHS</u>	<u>STS</u>	<u>MHS</u>
Offense or Delinquent History	36%	22%	11%	0%	0%
Juvenile's Attitude or Demeanor	16%	33%	33%	40%	23%
Family Home Situation	16%	0%	11%	0%	0%
Juvenile's Age	0%	0%	11%	0%	0%
Psychological Problems	8%	0%	0%	0%	0%
Cottage Behavior	0%	0%	0%	0%	14%
Educational Needs	8%	22%	11%	10%	0%
Other Treatment Needs	12%	0%	11%	0%	5%
Length of Time in Treatment	0%	0%	0%	10%	0%
Failure of Prior Treatment	4%	11%	0%	0%	0%
Group Recommendation	0%	0%	0%	10%	0%
Absence of Alternate Programs	0%	11%	11%	0%	0%
Progress in Group or on Goals	0%	0%	0%	30%	45%
	<u>100%</u>	<u>99%</u>	<u>99%</u>	<u>100%</u>	<u>101%</u>

Although not apparent from these tables, the researcher observed several staffings and read several case files where parole was recommended despite the juvenile's lack of progress. In these cases, the staff usually gives up on the juvenile, decides that it can't do much more for him, or that the juvenile is unhelpable. This is especially true when the annual review is near or when the juvenile approaches the age of eighteen. In the former case, rather than trying to justify a continued commitment before the Action Panel, the staff will parole the juvenile and "let him screw himself up", not holding much hope for success. In the latter case, the staff will seek to get the juvenile discharged from the system so "the adult authorities can worry about him."

One final comment should be made concerning Table 9. In terms of the importance of different criteria to the decision, no one criteria was consistently seen as the most important in a majority of staffings. Thus, different criteria are used in different areas, and different reasons are given to justify the decisions. This attests to the general lack of consistency or systematic method used by the staff in making decisions, a theme which will be repeated in the analysis which follows.

The Staff View of the Criteria Used to Make Decisions

The staff themselves had considerable difficulty pinpointing specific criteria which were more important than others in making decisions about juveniles. Often, when the researcher explained the purpose of his visit to the staff meeting, he was greeted with a comment such as "good luck" or "if you find out, let me know". One of the caseworkers said to me that, "people who are making decisions are really making decisions about what they feel, not what they know."

Illustrative of the custodial/treatment dilemma faced by the decision makers is this statement from another caseworker at MMTC. "We offer treatment, but in the meantime, we have to exercise the other options like keeping them off the streets". When asked about the criteria he uses to make recommendations about juveniles, he replied, "to me the major thing is what the kid's been into, his attitude, the seriousness of past offenses, and the type of treatment he needs, not necessarily in that order."

The staff's difficulty in pinpointing the criteria used is illustrated by Table 10. Of the 33 variables presented to the staff, 27 of them were rated 3.00 or higher on the initial staffing decision, and 21 were rated above 3.00 on the parole staffing decision. A mean rating above 3.00 means that the majority of the staff feels that those variables are either "somewhat" or "very" important criteria. The fact that so many variables were rated that high attests to the staff's difficulty in selecting some criteria as more important than others in decision-making.

It is still possible to compare the staff perceptions of the relative importance of these 33 variables to the two decisions. In the case of the initial decisions, the variables ranking highest are those relating to the offense and the youth's attitude. This is quite consistent with the observations of the researcher reported in Table 8. The next group of variables in descending order of importance relate to the availability of community placements, the youth's maturation and progress on goals, the quality of the youth's home environment, the psychologist's report, the youth's behavior in school and in the cottage, and recommendations from the probation officer and the psychologist. The variables ranked at the bottom for both the initial and parole staffings relate to the race, sex, and social class of the juvenile.

TABLE 10
STAFF RATINGS OF CRITERIA USED TO MAKE DECISIONS ABOUT JUVENILES

<u>Variable</u>	<u>Initial Decision</u>		<u>Parole Decision</u>	
	<u>Mean Rating</u>	<u>Rank Order</u>	<u>Mean Rating</u>	<u>Rank Order</u>
The extent to which the youth has learned to accept responsibility for his (her) actions	3.720	1*	3.885	1
The seriousness of the offense committed by the youth	3.720	1*	3.400	19
The degree to which the youth is open and honest in dealing with problems	3.707	3	3.808	3
The attitude of the youth toward the offense he has committed	3.663	4	3.746	5
The number of court and institutional contacts prior to this commitment	3.645	5	2.923	24
The availability of acceptable community placements	3.538	6*	3.669	7
The extent to which the youth has gained insight into his(her) behavior	3.538	6*	3.705	6
The extent to which the youth has matured and exhibited personal growth	3.533	8	3.853	2
The recommendation of the probation officer	3.527	9	3.331	18
The ability of the youth's parents to properly supervise the youth	3.484	10	3.392	15
The quality of emotional support received by the youth from his (her) family	3.452	11	3.385	16
The family's feelings about the youth staying at home	3.419	12	3.515	11

Initial DecisionParole Decision

<u>Variable</u>	<u>Mean Rating</u>	<u>Rank Order</u>	<u>Mean Rating</u>	<u>Rank Order</u>
The fact that the youth has a job or school placement in the community	3.394	13	3.585	8
The extent to which the youth has successfully accomplished personal goals that were set up for him (her)	3.391	14	3.754	4
The juvenile's desire for a certain disposition or treatment plan	3.330	15	3.485	13*
The youth's attitude toward the staff and other authority figures	3.326	16	3.554	9
The extent to which the youth has successfully accomplished any educational goals that were set up	3.275	17	3.523	10
The youth's behavior in the cottage	3.272	18	3.512	12
The psychologist's report on the youth's personal adjustment problems	3.267	19	2.953	22*
The youth's behavior in school	3.239	20	3.369	17
The psychologist's report on the youth's anti-social tendencies	3.231	21	2.953	22*
The treatment recommendation of the psychologist	3.187	22	2.876	26
The age of the juvenile	3.151	23	2.485	28
The youth's school attendance record	3.098	24	2.899	25
Recommendation of other members of the youth's treatment group	3.096	25	3.485	13*

<u>Variable</u>	<u>Initial Decision</u>		<u>Parole Decision</u>	
	<u>Mean Rating</u>	<u>Rank Order</u>	<u>Mean Rating</u>	<u>Rank Order</u>
The community's attitude toward the juvenile and his (her) offense	3.032	26	3.038	20*
The general condition of the youth's home environment	3.000	27	3.038	20*
The youth's grades in school	2.707	28	2.731	27
The marital status of the youth's parents	2.613	29	2.385	29
The size of the community in which the juvenile's family resides	2.086	30	2.140	30
The race of the juvenile	1.742	31	1.508	32
The sex of the juvenile	1.739	32	1.465	33
The occupation of the juvenile's parents	1.677	33	1.752	31

*Tie

This testifies to the fact that the staff is highly sensitive to possible charges of discrimination and tends to resist, or at least claim to resist, making any decision on the basis of social characteristics of the juvenile. Rather, they stress the needs of the juvenile and the peculiarities of each individual case. The one exception is the juvenile's age, which ranks 23rd on the initial decision. As a rule, the attempt is made to look into alternative placements for younger juveniles, although the results of the content analysis will show that age is not a significant factor in predicting disposition.

Comparison of the rankings for parole decision with those for initial decisions reveals results congruent with those uncovered by the observations. In general, the variables rated highest relate to attitudinal and adjustment variables, including the amount of progress the youth has made on his or her goals (ranked fourth on the parole decision, fourteenth on the initial decision). The seriousness of the offense drops from a tie for first on the initial decision to nineteenth on the parole decision, and the number of prior court and institutional contacts drops from fifth to twenty-fourth. In general, therefore, the conclusions drawn by the researcher from his observations are consistent with the staff's own view of the decision-making process. Although the offense and the juvenile's attitude and demeanor are the most important criteria used by the staff (in terms of their mean rankings) in deciding whether to commit a juvenile, the staff also looks seriously at a broad range of other factors. The offense is relatively unimportant in parole decisions, which are based heavily on the juvenile's attitude and progress toward treatment goals and related criteria.

One final dimension of the staff view of the decision-making process is worth noting. An attempt was made to see whether any staff characteristics related to the way they rated the importance of the thirty-three variables.

Staff were dichotomized according to institution, whether or not they served on the Action Panel, sex, length of service, age, education, position, and custodial/treatment attitudes. The mean scores of the high and low dichotomies on the 33 variables were correlated with each other for each of the dichotomous groups for both the initial and parole decisions. The results, depicted in Table 11 show remarkably high correlations between the high and low categories of all the groupings compared, with no correlation below .89. This means that staff characteristics are not related to the way they rate the importance of the 33 variables to decision-making. Stated differently, the relative importance of the 33 variables is rated similarly by all categories of staff.

Although the staff claims to base its decisions on a wide number of variables and finds it difficult to select some criteria as more important than others, it is still possible that a closer scrutiny of actual decisions made by the staff will reveal patterns and uniformities not recognized by them. Both the content analysis of staffing reports and the decision game analysis allow us to go beyond the staffer's own view of the situation. The decision game, while limited by its artifactual nature, has the advantage of forcing the staffer to make decisions by selecting relevant information, and allowing us to relate these decisions to staff attitudes and characteristics. The results of the decision game will be examined shortly. Here the focus will be on the only one of the methods which examines what is actually done by the staff in the real world. This involves an analysis of the case records on file in the Central Office of the Department of Corrections.

The method of sampling and problems of reliability involved in this method were already discussed in Chapter Two. Briefly summarizing, the chief problem involves the abstraction of quantitative, codable data from the case

TABLE 11
CORRELATIONS OF STAFF RATINGS
(of the relative importance of 33 variables to decision making)
ACCORDING TO STAFF CHARACTERISTICS

<u>Staff Characteristics</u>	<u>Initial Decision: Pearson's r</u>	<u>Parole Decision: Pearson's r</u>
MMTC staff with STS staff	.92	.89
MMTC staff with MHS staff	.93	.91
STS staff with MHS staff	.96	.96
Action panel with non-action panel members	.95	.96
Male staff with female staff	.97	.96
Staff working five or more years in institution with staff working less than five years	.97	.99
Staff working five or more years in corrections with staff working less than five years	.96	.99
18-35 year old staff with staff over 35	.97	.98
Non-college with college educated staff	.97	.98
Supervisors and administrators with non- supervisory staff	.94	.94
Custodial oriented with treatment oriented staff	.94	.97

All staff: Initial Decision with Parole Decision: $r = .90$

files, which consist of vague and general statements about the juvenile's history and problems. A second major problem involves the time lag between the dates of the cases drawn and the present. There have been many changes in the juvenile system since June 30, 1974, the cut-off date for selecting cases for the sample, and it is possible that some of the results are no longer valid in 1976.

Despite these problems, the analysis reveals some interesting findings. Tables 17 and 18 summarize the relationships between all the variables tested and the disposition at the diagnostic evaluation.

Table 12 indicates that the Action Panel recommendation is highly significantly related to the recommendations of the probation officer, caseworker, cottage counselor, and psychologist. This is consistent with the observation, reported earlier, that these individuals are particularly influential in the staffing process. But it also results from the fact that most of the individuals occupying these positions feel that most juveniles should be institutionalized. Since 78.7% of the cases studied here actually were institutionalized, the relationship is naturally high. These results indicate that these members of the staffing team usually believe that institutionalization is needed, and when they do, it is very likely that the juvenile will be committed. Data not presented in Table 12 also indicates general agreement among these staff members. In the nine cases where recommendations were available from both a caseworker and a probation officer, three recommendations were in disagreement. A much smaller percent of cases indicated differing recommendations between probation officers and cottage counselors (three out of 54 cases [5.6%]) and between caseworkers and cottage counselors (one out of eight, 12.5%). Psychologists tended to disagree most with the other staffers (23.9% of the time with probation officers 25% of the time with caseworkers, and 30.2% of the time with counselors).

TABLE 12
THE RELATIONSHIP OF INSTITUTION AND STAFF EVALUATIONS OF JUVENILES TO DISPOSITIONS

<u>Variable</u>	<u>Values</u>	<u>% Institutionalized</u>	<u>Significance</u>
Institution	NNTC	70.9	chi square = 3.48 with 2 d.f.
	STS	85.9	p = .06
	MHS	82.0	n = 211
	MMTC	70.9	chi square = 8.62 with 1 d.f.
	STS & MHS	84.0	p less than .005
			n = 211
Probation Officer's Recommendation	Institution	91.8	chi square = 46.67 with 1 d.f.
	Probation	12.5	p less than .0001 n = 101
Caseworker's Recommendation	Institution	92.3	chi square = 6.06 with 1 d.f.
	Probation	36.4	p = .01 n = 24
Cottage Counselor's Recommendation	Institution	96.7	chi square = 41.92 with 1 d.f.
	Probation	27.3	p less than .0001 n = 83
Psychologist's Recommendation	Institution	91.0	chi square = 25.14 with 1 d.f.
	Probation	51.1	p less than .0001 n = 134

TABLE 13

THE RELATIONSHIP OF JUVENILE CHARACTERISTICS TO THE LIKELIHOOD OF INSTITUTIONALIZATION

<u>Variable</u>	<u>Value</u>	<u>Z Institutionalized</u>	<u>Significance</u>
Race	WHITE	80.5	chi square = .886 with 3 d.f. p = .83 n = 210
	NEGRO	73.3	
	INDIAN	76.3	
	OTHER	77.8	
	WHITE	80.5	chi square = .49 p = .49 n = 210
	NON-WHITE	75.3	
Age	12-14 yr. olds	74.4	chi square = 2.23 with 3 d.f. p = .53 n = 211
	15 yr. olds	73.3	
	16 yr. olds	80.3	
	17, 18 yr. olds	83.9	
	12-15	73.8	chi square = 1.74 with 1 d.f. n.s. n = 211
	16-17	83.6	
Sex	Male	82.2	chi square = 4.45 with 1 d.f. p = .03 n = 211
	Female	66.7	

<u>Variable</u>	<u>Value</u>	<u>% Institutionalized</u>	<u>Significance</u>
Size of Home Community	under 30,000	80.4	chi square = .34 with 1 d.f.
	over 30,000	76.0	p = .56 n = 208
Father's Occupation	blue collar	87.5	chi square = .01 with 1 d.f.
	white collar	85.0	p = .91 n = 68
Mother's Occupation	blue collar	75.9	chi square = .04 with 1 d.f.
	white collar	77.8	p = .84 n = 47
Father's Education	non-H.S. Grad.	91.7	chi square = .02 with 1 d.f.
	H.S. Graduate	100.0	p = .89 n = 34
Mother's Education	non-H.S. Grad.	89.7	chi square = .22 with 1 d.f.
	H.S. Graduate	90.9	p = .64 n = 40
Commitment Offense	serious & drug	82.5	chi square = 4.87 with 1 d.f.
	status	66.7	p = .03 n = 211
Most Serious Offense	Serious & Drug	78.4	chi square = .01 with 1 d.f.
	Status	76.5	p = .94 n = 211

<u>Variable</u>	<u>Value</u>	<u>% Institutionalized</u>	<u>Significance</u>
I. Q.	100 +	81.4	chi square = .05 with 1 d.f.
	less than 100	77.8	p = .82 n = 115
Reading Aptitude	ahead	76.0	chi square = .38 with 2 d.f.
	average	77.8	p = .83
	behind	80.8	n = 186
Math Aptitude	ahead	71.4	chi square = 1.92 with 2 d.f.
	average	62.5	p = .38
	behind	80.9	n = 188
Community's Attitude	negative	87.5	chi square = 1.25 with 1 d.f.
	not negative	76.8	p = .26 n = 209
Psychological Profile	normal or mild problems	76.3	chi square = .93 with 2 d.f.
	emotionally disturbed	83.9	p = .63
	sociopathic	80.0	n = 202
Child Requests Institutionali- zation	yes	66.7	chi square = .44 with 1 d.f.
	no	79.2	p = .51 n = 209
Prior Treatment Experiences	none	84.3	chi square = 1.50 with 1 d.f.
	one or more	75.9	p = .22 n = 211

<u>Variable</u>	<u>Values</u>	<u>% Institutionalized</u>	<u>Significance</u>
Time Period	Jan.-June, 1973	81.7	chi square = 1.68 with 2 d.f.
	July-Dec., 1973	81.0	p = .43
	Jan.-June, 1974	73.6	n = 211
Use of Drugs	no	75.9	chi square = .36 with 1 d.f.
	yes	80.3	p = .55 n = 209
Family Home Environment	good	76.5	$\chi^2 = 1.15$ with 1 d.f.
	poor	83.9	p = .30 n = 211
Attitude and Demeanor	good	75.9	chi square = .79 with 2 d.f.
	poor	81.0	p = .67 n = 208
School Adjustment	good	72.7	chi square = .64
	poor	79.5	p = .42 n = 186
Metro vs. Non-Metro	Metro	72.7	chi square = 3.29 with 1 d.f.
	Non-Metro	83.9	p = .07 n = 211
Parents don't Control Child	don't control	82.2	chi square = 5.17 with 1 d.f.
	do control	65.2	p = .02 n = 209

<u>Variable</u>	<u>Values</u>	<u>% Institutionalized</u>	<u>Significance</u>
Child Receives no Emotional Support	no support	81.5	chi square = .61
	support	76.1	p = .43 n = 209
Parents Drink	yes	82.3	chi square = .46 with 1 d.f.
	no	76.9	p = .50 n = 209
Child Fights in Cottage	yes	81.0	chi square = .00 with 1 d.f.
	no	78.1	p = .98 n = 208
Child Exhibits no Remorse	not remorseful	84.4	chi square = 2.85 with 1 d.f.
	remorseful	73.7	p = .09
Child's Acceptance of Responsibility	does not	82.4	chi square = 1.70 with 1 d.f.
	does	74.0	p = .19 n = 208
Child Doesn't Possess Self- Insight	possesses insight	65.4	chi square = 6.25 with 1 d.f.
	no insight	83.0	p = .01 n = 211
Only one parent in Household	yes	80.0	chi square = .04 with 1 d.f.
	no	77.7	p = .84 n = 209

On the whole, caseworkers were most lenient in their recommendations, recommending probation to a community placement in 45.8% of the cases; psychologists recommended probation in 33.6 of the cases, counselors in 26.5 of the cases, and probation officers in 15.8% of the cases.

Speculating upon the meaning of these figures, it seems likely that caseworkers, because of the nature of their jobs, are probably more aware of community alternatives. Caseworkers are employed only at MMTC, where there are more group homes and treatment programs, and where there may be a greater tolerance for juvenile offenses. The lower rates among cottage counselors and probation officers may be due to the former's belief in the effectiveness of their program, and the latter's role as an agent of the court. Whatever the reasons, however, it appears that the majority of the staff is in general agreement in most cases that the juvenile should be committed to the institution and, in most cases, he is.

Table 12 also indicates that a smaller percentage of juveniles are institutionalized at MMTC than at STS or MHS. (When MHS and STS are combined, this difference is statistically significant at the .005 level, although the percentage difference is only 13.1%.) These findings are presented by themselves in Table 14 and 15. One explanation of this may be the greater availability of community programs in the metropolitan area, and the use of a caseworker who is more aware of these options. It should be recalled from the staff questionnaire data that the availability of community placements was tied for sixth highest rating in the initial decision. Another possibility is that the staff at MMTC are used to dealing with more serious delinquents and are less shocked than their rural counterparts by juvenile misbehavior.

Table 16 breaks down decision-making in each institution according to commitment offense (serious and drug offenses vs. status offenses). Here it

TABLE 14
ACTION PANEL DECISION ACCORDING TO INSTITUTION

	MMTC		STS		MHS		Row Total	
	<u>No.</u>	<u>%</u>	<u>No.</u>	<u>%</u>	<u>No.</u>	<u>%</u>	<u>No.</u>	<u>%</u>
Probation	25	29.1	9	14.1	11	18.0	45	21.3
Institutionalization	61	70.9	55	85.9	50	82.0	166	78.7
Column Total	86	40.8	64	30.3	61	28.9	211	100.0

chi square = 5.48 with two degrees of freedom

p = .06

gamma = .255

contingency coefficient = .159

TABLE 15
 ACTION PANEL DECISION ACCORDING TO INSTITUTION
 (MMTC vs. STS and MHS)

	MMTC		STS and MHS		Row Total	
	<u>No.</u>	<u>%</u>	<u>No.</u>	<u>%</u>	<u>No.</u>	<u>%</u>
Probation	25	29.1	20	16.0	45	21.3
Institutionalization	61	70.9	105	84.0	166	78.7
Column Total	86	40.8	125	59.2	211	100.0

chi square = 8.62

p less than .005

TABLE 16

ACTION PANEL DECISION ACCORDING TO INSTITUTION CONTROLLING FOR OFFENSE

	Serious and Drug Offenses						Status Offenses					
	MMTC		STS		MHS		MMTC		STS		MHS	
	<u>No.</u>	<u>%</u>	<u>No.</u>	<u>%</u>	<u>No.</u>	<u>%</u>	<u>No.</u>	<u>%</u>	<u>No.</u>	<u>%</u>	<u>No.</u>	<u>%</u>
Probation	12	19.4	7	13.7	9	19.1	13	54.2	2	15.4	2	14.3
Institutionalization	50	80.6	44	86.3	38	80.9	11	45.8	11	84.6	12	85.7

chi square = .74 with 2 d.f.

p = .69

contingency coefficient = .07

gamma = .02

chi square = 8.86 with 2 d.f.

p = .01

contingency coefficient = .38

gamma = .66

becomes clear that the difference in commitment rates between MMTC and the other two institutions occurs only for status offenses. For serious and drug offenders, STS has the highest rate of institutionalization, but this is only slightly higher than the commitment rates for MMTC and MHS and is not statistically significant. For status offenses, however, 54.2% of the MMTC cases are returned to the community on probation compared to 15.4% at STS and 14.3% at MHS.

Further information is supplied us by Table 17, which controls decision-making in the three institutions according to the sex of the offender. Among males, the differences in commitment rates among institutions are small and not statistically significant. Among females, however, 61.1% of the MMTC girls are given probation, compared to 16.7% at each of the other two institutions. It appears, then, that the institutional differences in disposition is due mainly to the fact that female status offenders are less likely to be institutionalized at MMTC than at the other two institutions. The exact reason for this preference for community treatment of female status offenders by MMTC staff is not known, but it is suspected that the major explanation is the availability of a greater number of group homes for females in the metropolitan area, including one group home operated by the State. It appears likely, therefore, that the lower percent of individuals committed to the institution at MMTC is due to a greater availability of programs in the community to handle female status offenders.

Table 13 summarizes the relationship of other juvenile attributes and characteristics to decision-making. On the whole, the table shows that most juvenile attributes are not related to whether or not juveniles are institutionalized. Neither race nor age are significantly related to disposition, but there is a significant relationship between sex and disposition. As Table 18 shows, males are more likely to be institutionalized than females.

CONTINUED

1 OF 2

TABLE 17

ACTION PANEL DECISION ACCORDING TO INSTITUTION CONTROLLING FOR SEX

	MALES								FEMALES							
	MMTC		STS		MHS		Total Males		MMTC		STS		MHS		Total Females	
	<u>No.</u>	<u>%</u>	<u>No.</u>	<u>%</u>	<u>No.</u>	<u>%</u>	<u>No.</u>	<u>%</u>	<u>No.</u>	<u>%</u>	<u>No.</u>	<u>%</u>	<u>No.</u>	<u>%</u>	<u>No.</u>	<u>%</u>
Probation	14	20.6	7	13.5	8	18.6	29	17.8	11	61.1	2	16.7	3	16.7	16	33.3
Institution- alization	54	79.4	45	86.5	35	81.4	134	82.2	7	38.9	10	83.3	15	83.3	32	66.7

chi square = 1.05 with 2 d.f.

p = .59

gamma = .077

contingency coefficient = .08

chi square = 10.00 with 2 d.f.

p = .007

gamma = .65

contingency coefficient = .42

TABLE 18
ACTION PANEL DECISION ACCORDING TO SEX

	Male		Female		Row Totals	
	<u>No.</u>	<u>%</u>	<u>No.</u>	<u>%</u>	<u>No.</u>	<u>%</u>
Probation	29	17.8	16	33.3	45	21.3
Institutionalization	134	82.2	32	66.7	166	78.7
Column Totals	163	77.3	48	22.7	211	100.0

chi square = 4.45 with one degree of freedom

p = .03 phi = .159 gamma = -.40

contingency coefficient = .157

However, Table 19 reveals that, as suggested above, this difference exists only at MMTC, where 60.1% of the females, as opposed to 20.6% of the males, are given probation. It is likely, therefore, that the less severe dispositions given females is not the general rule for Minnesota juvenile institutions, but is the result of greater community resources for metropolitan area females.

Table 20 shows that among status offenders, there is no significant difference between the percent of male and females who are institutionalized. Among serious and drug offenders, however, a significantly greater percentage of females receive probation than do males. It is likely, therefore, that while MMTC staff may be more tolerant of female serious offenders, the greater availability of programs in the metropolitan area to handle the more serious female delinquents accounts for their greater likelihood of getting probation.

Table 21 summarizes the results of the relationship between offense and disposition, controlling for institution. Once again, although there is a significant overall relationship between offense and the likelihood of institutionalization, this relationship exists only at MMTC where 80.6% of serious and drug offenders are institutionalized and not at STS or MHS where the differences are slight and not statistically significant. It appears, then, that the findings that sex and offense are related to disposition are not characteristic of the three institutions as a whole, but are only characteristic of MMTC. For MHS and STS, decision-making follows no systematic patterns. In view of the fact that MMTC has phased out its juvenile program, it seems likely that a current analysis of staffing reports would reveal no relationship between either sex, offense, or institution and disposition.

One final clarification is in order regarding the relationship of sex and offense to disposition. The astute reader may have observed that although females are less likely to be institutionalized than males, and status offenders

TABLE 19

ACTION PANEL DECISION ACCORDING TO SEX CONTROLLING FOR INSTITUTION

	MMTC				STS				MHS			
	<u>Male</u>		<u>Female</u>		<u>Male</u>		<u>Female</u>		<u>Male</u>		<u>Female</u>	
	<u>No.</u>	<u>%</u>	<u>No.</u>	<u>%</u>	<u>No.</u>	<u>%</u>	<u>No.</u>	<u>%</u>	<u>No.</u>	<u>%</u>	<u>No.</u>	<u>%</u>
Probation	14	20.6	11	61.1	7	13.5	2	16.7	8	18.6	3	16.7
Institution- alization	54	79.4	7	38.9	45	86.5	10	83.3	35	81.4	15	83.3

chi square = 9.45 with
1 d.f.
p = .002
gamma = -.72
phi = .36

chi square = .03 with
1 d.f.
p = .86
gamma = -.13
phi = .04

chi square = .03 with
1 d.f.
p = .85
gamma = .07
phi = .02

TABLE 20
ACTION PANEL DECISION BY SEX CONTROLLING FOR OFFENSE

	<u>Serious and Drug Offenses</u>				<u>Status Offenses</u>			
	<u>Male</u>		<u>Female</u>		<u>Male</u>		<u>Female</u>	
	<u>No.</u>	<u>%</u>	<u>No.</u>	<u>%</u>	<u>No.</u>	<u>%</u>	<u>No.</u>	<u>%</u>
Probation	22	15.2	6	40.0	7	38.9	10	30.3
Institutionalization	123	84.8	9	60.0	11	61.1	23	69.7

chi square = 4.21 with 1 d.f.*

p = .04

phi = .19

gamma = -.58

chi square = .10 with 1 d.f.*

p = .76

phi = .09

gamma = .19

*Expected frequency too small for valid chi square.

TABLE 21

ACTION PANEL DECISION ACCORDING TO COMMITMENT OFFENSE CONTROLLING FOR INSTITUTION

	<u>All Cases</u>				<u>MMTC</u>				<u>STS</u>				<u>MHS</u>			
	<u>Serious and Drug</u>		<u>Status</u>		<u>Serious and Drug</u>		<u>Status</u>		<u>Serious and Drug</u>		<u>Status</u>		<u>Serious and Drug</u>		<u>Status</u>	
	<u>No.</u>	<u>%</u>	<u>No.</u>	<u>%</u>												
Probation	28	17.5	17	33.3	12	19.4	13	54.2	7	13.7	2	15.4	9	19.1	2	14.3
Institution- alization	132	82.5	34	66.7	50	80.6	11	45.8	44	86.3	11	84.6	38	80.9	12	85.7

chi square = 4.87 with
1 d.f.

p = .03

phi = .17

gamma = -.40

chi square = 8.55 with
1 d.f.

p = .004

phi = .34

gamma = -.66

chi square = .09 with
1 d.f.

p = .77

phi = .02

gamma = -.07

chi square = .00 with
1 d.f.

p = .98

phi = .05

gamma = .17

are less likely to be institutionalized than serious or drug offenders, female status offenders are more likely to be institutionalized than either female serious offenders or male status offenders. These results are summarized in Table 22. (Although the table includes cases from all three institutions, the reader is reminded that these differences are mostly the result of variation among MMTC cases). Table 22 suggests that among males (who make up 77.3% of the cases) serious or drug offenders are more likely to be institutionalized than status offenders. Among females, however, there is a slight (though not statistically significant) trend in the opposite direction. Female status offenders are slightly more likely to be institutionalized than female serious or drug offenders. To this small degree, then, it seems that a double standard is operating and that male status offenders are handled less harshly than female status offenders.

Returning to Table 13, the results indicate that neither size of community, parents' occupation nor parents' education is related to disposition, although the reader is reminded about the general absence of data regarding parental occupation and education.

Using the most serious offense alleged in the case file, there is no relationship between offense and disposition. This is probably due, in part, to the fact that the number of juveniles who have never committed or were never alleged to have committed a serious or drug offense is quite small.

Intelligence and aptitude are not significantly related to disposition, nor is the community's attitude. A negative attitude, however, is only indicated in a small number of cases. Neither the psychological profile nor the child's own preference for institutionalization (in those few cases where such a request was made) are significantly related to disposition, although slight tendencies in the predicted direction can be observed.

TABLE 22
PER CENT JUVENILES BEING INSTITUTIONALIZED ACCORDING TO SEX AND OFFENSE

	<u>Serious and Drug Offenses</u>	<u>Status Offense</u>	<u>Total</u>
Male	84.8	61.1	82.2
Female	60.0	69.7	66.7
Total	82.5	66.7	78.7

A second measure of the seriousness of the juvenile's delinquency, the number of prior institutional or community treatment experiences is not significantly related to juvenile delinquency. In fact, those with no treatment experiences are slightly more likely to be institutionalized than those with one or more prior treatment experience.

The results show a slightly lower (although non-significant) rate of institutionalization in the January-June 1974 period than during 1973. It is possible that this is due to the increasing availability of community programs, and that present analysis would show a higher percentage of juveniles placed in the community. It is not possible, however, to draw such conclusions from this data.

Juveniles in the seven county metropolitan area are not significantly less likely to be institutionalized, although results approach significance ($p = .07$). This is somewhat surprising, since MMTC, which draws juvenile from Hennepin, Ramsey and Anoka Counties has a much lower rate of institutionalization than STS, which handles the other metropolitan area Counties. Evidently, the variations in dispositions is not solely due to the greater availability of metropolitan area placements, but is also due to differences in staffing patterns or treatment philosophies in the two institutions.

The use of drugs (as alleged in the staffing report) is not significantly related to dispositions, nor is the family home environment scale, the attitude and demeanor scale, or the school adjustment scale. This may be due to the lack of reliability in obtaining this information from the files, and the general vagueness of the staffing reports, as discussed in Chapter Two. It is possible that there is a relationship between these variables and disposition which is obscured by measurement error.

It is also possible that, although the family-home environment and attitude/demeanor scales do not significantly relate to disposition, that some of the items in the scale do. Accordingly, the items which, according to the staff questionnaire and the researcher's impression, seemed to be the most important ones in the two scales were analyzed individually. Of the items analyzed from the family/home environment scale, the only variable which significantly relates to disposition is the parents' ability to control or supervise the juvenile. Eighty-two percent of those juveniles whose parents cannot control them are institutionalized, compared to 65% of those who are not considered inadequately supervised or controlled. In the attitude/demeanor scale, the only variable which is significantly related to disposition is the degree to which the child possesses insight into his behavior. Only 65.4% of children who, according to the staffing report, possess self-insight are institutionalized compared to 83% of those who do not possess self-insight.

Finally, it was felt that although the overall scale of family/home environment and attitude/demeanor was not significant, it may be significant in certain institutions or certain sexes. The results (not depicted here) found no significant relationship between family/home environment and disposition in any of the institutions, in either sex, or in either type of offense. In fact, when the only FHE variable producing significant results (parents' ability to control child) is broken down by institution, it no longer attains significance (because of the lower number of cases). The "parents ability to control juvenile" variable is significantly related to disposition among males, but not females, and is significant for serious offenses, but not status offenses. None of the other family/home environment variables are significantly related to disposition in any of the three institutions, for either sex, or for either offense category.

In the case of the attitude/demeanor scale, the scale as a whole is not significantly related to disposition when controlling for institution, sex, or seriousness of offense. The one item of the scale which was related to disposition, the child's self-insight, remains significant ($p = .03$) only among serious and drug offenders. In addition, the variable measuring the amount of remorse exhibited by the child, which approached significance ($p = .09$) in the overall sample, is significantly related to disposition ($p = .04$) for serious and drug offenders. Among serious and drug offenders, then, 90% of the children who exhibit no remorse are institutionalized, as opposed to 76.1% who do exhibit remorse, and 86.7% of those children categorized as not possessing self-insight are institutionalized compared to 70.0% of those not so categorized. None of the other subdivisions of the attitude/demeanor items produce a significant relationship between them and disposition.

To the extent, then, that these methods have been adequately able to measure these admittedly subjective variables, little actual relation has been found between the attitude or the family background of the child and the disposition received at the diagnostic evaluation. Furthermore, as mentioned earlier, there is no relationship between the child's psychological and intellectual functioning, school behavior and performance, age, race, prior treatment experience, alleged use of drugs, size of home community, or family status and disposition. While offense seriousness and institution are related to disposition, the differences are not very great and are mostly explained by the greater tendency of MMTC staff to find community placement for females and status offenders than for males or serious offenders. These relationships are not apparent in the other two institutions.

It appears, therefore, that the decision whether or not to commit a juvenile to the treatment program of the institution is extremely haphazard

and arbitrary. There is very little consistency concerning which juveniles are institutionalized and which are not. The staff are correct when they claim to be judging each case on its own, but they are not applying any consistent criteria to their decisions. Decisions seem to be made on the basis of the staff members' feelings about the "needs" of the particular juvenile, without any systematic basis for determining what these needs are and what type of program would best help the juvenile.

One final point is worth noting here. Although there is no concrete data to back up these impressions (other than the fact that 78.8% of the juveniles were committed), the researcher noted a general belief on the part of the staff that most juveniles could be helped by the institution. While they recognized that in some cases, alternative placements could also help the juvenile, they were reluctant to recommend such a placement unless they knew something about the specific community placement. Since no one usually thoroughly researched the different programs which might be available to help each child, the staff was often left with the feeling that although another placement might work, it would involve less risk (of failure) to commit the juvenile to the institution, where he would "surely" benefit from the program and benefit educationally as well. It was only in a small number of cases that the institutional program was seen as "not right" or "not good" for the child. For example, STS staff felt that their positive peer culture program might be too confrontive for some juveniles. In these cases, alternative placements were sought, although not always found.

A key figure in determining placement is the probation officer. If the probation officer comes to the staffing with a community placement in mind, and has worked out some of the details needed to have the juvenile admitted, the chances are much greater that the staff will accept this placement. But if the

probation officer, as is usually the case, believes the youth should be committed, he merely comes to the staffing with a recommendation for commitment and no alternative plan. Since it is unlikely that anyone else at the staffing has laid the groundwork for an alternative placement, the possibilities are limited and a commitment usually results. The presence of the caseworker at MMTC, as mentioned earlier, may explain, to some extent, the lower rate of commitment there, since he is more aware of community placements and is able to bring them to the attention of the staff.

Parole Decisions

Of the preceding independent variables, Table 23 indicates that the only variables which relate to length of incarceration (number of days in the institution) are institution, race, and the presence of emotional support in the home. The mean length of stay in the institution is 250 days for STS, compared with 155 days for both MHS and MMTC. This finding is due to the nature of the STS guided group interaction program which is said to require a longer amount of time for maximum benefits. Table 24 indicates that the greater length of stay for STS juveniles is consistent across all races, sexes, and offense categories.

The lower length of incarceration for non-whites than whites is difficult to explain. If it were a matter of a greater number of community placements for minorities, this would be reflected in commitment rates. Furthermore, Table 24 shows this trend to be characteristic of all three institutions, and is, therefore, not related to the greater number of community placements available in the metropolitan area. Two other possibilities are suggested. The first is that the staff is conscious of the race issue and bend over backwards to make sure that Blacks and Indians are not discriminated against, to the point

TABLE 23

Length of Incarceration According to Several Juvenile Characteristics

<u>Variable</u>	<u>Value</u>	<u>Mean Number of Days in Institution Before Parole</u>	<u>Significance*</u>
Institution	MMTC	155.4	F=12.94 N=166 p less than .0001
	STS	249.9	
	MHS	155.1	
Race	White	205.5	F=7.30 N=165 p=.008
	Non-White	153.2	
Sex	Male	186.4	F=.00 N=166 p=.96
	Female	187.4	
Age	12-15 yrs.	198.0	F=.88 N=166 p=.35
	16-17 yrs.	179.8	
Size of Home Community	less than 30,000	196.3	F=1.37 N=166 p=.24
	more than 30,000	174.2	
Father's Occupation	Manual	214.4	F=.93 N=65 p=.34
	Non-Manual	187.1	
Mother's Occupation	Manual	206.6	F=.28 N=39 p=.60
	Non-Manual	186.7	
Father's Education	Non-College	208.4	F=1.43 N=32 p=.24
	College	164.5	
Mother's Education	Non-College	209.2	F=1.68 N=36 p=.20
	College	162.5	
Commitment Offense	Serious and Drugs	180.5	F=1.64 N=166 p=.20
	Status	210.2	
Most Serious Offense	Serious and Drugs	186.0	F=.05 N=166 p=.82
	Status	193.9	
I.Q.	0-99	223.7	F=.01 N=91 p=.93
	100+	225.9	
Reading Aptitude	Average or Ahead	184.3	F=.77 N=148 p=.38
	Behind	200.5	
Math Aptitude	Average or Ahead	185.0	F=.10 N=150 p=.75
	Behind	196.1	
Family/Home - Environment Scale	Good	180.9	F=.47 N=164 p=.49
	Poor	194.1	
Both Parents Present in Home	Yes	192.1	F=.60 N=164 p=.44
	No	176.7	

<u>Variable</u>	<u>Value</u>	<u>Mean Number of Days in Institution Before Parole</u>	<u>Significance*</u>
Parents Fail to Control or Supervise Juvenile	Yes	186.5	F=.01 N=164 p=.94
	No	188.4	
Child Receives Emotional Support from Parents	Yes	166.9	F=5.42 N=164 p=.02
	No	210.6	
Parents Drink	Yes	183.7	F=.05 N=164 p=.83
	No	188.2	
Attitudes/Demeanor Scale	Good	175.9	F=1.14 N=163 p=.29
	Poor	196.1	
Child Fights in Cottage	Yes	190.5	F=.03 N=163 p=.87
	No	185.4	
Child Exhibits Remorse	Yes	179.4	F=.54 N=163 p=.46
	No	193.4	
Child Accepts Responsibility	Yes	184.8	F=.01 N=163 p=.91
	No	186.9	
Child has Self-Insight	Yes	167.7	F=1.05 N=166 p=.31
	No	191.5	
Psychological Report	No Severe Problems	190.5	F=.87 N=158 p=.42
	Emotional Problems	156.2	
	Sociopathic	191.5	
No Prior Commitments	0	176.6	F=.62 N=166 p=.43
	One or More	192.1	
Use of Drugs	Yes	186.2	F=.003 N=166 p=.96
	No	187.2	
Living in Metro Area	Yes	200.0	F=2.70 N=166 p=.10
	No	169.1	
School Attitude, Performance	Good	165.7	F=2.71 N=144 p=.10
	Poor	197.6	

*F statistic based on one-way analysis of variance; N=number of cases; p=probability of these results occurring by chance. In general, a p value of .05 or less is considered statistically significant.

TABLE 24

Mean Number of Days Incarceration According to Race, Sex and Offense controlling
for Institution

Adjusted Mean Length of Stay for Entire Population - 190.6*

Adjusted Standard Deviation - 119.7*

Institution	<u>White</u>			<u>Non-White</u>		
	<u>N</u>	<u>Mean</u>	<u>SD</u>	<u>N</u>	<u>Mean</u>	<u>SD</u>
MMTC	28	179.8	177.4	33	134.7	105.2
STS	44	258.8	96.3	10	225.4	94.5
MHS	35	159.0	87.8	15	145.9	69.2

	<u>Male</u>			<u>Female</u>		
	<u>N</u>	<u>Mean</u>	<u>SD</u>	<u>N</u>	<u>Mean</u>	<u>SD</u>
MMTC	54	150.7	100.7	7	191.9	338.3
STS	45	245.2	97.3	10	271.3	99.0
MHS	35	165.8	80.9	15	130.0	82.3

	<u>Serious and Drug Offenses</u>			<u>Status Offenses</u>		
	<u>N</u>	<u>Mean</u>	<u>SD</u>	<u>N</u>	<u>Mean</u>	<u>SD</u>
MMTC	50	137.1	136.0	11	238.6	153.2
STS	44	245.9	94.8	11	266.0	109.5
MHS	38	162.1	85.0	12	133.0	71.5

* Adjusted by weighting mean by racial bias of sample.

that they are actually given favorable treatment. The second, and perhaps the most obvious, possibility is that minorities adjust better to the institution and progress more rapidly, so they are paroled sooner. From the data gathered by this project, it is not possible to arrive at a definite reason for this phenomena.

The relationship between length of incarceration and the emotional support received by the child suggests that the lack of emotional support in the home may preclude the possibility of a return there, and may necessitate a group home placement, which requires more time to find.

None of the other variables, including offense, are significantly related to length of incarceration. This is not surprising, since, as discussed earlier, the parole decision is based on factors relating to progress on goals and general maturity. Since it was impossible to obtain reliable information on this from the files, it is not possible to substantiate that hypothesis. However, the fact that none of the other pre-diagnostic evaluation variables are related to length of incarceration lends general support to that proposition.

Finally, although the relationship between offense seriousness and length of incarceration is not significant, the data does indicate that status offenders spend more time in the institution than do serious and drug offenders (210.2 days vs. 180.5 days). Breaking this down by institution (Table 24) reveals that status offenders stay longer at MMTC and STS but serious and drug offenders stay longer at MHS. The difference at MMTC is particularly great (over 100 days). It is difficult to explain this difference except in the sense that status offenders, by virtue of the fact that they are status offenders, may not have a place to go when they are to be paroled, so they remain at the institution longer, until a placement can be found or the home situation improved. Serious offenders, on the other hand, "do their time" and are

released. The high standard deviation in the length of stay, especially at MMTC, indicates the extreme variability existent in parole decisions, and adds substance to the conclusion that there is a general lack of consistency in decision-making.

Decision Game Analysis

So far, we have seen that the staff has difficulty rating the importance of different specific criteria in decision-making. Analysis of the staff questionnaire found that the staff believed that most aspects of the juvenile's life are considered in making decisions. The final analysis was aimed at creating an experimental situation where staff members were required to select information in order of importance in making their decisions. This departs from the real world of the staffing, where the staff member, in some instances, has had considerable exposure to the juvenile and has been able to draw some impressions about him before the staffing. It also differs from the staffing in the sense that, at the staffing, the staff member is not forced to choose among categories of information but hears all of the information and relevant discussion before he is asked to make a recommendation. Finally, the staff member at the staffing hears, and is influenced by, the opinions of others. In the decision game, they were completely on their own.

All of the staff members approached about the game responded positively. Although some were skeptical about its purpose, most enjoyed participating in it. Several commented that it made them think about the decision-making process in a way they had not done before. Playing the game, the staff were asked what other kinds of information they would have liked to have had. The most frequent responses were a direct knowledge of the juvenile and a greater knowledge of the prior treatment experiences of the child. (Which of them were

most successful, and if they failed, what factors were to blame?) Some staff felt the information could have been more complete, and specific. In only one out of 185 games, however, did a staff member report that he could not make a recommendation. In that case, the staff member wanted to see a psychiatric report on the juvenile before making his recommendation. In all, 182 cases were included in the analysis. Three cases were not included because the staff members (all from the girls' cottage at MHS) remembered the case and felt it influenced their decision.

Table 25 reports the results of the decision game. The column of figures on the left reports the percent of cases in which the information was requested first. The next column reports the percent of responses in which the information was requested among the first five pieces of information looked at, and the third column reports the percent of times the information was chosen in total. The right hand column reports the median rank order in which each category of information was chosen. Since there were sixteen categories of information, failure to choose an item was scored 17. Thus, a median score of greater than 16 indicates that the item was not looked at at all in over half of the decisions.

Table 26 presents the same information in slightly different form. The right hand column, percent chosen, is identical to the next to right hand column in Table 25. The two columns to the left break this down into the percent of times a type of information was requested before the staff member was ready to make a recommendation (left hand column), and the percent of times information was requested among the three post-decision requests each staff member was permitted (middle column).

Table 27 reports the average number of cards selected before the staff were ready to make their decision. Sixty-eight percent of the staff requested between five and twelve cards. Table 26 also indicates that the chance to view

TABLE 23
FACTORS LOOKED AT BY STAFF IN MAKING RECOMMENDATIONS ON DECISION GAME

<u>Type of Information</u>	<u>Percent of Responses Chosen First</u>	<u>Percent of Responses Chosen Among First Five Chosen</u>	<u>Percent of Responses Chosen</u>	<u>Medium Rank of Choice</u>
Delinquent History	45	93	100	1.69
Commitment Offense	30	70	82	2.28
Family and Community Information	6	64	88	4.18
Juvenile's View of the Problem	10	43	77	6.50
Personality Functioning	0	38	81	6.50
Probation Officer's Recommendation	0	35	97	7.03
Psychologist's Recommendation	1	30	86	7.56
Caseworker's Impression	0	23	85	7.82
Group Living Appraisal	0	20	70	7.97
Juvenile's Age	8	32	65	9.79
Parents' Recommendation	0	10	63	11.73
Educational Report	0	12	53	14.00
Intellectual Functioning	0	7	54	14.00
Juvenile's Home Town	0	8	41	16.65
Juvenile's Race	0	7	35	16.73
Medical Information	0	3	33	16.75

N = 182

TABLE 26
FACTORS LOOKED AT IN MAKING DECISIONS ON DECISION GAME

	<u>Percent Chosen Before Cut Off</u>	<u>Percent Chosen After Cut Off</u>	<u>Percent Chosen</u>
Delinquent History	99	1	100
Commitment Offense	76	6	82
Family and Community Information	72	16	88
Juvenile's View of the Problem	64	13	77
Personality Functioning	66	15	81
Probation Officer's Recommendation	72	25	97
Caseworker's Impression	56	29	85
Group Living Appraisal	56	14	70
Juvenile's Age	45	20	65
Parents' Recommendation	37	26	63
Educational Report	39	14	53
Intellectual Functioning	32	22	54
Juvenile's Home Town	19	22	41
Juvenile's Race	17	18	35
Medical Information	20	13	33

Number of Recommendations Altered After Viewing Three Additional Cards:	<u>No.</u>	<u>Percent</u>
Altered	8	4
Unaltered	173	96
Total	181	100

TABLE 27

NUMBER OF INFORMATION CARDS REQUESTED BY STAFF IN DECISION GAME

<u>Number of Cards Requested</u>		<u>Percent of Staff</u>
1-4		16%
5-8		44%
9-12		24%
13-16		16%
Median Number of Cards Requested	--	7.79
Mean Number of Cards Requested	--	8.37
Standard Deviation	--	3.74

TABLE 28

RECOMMENDATIONS MADE BY STAFF IN DECISION GAME

<u>Disposition</u>	<u>Number</u>	<u>Percent</u>
State Institution	99	54
Probation to Group or Foster Home	62	34
Return Home on Probation	21	12
Total	182	100

three additional cards had little effect on the decisions made by the staff. In only 4% of the games did the staff members change their recommendation because of information they saw on the three additional cards.

Tables 25 and 26 reveal that, by far, the information looked at first and most consistently was the delinquent history. The commitment offense had the second highest median rank of choice. Thus, it appears that first and foremost, the staff wants to see why the juvenile has ended up in a state institution.

The other information, however, is not neglected. Table 26 reveals that family and community information, the psychologist's report of the juvenile's personality functioning, and the probation officer's recommendation, were consulted in two-thirds of the games before a decision was reached. The juvenile's view of the problem, the caseworker's impression, and the group living appraisal (cottage-living report) were all selected in over 50% of the cases. It appears, then, that the staff member first looks at the offense and delinquent history to see if it merits institutionalization, and then looks at other information to corroborate or alter his estimation of the juvenile's needs.

The probation officer's recommendation, the caseworker's impression, the parents' recommendation, the juvenile's intellectual functioning, the juvenile's home town, and the juvenile's age are often chosen among the three cards looked at after the staff members make their recommendation, indicating that they are more likely to be used to corroborate and confirm his decision, and play a minor role in determining it. Consistent with the questionnaire data, the juvenile's race and home town are ranked at the bottom along with medical information, which is viewed by the staff as irrelevant to their decision.

Table 28 indicates the actual decisions made by the staff. Commitment to the institution was recommended in only 54% of the cases. It will be recalled from the content analysis that commitments were actually made in 79.8% of the cases analyzed. However, it is difficult to make any comparisons between the two sets of data because of the experimental nature of the decision game and because the five cases used in the decision game were in no way drawn to be representative of all the cases which were processed by the three state juvenile institutions. Finally, the time lag between the content analysis data (January, 1973 - June, 1974) and the decision game (June, July, 1975) may account for some of the differences in the results.

Another important difference in the two methods exists. Because no data could be obtained from the files on the availability of community placements, staff members were instructed to assume that any such placement was available. Although 34% of the recommendations were for foster or group homes, many such placements might not be available in the real world. For example, one staff member who recommended a group home in one of the games, said afterwards that he knew that there were no group homes in the juvenile's home county and that, in actuality, the juvenile would probably be committed. This suggests the possibility that if there were a greater number of community resources available, the staff might be willing to recommend a greater number of community placements.

As mentioned earlier, each of the five original cases on the decision game were exactly duplicated with the exception of the sex of the juvenile. All pronouns were changed to the opposite sex. The only other changes were those relating to other people where failure to change their sex would distort the meaning of the report. For example, if a girl became "boy crazy" at the age of fifteen, this was changed to "girl crazy" on the corresponding male case. The sets of cases were then randomly assigned by means of a coin flip to different staff members.

Table 29 represents the mean ranking of choice-order of information for the male and female versions of the cases. Sex made no significant difference in the order in which information was chosen by the staff. The bottom variable, "severity of disposition" is the mean of the weighted dispositions. As discussed earlier, dispositions were weighted by their mean rank-order disposition as judged by the staff on the questionnaire. The results show that the mean dispositions for male and female cases are practically the same. According to the decision game, therefore, the juvenile's sex is not a determining factor in the way staff make decisions.

Some Additional Comments

It has been shown that the staff are essentially correct when they state that no one criteria or group of criteria is the most important factor in making decisions. Their tendency to view all factors as important is indicative of the absence of any specific criteria in the decision-making process. Typically, the staff member, depending upon his position in the institution and the amount of information accessible to him, sifts through an assortment of reports and first hand impressions to reach an opinion about the character and needs of each juvenile. Although the decision game suggests that the offense and delinquent history are the most important criteria used, they are certainly not the only ones. While the content analysis showed that serious and drug offenders were more likely to be institutionalized than status offenders, this relationship was not a strong one (over two-thirds of the status offenders were institutionalized) and was found to be characteristic of MMTC and not the other two institutions. It appears, therefore, that there is a definite need for the development of criteria to be used by the institutional staff to make decisions about juveniles. In the conclusion of this report, further research

TABLE 29

JUVENILE SEX AS A DETERMINANT OF DECISION-GAME CHOICES AND RECOMMENDATION

<u>Variable</u>	<u>Mean Ranking for Male Cases</u>	<u>Mean Ranking for Female Cases</u>	<u>F</u>	<u>Significance*</u>
Delinquency History	2.13	2.11	.04	n.s.
Commitment Offense	5.71	5.00	.65	n.s.
Family and Community Information	5.92	6.34	.34	n.s.
Juvenile's Age	9.54	10.51	1.15	n.s.
Juvenile's Race	15.07	14.56	.78	n.s.
Juvenile's Home Town	14.18	14.26	.01	n.s.
Intellectual Functioning	12.64	12.81	.05	n.s.
Educational Report	12.54	11.99	.54	n.s.
Personality Functioning	8.43	8.33	.02	n.s.
Medical Information	14.90	15.27	.53	n.s.
Group Living Appraisal	9.92	10.14	.08	n.s.
Caseworker's Impression	8.73	8.87	.04	n.s.
Juvenile's View of Problem	8.02	8.16	.03	n.s.
Parent's Recommendation	11.91	12.03	.03	n.s.
Probation Officer's Recommendation	7.48	7.11	.47	n.s.
Psychologist's Recommendation	8.34	8.51	.07	n.s.
Severity of Disposition**	5.61	5.71	.12	n.s.
Number of Cases	92	90		

*Based on analysis of variance, $n = 182$ cases, $\alpha = .05$.

**Mean score of dispositions weighted by staff rating of the severity of each disposition.

to develop criteria will be recommended. At this point, however, two other issues must be dealt with.

The data from the content analysis indicates that the majority of status offenders who are sent to one of the three state institutions for juveniles for diagnostic evaluations are likely to be admitted to the treatment program of the institution (although not as likely as are serious and drug offenders). Yet the data on the parole decision indicates that status offenders are likely to stay just as long in the institution as are serious offenders. Since there is no way of objectively assessing the needs of these youngsters, it is impossible to call this a poor decision. But it does raise an important question of fairness. Is it fair to incarcerate a status offender (who has not committed a crime) and force him to stay in the institution as long as a serious offender?

One of the reasons why this occurs is suggested by the questionnaire data. Although the offense and delinquent history is an important criteria in the staff member's mind for making initial decisions about juveniles, it is relatively unimportant in making parole decisions. Parole decisions are based on the juvenile's progress in the program, including his attitude relating to staff and peers, his general maturity and growth and acceptance of responsibility. It is assumed that delinquency results from immaturity, lack of responsibility, poor attitudes toward authority, and sometimes emotional difficulties and parental neglect. Thus, it is assumed that what these kids need is a program that will make them accountable to themselves as well as others and develop them into mature human beings. They need to "grow up". Growing up, however, is not a problem that confronts delinquents exclusively, but is a problem faced by all juveniles in American society. Developing self-confidence, learning to accept authority, being responsible for one's actions, and learning to deal with others

are important problems which all adolescents have to deal with.

Although delinquents (i.e. serious offenders) may benefit from this period of "enforced maturity" (although there is no evidence that any of these programs are successful in reducing recidivism) and non-delinquents (i.e. status offenders) may also benefit, in terms of personal growth, maturity, and learning to deal with others (although again, there is no evidence that they derive a greater benefit than they would at home or on their own, and nothing is known about the detrimental effects of institutionalization), is this a fair basis on which to remove non-criminals from society and then judge their fitness to return? There are countless juveniles not in institutions who need to mature and learn to function as adults in the world. This is what the period of adolescence is designed to do. Yet, some juveniles, because they lack an "acceptable" home life, are forced to do their maturing in the confines of an institution where no differentiation is made between them and juveniles who have committed serious crimes.

It is the contention of this report, therefore, that the criminal justice system is not, and never was, intended as an educational institution or a place to teach people proper manners and attitudes. It is intended, primarily, to punish and to rehabilitate criminals, although recent studies have suggested its lack of success in the latter. It is, therefore, the recommendation of this report that status offenders not be institutionalized, and, if possible, that they not even be dealt with by the juvenile justice system. Forseeing the possibility that the legislature might not be ready to make such a change, this report recommends that, in the interim, the goals of treating status offenders should not be centered upon improving their character, but should be directed toward finding a community placement where the juvenile could be helped without such a harsh deprivation of liberty as institutionalization.

This raises a second crucial point. If status offenders are to be treated in the community, there have to be places to treat them. Many of them cannot return home (Often it is their parents who sign the delinquency petition in the first place.) and society feels enough of a responsibility to them not to leave them wandering the streets. There is need, therefore, of a great many more community facilities to deal with status offenders. Nor should community treatment be restricted to status offenders. Many, indeed most, of the juveniles labeled as "serious offenders" in this report have committed property crimes -- petty theft, vandalism, automobile theft, shoplifting -- crimes for which they would probably not go to prison as adults if they were first offenders. The data from this study indicates, although it does not substantiate, the fact that the staff would be willing to recommend a community placement in many more instances if such a placement existed. The lower rate of institutionalization at MMTC is probably explained, in part, by the greater number of community programs and facilities for dealing with juveniles in the metropolitan area. The higher rate of recommendations for probation on the decision game also indicates a willingness for staff to use community facilities. After all, the staff are not ogres trying to collect all the juveniles they can to serve their own sadistic desires. Although the staff may not have any systematic way of making decisions, they are trying to help juveniles. Many of them believe that most juvenile delinquents need help -- the kind of help they offer at the institution. But they also recognize that many of the juveniles they deal with could be helped just as well in community placements, if such placements were available. This is the direction in which the State of Minnesota has been moving. Hopefully, it will continue to move in this direction at a more rapid pace.

CHAPTER FIVE
Staff Attitudes about Juvenile
Delinquents and Juvenile Institutions

Before moving on to a final statement of conclusions and recommendations, this chapter will present a detailed examination of staff activities and their relationship to decision-making. This will shed further light on the way the staff resolves the punishment vs. treatment contradictions of the juvenile justice system and how they define the role of juvenile institutions.

Table 30 reports the staff view of the purpose of the institution. The staff were asked to rank order their top three choices from the list provided on the questionnaire. The left hand column of figures notes the percent of staff who chose each purpose as one of their three choices. The right hand column tells the percent of staff who chose each purpose as their first choice. It is apparent that the staff is overwhelmingly treatment oriented in their attitudes towards the purpose of the institution. Only 8% of the staff chose community protection among their first three choices, 1% chose institutional adjustment, 1% chose punishment, and 2% chose deterrence. Sixteen percent said the purpose is to train and educate juveniles, which could connote either a custodial or treatment orientation. Another 8% chose teaching good habits and 8% chose teaching obedience and respect for authority, attitudes which are custodial in orientation but which could be viewed in treatment terms (i.e. - teaching obedience and respect not out of a desire to punish the juvenile but out of a desire to help the juvenile adjust in the world and grow out of his delinquent patterns).

Changing social attitudes and values, helping juveniles grow and mature, helping them gain a better understanding of their behavior, and help them adjust

TABLE 30

STAFF OPINIONS ON THE PURPOSE OF THE INSTITUTION

<u>Purpose of the Institution</u>	<u>% of Staff Choosing this Item Among Three Choices</u>	<u>% of Staff Choosing this Item First</u>
To change juvenile's social attitudes and values	47	25
To help juveniles grow and mature as human beings	61	22
To help juveniles gain an understanding of the kind of thing that got them in trouble	56	17
To help juveniles learn to adjust to life in the community	57	16
To protect the community for a period of time	8	4
To help juveniles learn to get along better with other people	33	3
To train and educate juveniles	16	2
To teach obedience and respect for authority	8	2
To teach juveniles good social habits	8	1
To deter other young people from getting into trouble	2	1
To help juveniles learn to adjust to life in the institution	1	1
To protect juveniles from a poor environment at home	2	0
To punish delinquents for the wrong things they did	<u>1</u>	<u>0</u>
	300	94*

* Less than 100% because some staff did not specify order of choice.

to life in the community are by far the most important purposes of the institution from the staff's viewpoint, and indicate their general treatment orientation. As a rule, staff see themselves to be in the business of "helping" juveniles. However, this does not rule out punishment. Many staff feel that the best kind of treatment is firmness, holding juveniles responsible for their actions, and punishing them for inappropriate behavior. The custodial vs. treatment dimension is, therefore, an important aspect of staff attitudes. It falls, however, within the general domain of treatment. The custodial/treatment attitude scale is a general measure of staff views on how treatment should be accomplished. The custodial attitude holds that juveniles should be taught respect for authority, proper attitudes and behavior, and responsibility for their actions. The best kind of treatment is seen in terms of an orientation of firmness toward juveniles. Treatment oriented staff, on the other hand, stress the emotional difficulties of the child, and his need for understanding, support and help in dealing with his environmental and personal difficulties. To use common stereotypes, the custodially oriented staff member is akin to a parent who is conservative in his child rearing technique, a disciplinarian and one who demands respect and obedience. The treatment-oriented staff member is more liberal, allowing greater individual expression by the child and believing that proper development can best be achieved by providing a loving, supportive environment. Both orientations have the goal of helping the child. The differences lie in the methods they believe will best help the child, and the belief concerning the underlying causal dimensions of delinquency.

It should be pointed out that the above approaches are not mutually exclusive. It is very likely that many of the staff share both of the attitudes described above. Yet staff members will likely have attitudes more in common with one of the two perspectives than the other. The custodial/treatment scale,

then, measures the place where the staff member falls on a treatment-custodial continuum of how juvenile delinquents should be treated.

Table 31 presents the relationship of the individual's score on the custodial/treatment scale with other staff attitudes and characteristics. The left hand column of figures gives the point biserial correlation (Pearson's r) between the continuous variable custodial treatment with dichotomized versions of the variables listed in the left hand column of the table. Characteristics and attitudes were dichotomized into "yes" or "no" categories. A positive correlation, therefore, means that people who possess the listed attitude or characteristic are more custodially oriented, and a negative correlation means that they are more treatment oriented.

The results show that the college educated staff are more treatment oriented than the non-college educated staff. This is understandable, since college educated people tend to have more liberal values toward child rearing than do non-college educated individuals. College training is likely to inculcate in its graduates a greater appreciation for psychological and social explanations of delinquency causation. Hence, the greater reliance on treatment oriented methods by college educated staff.

The only other non-attitudinal staff characteristic related to custodial treatment attitudes is institution. MMTC staff are more custodial oriented than non-MMTC staff. This is surprising, since MMTC had a higher rate of community placements and a lower mean length of incarceration than MHS or STS. The reader is reminded, however, that the primary influence at MMTC staffings was wielded by a college-educated caseworker. It is possible, although not verifiable from the data, that the commitment rate for MMTC would be higher if the cottage counselors were given a greater voice in decision-making.

TABLE 31
 CORRELATIONS OF CUSTODIAL/TREATMENT ATTITUDES
 WITH OTHER STAFF ATTITUDES AND CHARACTERISTICS

<u>Variables</u>	<u>Point Biserial Correlations</u>	<u>Number of Cases</u>	<u>Significance</u>
5+ years working in institution	.06	154	n.s.
5+ years working in corrections	.04	154	n.s.
Working at MMTC	.13	157	.05
Working at STS	-.02	157	n.s.
Working at MHS	-.07	157	n.s.
Over 35 years old	.11	157	n.s.
Male	-.01	157	n.s.
College educated	-.23	157	.01
Belief in Community Corrections	-.06	141	n.s.
Possessing Racial Stereotypes	.40	66	.001
Attributing Importance to Child's Attitude Towards Authority	.13	124	n.s.
Belief that Leaders are More Delinquent than Followers	.08	129	n.s.
Belief in Effectiveness of Institution	-.13	97	n.s.
Belief that Boys and Girls should be treated differently	.06	104	n.s.
Tendency to accept Judge's decision	.32	48	.01
Belief in Psychological explanations of delinquency	.08	108	n.s.
Belief that young delinquents should be held less accountable than older delinquents	.18	80	.05
Belief that remorseful juveniles are less serious delinquents	.03	53	n.s.

Staff possessing racial stereotypes were more likely to be custodially oriented than those not possessing racial stereotypes. Evidently, the same type of conservative attitude which relates to custodial attitudes also relates to an individual's racial beliefs. Custodial oriented staff are also more likely to be those who tend to accept judicial decisions and are more likely to feel that younger delinquents should be held less accountable than older delinquents. Evidently, the belief that juveniles should be held accountable for themselves does not apply as strongly, in the minds of custodially oriented staff, to younger juveniles. Thus, although none of the relationships are large, there does tend to be a slight relationship between custodial and treatment orientations and some general conservative vs. liberal themes.

Table 32 summarizes the relationship between all of the staff attitudes measured and staff characteristics. In general, the relationships are small and non-significant. Exceptions include a greater degree of racial stereotyping at STS (and lower degree at MHS), a lower belief in the effectiveness of the institution in dealing with juveniles at MMTC and a higher one at STS. This may be due to the fact that MMTC was phasing out its juvenile programs and was in a state of disorganization and flux at the time the questionnaire was administered. STS, on the other hand, has a structured program to which many of the staff members are dedicated. It follows that they believe it is an effective program. There is less age stereotyping (belief that youngsters should be held less accountable for their delinquencies than older juveniles) at STS than at the other institutions. Finally, female staff members were more likely to believe in psychological explanations of delinquency than were males. The age, education, and number of years the staff were in the field of corrections did not relate significantly to any of the attitudinal variables (except for the relationship between education and custodial/treatment attitudes discussed above).

TABLE 32

RELATIONSHIP WITH STAFF ATTITUDES TO STAFF CHARACTERISTICS*

	<u>Years in Corrections</u>	<u>Institution</u>	<u>Sex</u>	<u>Age</u>	<u>Education</u>
Belief in Community Corrections	n.s.	n.s.	n.s.	n.s.	n.s.
Racial Stereotyping	n.s.	Higher at STS (.05) Lower at MHS (.05)	n.s.	n.s.	n.s.
Authority	n.s.	n.s.	n.s.	n.s.	n.s.
Leader vs. Follower	n.s.	n.s.	n.s.	n.s.	n.s.
Effectiveness of Institution	n.s.	Lower at MMT (.0001) Higher at STS (.05)			
Sex Stereotyping	n.s.	n.s.	n.s.	n.s.	n.s.
Faith in Judge's Decision	n.s.	n.s.	n.s.	n.s.	n.s.
Belief in Psychological Causes	n.s.	n.s.	Higher for Females (.05)	n.s.	n.s.
Age Stereotyping	n.s.	Lower at STS (.05)	n.s.	n.s.	n.s.
Importance of Juvenile Remorse	n.s.	n.s.	n.s.	n.s.	n.s.

*Level of Significance in parenthesis (n.s. = not significant), based on chi-square contingency tables for dichotomized variables.

Of primary interest here is the relationship between these staff characteristics and staff attitudes to decision-making. Scores on each of these variables were correlated with the staff member's tendency to recommend severe vs. lenient dispositions on the decision game. As mentioned earlier, this index of dispositional tendencies was obtained by weighting each of the five decisions made by the staff member by the mean rating of the severity of that disposition as rated by the staff on the questionnaire. The five weighted dispositions were then averaged. An additional independent variable, the average number of cards requested by the staff member, was also included in the analysis. A step-wise regression analysis was performed, regressing the independent variables on the index of dispositional tendencies. Included in the analysis were data from the 34 of the 37 staff members who played the decision game and also filled out the staff questionnaire.

The results of the regression analysis are contained in Table 33. On the whole, these staff attitudes and characteristics correlated highly with severity of dispositions. The multiple R was .77 and the multiple R squared was .59. Thus, almost three-fifths of the variance in the severity of disposition was accounted for by the independent variables.

Table 33 presents the variables in the order in which they were entered into the regression. In a step-wise regression the variable with the highest zero-order correlation with the dependent variable is entered first. The variable with the highest first-order correlation (with the effects of the first variable partialled out) with the dependent variable is entered second, and so on. The results show that only the first three variables are significant in the amount of total variance they explain, i.e., the difference between the total variance explained before the variable is added and after the variable is added. This amount is found under the right hand column, Change in R^2 . Together, these

TABLE 33

Step-Wise Regression of Staff Attitudes
and
Characteristics on Severity of Disposition

<u>Variables</u>	<u>Zero- Order</u>	<u>F to Enter</u>	<u>Significance</u>	<u>R</u>	<u>R²</u>	<u>Change in R²</u>
No. Cards Chosen	-.35	4.57	.04	.35	.13	.13
Leader/Follower	.33	5.11	.03	.50	.25	.12
Sex Stereotyping	-.17	5.75	.02	.61	.37	.12
Race Stereotyping	-.25	1.52	.23	.63	.40	.03
Custodial/Treatment	-.07	1.34	.26	.65	.43	.03
Age Stereotyping	-.18	1.90	.18	.68	.47	.04
Faith in Judges	-.27	1.05	.32	.70	.49	.02
Education	-.12	.97	.33	.71	.51	.02
Years in Institution	.22	.98	.33	.72	.53	.02
Years in Corrections	-.04	.83	.37	.74	.54	.01
Age	.28	.92	.35	.75	.56	.02
Effectiveness of Institution	.27	.89	.36	.76	.58	.02
Importance of Authority	.00	.39	.54	.77	.59	.01
Importance of Remorse	.02	.12	.74	.77	.59	.00
Belief in Community Corrections	.04	.19	.67	.77	.59	.00
Belief of Psychological Expl.	-.30	.02	.89	.77	.59	.00

three variables account for 37 percent of the variance in severity of disposition. While none of the remaining variables in themselves account for more than 4% of additional variance, together they explain an additional 22% of the variance. In addition, some of these variables have high zero-order correlations with severity of disposition, but their position in the equation causes them to explain little additional variance. Nevertheless, their relationship to the severity of dispositions should be explored.

It is quite surprising to find that the number of cards chosen has the highest zero-order correlation with severity of disposition, especially since the variable was included as an afterthought. Nevertheless, the negative relationship between it and severity of dispositions makes sense. The more cards (information) looked at by the staff member, the less the likelihood of institutionalization and the greater the likelihood of a community placement. It seems plausible that the staff member who looks at only a few pieces of information is likely to make a quick decision based on a few pieces of information. Since the commitment offense and the delinquent history are the two items chosen first most frequently (see Tables 25 and 26), it seems that these staff are basing their decisions on the offense and are less impressed by other contingencies. They are more likely to see things in black and white terms - a serious or semi-serious offense is enough to justify a commitment, so they do not need to look at more cards. On the other hand, a staff member who looks at more cards may be looking for additional information in order to understand the particular problem and needs of the juvenile. This staff member might be looking for a community placement whenever possible and might, therefore, look at as much information as possible in order to find something to justify a community placement. Even if the staff member did not intend to find a community placement, but looked at more information out of curiosity or a desire to see everything

before deciding, the very fact that he saw all the information might suggest placements other than institutionalization. That is, the more he knows about a juvenile, the more the staff member might decide that a non-institutional disposition is what is needed.

The second variable in the equation, which adds 12% to the explained variance, is the belief that leaders in the commission of delinquent acts should be held more responsible than followers. This variable is positively correlated with severity of disposition ($r = .33$). That is, staff members who accept this proposition are likely to recommend more severe dispositions. While there may be several ways to explain this finding, one possibility is that the stress on the greater culpability of leaders is indicative of a more conservative, authoritarian ideology which holds that people should be held responsible for their actions. The authoritarian ideology recognizes the difference between leaders and followers, and accords greater importance and respect - hence responsibility - to leaders. Thus, it is possible that the important variable on deciding both severity of disposition and the belief that leaders should be held more accountable than followers is a general conservative, authoritarian ideology stressing individual discipline and stern punishment for wrongdoers. In the case of delinquents, this may take the form that delinquents should be punished for their wrong regardless of the contingencies involved, especially if they were the leaders or instigators of the act. The present data, however, does not provide a direct measure of authoritarian ideology, and any comments about its influence in decision-making must be treated as speculation. Perhaps future research into staff attitudes and their relationship to decision-making will be able to clarify and illuminate this hypothesized relationship.

Sex stereotyping (the belief that girls should be treated differently from boys) is the third significant variable in the regression ($r = -.17$)

explaining 12% of additional variance in severity of disposition. Although not significant, race stereotyping (the belief that minorities are more likely to be delinquent than whites), age stereotyping (the belief that younger juveniles should be held less accountable for their actions than older juveniles) and the belief in psychological explanations are all negatively related to severity of disposition, with zero-order correlations of $-.17$, $-.25$, $-.18$ and $-.29$ respectively. All of these variables reflect a greater emphasis on the individual's uniqueness. People who score high on these scales are less likely to see things in black and white terms but are more willing to gear the specific disposition to the particular needs of the juvenile. This suggests a greater willingness to recommend a community placement when it best fits the needs of the juvenile.

Older staff and staff with more years in the institution are more likely to recommend severer dispositions (zero-order correlations of $.28$ and $.22$ respectively) than younger and newer staff. If the hypothesis of a more conservative and authoritarian attitude is correct, it may be that older individuals hold such attitudes, not necessarily because they are older, but because they tend to be less educated and entered the field of corrections when such attitudes were more widely held and accepted. The negative correlation between education and severity of disposition ($r = -.12$) lends some support to this contention.

The positive relationship between belief in the effectiveness of the institution and severity of disposition ($r = .27$) requires little explanation. Staff members who do not believe that their institution is helping delinquents would be less likely to commit juveniles to the institution. This might, in part, explain the lower rate of institutionalization at MMTC reported in Chapter Four.

As suggested in this Chapter, MMTC staff are less likely to believe in the effectiveness of their institution than are the staff at the other two institutions. On the other hand, the belief that one's institution is effectively dealing with juveniles would increase the tendency to institutionalize.

One finding is particularly difficult to explain. Staff members who more readily accept the decisions of judges are less likely to recommend severe dispositions ($r = -.27$) than those who propret to question judicial recommendations. This would tend to argue against the authoritarian ideology explanation suggested above, since, judges are supposed to be respected carriers of authority. One possibility is that the more punitive-oriented staff distrusts judges in general and finds them too liberal. Another is that staff members who tend to recommend harsher dispositions are more prone to make decisions on their own, based primarily on the offense and on their impression of the juvenile. In fact, during the course of the decision game, several staff members told the researcher that they rarely read the reports, but usually base their decisions on their impressions of the juvenile. It is not known, however, whether or not these staff were among those who scored higher on the severity of disposition scale. The relationship between the number of cards looked at and the disposition attests to this tendency. It may be, then, that staff who tend to recommend institutionalization have already made up their minds and are not interested in the judge's recommendation. It is irrelevant and something which they do not feel obligated to follow. This interpretation is supported by the positive relationship ($r = .27$) between faith in judges and the number of cards looked at, which suggests that those who look at less information are less likely to accept the judge's recommendation.

One final finding, the absence of a relationship, should be reported. Custodial/treatment attitudes were found to be unrelated to severity of disposition ($r = -.07$). It appears likely, that although they approach the issue from different

perspectives, they both tend to reach the same conclusions regarding juveniles. Custodial oriented staff may recommend institutionalization in order to punish the juvenile for his wrongdoing and hold him responsible for his actions. Institutionalization may be seen as a matter of teaching the juvenile proper attitudes and respect for authority. Treatment oriented staff, on the other hand, may institutionalize a juvenile for the benefit he will derive, whether these benefits be educational, greater personal growth and maturity, treatment of personal adjustment problems, or removal from a danaging and unstable home environment, the juvenile is committed, in this case, so that he may be treated or helped.

Table 34 reports the reasons given for decisions (on the decision game) by custodial and treatment staff. Up to three reasons were recorded for each decision. It appears that treatment oriented and custodial oriented reasons are given in equal frequency by staff members holding both types of attitudes. Yet it is still possible that the meanings that are attributed to statements like "he needs more structure" or "he is out of control" differ among the two groups. Offense seriousness may connote bad character or immorality for high custodial staff, whereas it may connote underlying emotional problems for low custodial staff. Similarly, growth and maturity may be defined in terms of obedience and respect for authority and by low custody staff in terms of a juvenile's need to gain self-insight and an understanding of his problem. A deeper probing of the way custodial and treatment oriented staff make decisions is necessary in order to explain why they both recommend institutionalization at the same rate.

There is, then, an irony in the way decisions about juveniles are made. On the one hand, juveniles are committed to protect society and to punish them

TABLE 34

Reasons Given by Staff for Recommendations in Decision Games

<u>Reason</u>	<u>All Staff*</u>		<u>High Custodial Staff</u>		<u>Low Custodial Staff</u>	
	<u>Number</u>	<u>Percent</u>	<u>Number</u>	<u>Percent</u>	<u>Number</u>	<u>Percent</u>
Offense (seriousness or lack thereof)	92	21	39	21	41	19
Need for structure or control (need to be responsible, accountable)	102	23	49	26	45	21
Need to grow, mature (develop self-insight, esteem, deal with problems)	64	15	29	16	31	14
Quality of home environment	56	13	24	13	24	11
Educational needs	22	5	8	4	18	8
Juvenile's attitude, demeanor, behavior	43	10	17	9	20	9
Juvenile's age	16	4	9	5	6	3
Prior experiences or lack thereof (have failed, haven't been tried, need for community placement, etc.)	28	6	8	4	19	9
Other	14	3	4	2	10	5
TOTALS	437	100	187	100	214	100

* Includes three staff who did not fill out questionnaire and for whom no custodial/treatment score was available.

for their wrongdoing. On the other hand, they are committed in order to help them with their adolescent problems. Yet from the standpoint of the juvenile, the reasons do not matter. Juveniles are all lumped together into the same program in the institution regardless of whether they committed a serious offense or a status offense, and regardless of whether they are being punished for their sins or helped with their problems.

CHAPTER SIX
Conclusions and Recommendations

The preceding discussion has suggested that decision-making is done in a very unsystematic and random way. Decision-making appears to be based more on the subjective feelings of the staff concerning the juvenile's needs (including both treatment needs and the need for punishment) rather than an in-depth assessment of the programs that might be most appropriate. In other words, faced with a lack of information on what (if anything) actually works for different kinds of delinquents, and faced with an absence of sufficient knowledge about the availability and value of community programs, staff members fall back on that which they know best - their own institutional program.

Juveniles are committed to the institution for a variety of reasons. Status offenders and serious offenders, juveniles from good environments and poor environments, young immature juveniles and older, more sophisticated juveniles. Some are committed to protect society and punish them for their delinquency, while others are committed to help them with their problems. Whatever the reason for commitment, however, the chief criteria for parole is the juvenile's growth and maturity and his success in adjusting to the institutional program and completing his goals. The underlying assumption that delinquency will be stopped if juveniles work on their relationship to peers and authority and are taught to be responsible for their actions leads to parole criteria which are not directly related to the juvenile's delinquency. From the juvenile's standpoint, he is expected to mature and grow as a condition of release, even if he never actually committed a crime in the first place. The result is likely to be confusion in the minds of the juvenile concerning whether he is being punished or helped. The staff, seeing the role of institution in treatment terms, is unable to specify who really needs treatment and who does not.

They assume that all of the juveniles sent to them are in need of treatment. It is only those juveniles for whom someone has taken the initiative to find a community placement who actually escape institutionalization. Factors such as the amenability of the probation officer to community treatment and the amount of effort he exerts to find placement and the presence of a caseworker who is more familiar with community programs, as well as the greater availability of such programs in certain areas of the State, are more influential in determining the fate of a juvenile delinquent than are any of the characteristics of the juvenile, his offense, or home environment.

Several suggestions are in order, concerning ways to improve the decision-making process. Some were mentioned earlier, but will be repeated here for the sake of completeness. First and foremost, the Department of Corrections must decide whether or not it is in the business of punishing delinquents and protecting society or whether it is in the business of helping all juveniles who need help. It is the opinion of this researcher, that the concern of the Department of Corrections should be with the former - punishing juveniles who commit crimes and removing them from society. Treatment can then be attempted with these juveniles, and hopefully, behavior change can be accomplished. But the decision of who should be incarcerated in state institutions should be made on punitive grounds, rather than on the nebulous criteria of who needs help.

As a result, this report recommends that all status offenders be removed from the jurisdiction of the Department of Corrections and that they be handled by some other service oriented agency. There are many delinquents who, although categorized as serious offenders, have not committed offenses that would be considered very damaging or dangerous to society. Juveniles involved in shoplifting, theft of minor articles from parents or friends, juvenile pranks,

experimentation with drugs, and so on, are not terribly dangerous to society, although they often cause harm and hardships to others. The question is whether these types of behavior necessitate treatment in an institution or whether a less severe penalty such as a community facility might be equally or more beneficial. Therefore, the staff will still have to make a determination for non-status offenders on what disposition is needed. But they should have a greater number and variety of dispositions at their disposal. Accordingly, this report recommends the expansion of the community corrections concept, so that community placements of various types including foster homes, group homes, residential treatment centers, and drug treatment centers can be employed whenever the staff feels they are appropriate. Acceptance of this recommendation would probably reduce the state institutional population and allow them to specialize in helping the more serious or uncontrollable delinquents who are not amenable to community placement. In addition, length of institutionalization should be based on set criteria, such as the severity of offense and the number of prior offenses, rather than such vague criteria as "progress" and "growth".

Finally, there is the staffing process itself. Earlier in the report, several suggestions were made which bear repeating and elaboration on making the staff more aware of the community facilities (especially if the first two recommendations are accepted). These concerned the role of the caseworker. It is recommended that someone in each institution be assigned the task of evaluating the needs of the juvenile and recommending at least one community placement. Furthermore, this individual should be responsible for doing all the groundwork necessary to assure that the juvenile will be accepted into a program. Although this role could be assumed by anyone at the institution (e.g., one of the counselors), it appears to be a full-time job that would merit

the hiring of at least one full-time diagnostic caseworker for each institution. This individual would weigh the material and present a recommendation for a community placement (the details of which have been worked out) at the staffing.

The actual staffing, then, would consist of this caseworker, and perhaps the cottage director or group leader, or other counselor, who is most familiar with the juvenile, so that their first hand impressions of the juvenile can be discussed, the juvenile and his parents. A decision can then be reached based on all the available information, including the availability of a community placement. A juvenile will be institutionalized if it is felt that institutionalization is necessary, not because no one knows what else is available.

An alternative would be to have the staff first determine whether institutionalization is warranted according to Department of Corrections guidelines (seriousness of offense, prior treatment experience, and exhaustion of all community alternatives to institutionalization). If it is not, then the caseworker would be assigned the task of finding an appropriate placement. This alternative, however, is seen as less desirable because the staff might be afraid to recommend a community placement if they did not know which placement this would be or have any influence upon the choice.

These recommendations, then, are aimed at decreasing the number of juveniles who are institutionalized and saving the institution for serious offenders who cannot be dealt with in the community. It still, however, remains a problem to identify who the serious offenders are, which juveniles will benefit most from institutionalization, and which will benefit most from a community placement.

In this regard, it should be pointed out that attempts to predict juvenile probation and parole success or failure, as well as attempts to predict

adult criminality from juvenile behavior, have met with little success. Glaser (1964) found that both the younger the age of first offense and the greater the number of prior contacts with the criminal justice system, the greater the likelihood that an individual would violate parole. Property offenders were more likely to recidivate than violent offenders. McClintock (1961) also found that the age of first conviction related to parole failure of juveniles, as did the family/home environment of the youth (i.e., home discipline, the presence or absence of both parents in the home, and the presence or absence of delinquent behavior among siblings) and school behavior and performance. Mannheim and Wilkens (1955) found that prior offense record, evidence of drunkenness, absence of parents in the home, the location of the home, and the length of the youth's longest period of employment all related to parole failure among juveniles. Sheldon and Eleanor Glueck (1950 and 1960) related probation failure to various factors in the home environment (discipline, affection, etc.) but much criticism has been directed at their sampling method and statistical analysis. Gottfredson and Beverly (1962) and Gottfredson and Ballard (1965) found relationships between probation failure of delinquents based on two and eight year follow-ups and offense, prior record, and age at first offense. Wenk and Emrich (1972), in a study of California youth, found that multiple offenders and those moderately or highly involved in opiate use were more likely to recidivate. Violent offenders, on the other hand, were better parole risks than property offenders. Simon (1971) found that the only variables which related to probation failure were the probation officer's assessment that the juvenile had "little conscience" and had "delinquent tendencies." It is difficult, however, to know the extent to which probation officers' expectations influenced subsequent decisions to revoke probation. Psychiatric evaluations (Hutcheson, 1965) and social worker impressions

(Cowden and Pacht, 1965) have also been related to probation failure.

In all of these studies, however, the ability to successfully predict probation and parole outcomes, using a large number of variables, has been very weak. Only between 20% and 40% of the variance in probation or parole outcome was explained by the prediction variables. The art of prediction is, therefore, very unsophisticated. Furthermore, it may well be that the success or failure of probation or parole is less related to the characteristics of the juvenile and more a product of the contingencies of the specific situation. It may, in short, be impossible to substantially predict the future of a juvenile's delinquency by his prior behavior and life situation. Even if this could be done, there are other effects of institutionalization versus community treatment that have not been measured, such as personal growth, education, self-image and so on. Furthermore, the effects of different programs may differ among different types of juveniles. The problem is, therefore, a very complicated one. Further research is necessary to understand who the dangerous delinquents are, as well as the types of juveniles who will benefit from different types of placements and those who will be harmed by these placements.

One possibility involves using the available data from this study to predict future rates of crime and delinquency. What variables of those measured here relate to juvenile parole violation? Is there a difference in violation rates for juveniles placed in the community and those who are institutionalized? Does the length of institutionalization relate to parole success or failure? A future follow-up study might be able to relate some of these factors to adult criminality as well as other measures of personal adjustment and success.

If changes do occur in the staffing process, they should be evaluated. One of the variables that can be looked at in this regard is the juvenile's

view of the staffing process. Does the juvenile feel that the process is a fair one? Does actual involvement in the staffing process influence the juvenile's view of its fairness? Will changes in the staffing process influence the staff's view of the staffing process? How will any procedural changes effect the criteria used to make decisions in staffings? How will changes in the type of individuals dealt with by these institutions affect the treatment programs in the institutions? How will they affect staff attitudes about the nature and treatment of delinquency? These are just some of the questions that should be looked into as changes are made in the juvenile justice system.

In summary, then, this report has found staffing decisions to be very unsystematic and arbitrary. It has found that while offense is looked at more often in making decisions, it does not itself explain why some juveniles are committed and some are not. Furthermore, once committed, juveniles are all exposed to the same treatment and stay in the institution for the same amount of time regardless of the seriousness of their offense. Staff were seen to be treatment oriented in general, believing that they can help all of the individuals who are sent to them. It was suggested that more conservative and authoritarian oriented staff are more likely to commit juveniles to the institution than are liberal, socially oriented staff, but this interpretation needs more testing and elaboration. Regardless of the treatment vs. custodial orientation of the staff, juveniles are likely to be committed by the former to be punished and taught to be responsible and by the latter to be helped and understood.

Complimenting the tendency of the staff to institutionalize all juveniles for treatment and punishment reasons is the absence of sufficient community programs and the lack of sufficient information about them.

Therefore, the following recommendations were suggested:

- 1) Eliminating status offenders from the juvenile justice system.
- 2) Providing more community treatment facilities.
- 3) Employing a caseworker whose primary responsibility is to secure community placements and bring them to the attention of the staff.
- 4) Conducting more research into the nature of decision-making, the factors relating to successful outcome of parole cases, and the effects of future changes in the staffing process.

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CONTINUED

PART II

PART II

NCJRS

APPENDICES

AUG 12 1976

ACQUISITION

APPENDIX A - Content Analysis of Staffing Reports: Coding Format

APPENDIX B - Staff Questionnaire

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APPENDIX A
CONTENT ANALYSIS OF STAFFING REPORTS

Card 1

CODING FORMAT

Card

Key Punch

File # _____

Case # _____

I. Biographical Data

Institution _____

Name _____

Race _____

Address _____

Age _____

Sex _____

Date of Diagnostic Evaluation _____

month _____

day _____

year _____

county of commitment _____

home community _____

size of home community _____

offense community _____

size of offense community _____

father's occupation _____

mother's occupation _____

father's education _____

mother's education _____

(Coder: _____)

(Date: _____)

1

(1)

(2-4)

(5)

(6)

(7)

(8)

(9-10)

(11-12)

(13)

(14-15)

(16)

(17)

(18-19)

(20-21)

(22-23)

(24-25)

II. Offense Related Data

a) commitment offenses

- 1. _____
- 2. _____
- 3. _____

(26-27)

(28-29)

(30-31)

b) related offenses (alleged at time of commitment)

- 1. _____
- 2. _____
- 3. _____

(32-33)

(34-35)

(36-37)

c) prior offenses (mentioned in staffing report)

- 1. _____
- 2. _____
- 3. _____

(38-39)

(40-41)

(42-43)

d) number of times prior commitment to this institution

(44)

e) number of times prior commitment to another state institution

(45)

f) number of prior commitments to county institutions

(46)

g) number of prior commitments to group homes, foster homes, private residences and treatment centers

(47)

h) known or suspected use of marijuana yes _____ no _____

(48)

i) known or suspected use of LSD or other hallucinogen yes _____ no _____

(49)

j) known or suspected use of tranquilizers, barbituates or amphetamines yes _____ no _____

(50)

k) known or suspected use of heroin yes _____ no _____

(51)

l) known or suspected problem with alcohol yes _____ no _____

(52)

III. School Profile

1) I. Q. (test used _____)

(53-55)

2) Aptitude: Reading - behind _____ average _____ ahead _____ MD _____

(56)

Math - behind _____ average _____ ahead _____ MD _____

(57)

3) Educational counselor's report on: a) school performance

	poor	average	good	N.M.
a) school performance				
b) behavior				
c) attendance				
d) interest				

(58)

(59)

(60)

(61)

IV. Family-Home Environment Yes No No
Mention

- a) child not living with both natural parents
- b) only one parent in the household (due to divorce, desertion, separation, etc.)
- c) parents (step-parents) frequently fight or quarrel
- d) parents do not have close affectionate relationship
- e) parents rarely home and/or fail to supervise child
- f) parents demand too much from child
- g) child does not get along well with mother
- h) child does not get along well with father
- i) child does not get along well with siblings
- j) child fails to receive emotional support from either parent
- k) poor physical condition of home
- l) one or both parents child lives with has a drinking problem or history
- m) caseworker or probation officer characterizes home situation as poor, unworkable or unlivable
- n) coder impression of family/home environment as unsuitable

62

(63)

64

5

66

(67)

(68)

(69)

(70)

(71)

(72)

(73)

(74)

(75)

probation officer or caseworker's name

(76-77)

probation officer's recommendation

(78)

caseworker's recommendation

79

Other comments _____

V. Community feelings toward juvenile:

positive _____ negative _____ n.m. _____

(80)

Card 2

card no.

2
(1)

case no.

(2-4)

VI. Youth's Demeanor, Attitudes and Behavior

yes

no

n.m.

a) psych report:

- 1) invalid MMPI due to lack of cooperation
- 2) does not cooperate in psych. interview

(5)

(6)

b) educ. report

- 1) does not cooperate in educ. interview

(7)

c) social history

- 1) does not cooperate in caseworker interview

(8)

a) cottage or group living report

- 1) does not cooperate with cottage staff
- 2) picks on, fights, or is aggressive with others in cottage
- 3) is resistant to authority of cottage staff
- 4) has run or attempted to run
- 5) neglects appearance (is dirty or unkempt)
- 6) does not keep room neat and clean
- 7) show little or no remorse concerning delinquency
- 8) fails to accept responsibility for actions

(9)

(10)

(11)

(12)

(13)

14

(15)

(16)

e) cottage counselors recommendation

(17)

VII. Psychological Profile

diagnosis

examples _____

(18)

Name of psychologist _____

(19)

psychologist's recommendation

(20)

VIII. a) Recommended Disposition _____

(21)

b) Alternate plan, if any _____

(22)

Reasons given for disposition _____

(23)

c) Does child request or prefer institutionalization

yes _____ no _____ n.m. _____

(24)

d) Action Panel Decision

(25)

IX. e) Date of Parole

month

(26-27)

day

(28-29)

year

no. of months _____

(30)

(31-32)

X. Follow-up data _____

XI. Other Coder Impressions or comments _____

APPENDIX B
STAFF QUESTIONNAIRE

The Department of Corrections is studying the way decisions are made by staffing teams regarding the disposition of cases. Specifically, we are interested in what factors are considered by the staffing teams at the initial or intake staffing and what factors are considered by the staffing teams in deciding whether or not to recommend that an individual be paroled from the institution. This study is being supported by a grant from the Governor's Commission on Crime Prevention and Control.

Please complete the questionnaire and return it to the collection box as soon as possible. Please do not discuss the questionnaire with anyone who has not finished filling his out. Please read all directions and answer all questions.

We wish to emphasize that there are no right or wrong answers to these questions. We want your opinion, so please feel free to answer according to how you feel, and not according to what you think the Department of Corrections wants to hear, or what you think other staff members would say.

All answers will be completely confidential. In particular, no questionnaire will be seen by anyone here in the school, or anyone else outside of the Research Division of the Department of Corrections. No names will appear on the questionnaire. Instead, a number will be attached to each questionnaire for our record keeping and for computer processing.

We think you will enjoy filling out this questionnaire and thinking about the questions. We suggest that you use pencil, in case you wish to make any erasures. Any comments or ideas which you have will be appreciated; just write them in the space provided at the end of the questionnaire. PLEASE DO NOT WRITE IN THE LEFT-HAND MARGIN. This space will be used for key punching your answers for computer processing. If you have any questions, you can call David Chein at the Department of Corrections (296-7023).

Thank you for your cooperation in our study. Your assistance will be of benefit to many agencies working with juveniles.

DO NOT WRITE IN THIS SPACE	
Key Punch	
<u>3</u>	Card No. 3
(1)	Columns
<u> </u>	ID Number 2-7
(2-5)	repeated
<u> </u>	Institution on all
(6)	Cards.
<u> </u>	Cottage
(7)	

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PART I - PERSONAL DATA

1. What is your present position at this institution? (e.g. group leader, cottage counselor, program director, etc.)

(8-9)

2. How long have you worked at this institution?

(10-11)

3. How long have you been working in the field of corrections?

(12-13)

4. What is your a) sex? Male _____ Female _____

(14)

b) age? 18-25 _____

(15)

26-35 _____

36-45 _____

46-55 _____

56+ _____

5. How much formal education have you had?

(16)

elementary school education _____

some high school _____

high school graduate _____

1-3 years college _____

4 years college _____

graduate degree
(please specify degree) _____

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PART II - CRITERIA USED BY INTAKE STAFFERS IN MAKING INITIAL OR INTAKE
RECOMMENDATIONS

The following questions are designed to discern the criteria which are used by the staff at the initial or intake staffing (the Diagnostic Evaluation) in deciding to recommend whether a youth be admitted to the treatment program at the institution, placed in a community or group home, or returned on probation to the community.

Accordingly, we would like you to rate the following factors in terms of the importance you place on them in making decisions about the disposition of cases. (Please answer in terms of the criteria you actually use to arrive at your decision, and not in terms of the criteria you think others in the institution might use or criteria you think the Department of Corrections would like you to use.)

PLEASE NOTE: If you play no role at all in making decisions about initial or intake staffings, please check the box below and do not answer the questions in Part II. Skip instead to Part III.

I play no role in decisions about intake or initial staffings.

(17)

Please rate the following factors in terms of the importance you place on them in making your recommendations. For each item, circle the number which corresponds to the degree of importance. Circle only one number for each item. Do not put a circle between numbers.

	(4) Very Important	(3) Somewhat Important	(2) Of Little Importance	(1) Not Important at All	(0) Information Not Available to Me
(18) 1. The sex of the juvenile	4	3	2	1	0
(19) 2. The age of the juvenile	4	3	2	1	0
(20) 3. The race of the juvenile	4	3	2	1	0
(21) 4. The occupation of the juvenile's parents	4	3	2	1	0
(22) 5. The seriousness of the offense committed by the youth	4	3	2	1	0
(23) 6. The number of court and institutional contacts prior to this commitment	4	3	2	1	0

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	(4)	(3)	(2)	(1)	(0)
	<u>Very Important</u>	<u>Somewhat Important</u>	<u>Of Little Importance</u>	<u>Not Important at All</u>	<u>Information Not Available to Me</u>
(24) 7. The psychologist's report on the youth's personal adjustment problems	4	3	2	1	0
(25) 8. The psychologist's report on the youth's anti-social tendencies	4	3	2	1	0
(26) 9. The treatment recommendation of the psychologist	4	3	2	1	0
(27) 10. The youth's grades in school	4	3	2	1	0
(28) 11. The youth's behavior in school	4	3	2	1	0
(29) 12. The youth's school attendance record	4	3	2	1	0
(30) 13. The extent to which the youth has successfully accomplished any educational goals that were set up	4	3	2	1	0
(31) 14. The attitude of the youth towards the offense he (she) has committed	4	3	2	1	0
(32) 15. The youth's attitude toward the staff and other authority figures	4	3	2	1	0
(33) 16. The degree to which the youth is open and honest in dealing with problems	4	3	2	1	0
(34) 17. The extent to which the youth has matured and exhibited personal growth	4	3	2	1	0
(35) 18. The youth's behavior in the cottage	4	3	2	1	0

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	(4)	(3)	(2)	(1)	(0)
	<u>Very</u> <u>Important</u>	<u>Somewhat</u> <u>Important</u>	<u>Of Little</u> <u>Importance</u>	<u>Not</u> <u>Important</u> <u>at All</u>	<u>Information</u> <u>Not Available</u> <u>to Me</u>
(36) 19. The extent to which the youth has successfully accomplished personal goals that were set up for him(her)	4	3	2	1	0
(37) 20. The general condition of the youth's home environment					
(38) 21. The marital status of the youth's parents	4	3	2	1	0
(39) 22. The ability of the youth's parents to properly supervise the youth	4	3	2	1	0
(40) 23. The quality of emotional support received by the youth from his (her) family	4	3	2	1	0
(41) 24. The recommendation of the probation officer	4	3	2	1	0
(42) 25. The extent to which the youth has learned to accept responsibility for his (her) actions	4	3	2	1	0
(43) 26. The extent to which the youth has gained insight into his (her) behavior	4	3	2	1	0
(44) 27. The size of the community in which the juvenile's family resides	4	3	2	1	0
(45) 28. The community's attitude toward the juvenile and his or her offense	4	3	2	1	0
(46) 29. The availability (or unavailability) of acceptable community placements	4	3	2	1	0
(47) 30. The family's feelings about the youth staying at home	4	3	2	1	0

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	(4)	(3)	(2)	(1)	(0)
	<u>Very</u>	<u>Somewhat</u>	<u>Of Little</u>	<u>Not</u>	<u>Information</u>
	<u>Important</u>	<u>Important</u>	<u>Importance</u>	<u>Important</u>	<u>Not Available</u>
				<u>at All</u>	<u>to Me</u>

(48) 31. The fact that the youth has a job or school placement in the community

4 3 2 1 0

(49) 32. Recommendation of other members in the youth's treatment group

4 3 2 1 0

(50) 33. The juvenile's desire for a certain disposition or treatment plan

4 3 2 1 0

In the space below, please list any other factors considered in the diagnostic evaluation which were not listed above.

(51)

(52)

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PART III - CRITERIA USED BY COTTAGE STAFF IN MAKING PAROLE RECOMMENDATIONS

The following questions are designed to discern the criteria which are used by the staff at the cottage staffing in deciding to recommend whether a youth be paroled from the institution.

Accordingly, we would like you to rate the following factors in terms of the importance you place on them in making decisions about the disposition of cases. (Please answer in terms of the criteria you actually use to arrive at your decision, and not in terms of the criteria you think others in the institution might use or criteria you think the Department of Corrections would like you to use.)

PLEASE NOTE: If you play no role at all in making decisions about parole recommendations, please check the box below and do not answer the questions in Part III. Skip instead to Part IV.

I play no role in staffings related to parole recommendations.

(53)

Please rate the following factors in terms of the importance you place on them in making your recommendations. (Do not consult your answers to Part II when answering these questions.)

	(4) Very Important	(3) Somewhat Important	(2) Of Little Importance	(1) Not Important at All	(0) Information Not Available to Me
1. The sex of the juvenile	4	3	2	1	0
2. The age of the juvenile	4	3	2	1	0
3. The race of the juvenile	4	3	2	1	0
4. The occupation of the juvenile's parents	4	3	2	1	0
5. The seriousness of the offense committed by the youth	4	3	2	1	0
6. The number of court and institutional contacts prior to this commitment	4	3	2	1	0

(54)

(55)

(56)

(57)

(58)

(59)

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	(4) <u>Very Important</u>	(3) <u>Somewhat Important</u>	(2) <u>Of Little Importance</u>	(1) <u>Not Important at All</u>	(0) <u>Information Not Available to Me</u>	
(60)	7. The psychologist's report on the youth's personal adjustment problems	4	3	2	1	0
(61)	8. The psychologist's report on the youth's anti-social tendencies	4	3	2	1	0
(62)	9. The treatment recommendation of the psychologist	4	3	2	1	0
(63)	10. The youth's grades in school	4	3	2	1	0
(64)	11. The youth's behavior in school	4	3	2	1	0
(65)	12. The youth's school attendance record	4	3	2	1	0
(66)	13. The extent to which the youth has successfully accomplished any educational goals that were set up	4	3	2	1	0
(67)	14. The attitude of the youth towards the offense he (she) has committed	4	3	2	1	0
68	15. The youth's attitude toward the staff and other authority figures	4	3	2	1	0
9	16. The degree to which the youth is open and honest in dealing with problems	4	3	2	1	0
70	17. The extent to which the youth has matured and exhibited personal growth	4	3	2	1	0
(71)	18. The youth's behavior in the cottage	4	3	2	1	0

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	(4) <u>Very Important</u>	(3) <u>Somewhat Important</u>	(2) <u>Of Little Importance</u>	(1) <u>Not Important at All</u>	(0) <u>Information Not Available to Me</u>
<u>(72)</u> 19. The extent to which the youth has successfully accomplished personal goals that were set up for him(her)	4	3	2	1	0
<u>(73)</u> 20. The general condition of the youth's home environment	4	3	2	1	0
<u>(74)</u> 21. The marital status of the youth's parents	4	3	2	1	0
<u>(75)</u> 22. The ability of the youth's parents to properly supervise the youth	4	3	2	1	0
<u>(76)</u> 23. The quality of emotional support received by the youth from his (her) family	4	3	2	1	0
<u>(77)</u> 24. The recommendation of the probation officer	4	3	2	1	0
<u>(78)</u> 25. The extent to which the youth has learned to accept responsibility for his (her) actions	4	3	2	1	0
<u>(79)</u> 26. The extent to which the youth has gained insight into his (her) behavior	4	3	2	1	0
<u>(80)</u> 27. The size of the community in which the juvenile's family resides	4	3	2	1	0
Card 4 4 <u>(1)</u>					
<u>(2-7)</u>					
<u>(8)</u> 28. The community's attitude toward the juvenile and his or her offense	4	3	2	1	0

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	(4)	(3)	(2)	(1)	(0)
	<u>Very</u>	<u>Somewhat</u>	<u>Of Little</u>	<u>Not</u>	<u>Information</u>
	<u>Important</u>	<u>Important</u>	<u>Importance</u>	<u>Important</u>	<u>Not Available</u>
				<u>at All</u>	<u>to Me</u>

(9) 29. The availability (or un-availability) of acceptable community placements

4	3	2	1	0
---	---	---	---	---

(10) 30. The family's feelings about the youth staying at home

4	3	2	1	0
---	---	---	---	---

(11) 31. The fact that the youth has a job or school placement in the community

4	3	2	1	0
---	---	---	---	---

(12) 32. Recommendation of other members in the youth's treatment group

4	3	2	1	0
---	---	---	---	---

(13) 33. The juvenile's desire for a certain disposition or treatment plan

4	3	2	1	0
---	---	---	---	---

(14) In the space below, please list any other factors considered in the diagnostic evaluation which were not listed above.

(15)

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PART IV.

1. In your opinion, how much influence do each of the following groups or individuals have in making decisions about whether juveniles should be admitted to the treatment program of the institution. Please circle the number which corresponds to the different levels of importance. Circle only one number for each position.

	(4) A Great Deal of Influence	(3) About The Same As Anyone Else	(2) Only a Little Influence	(1) No Influence	(0) Not Applicable
(16) Administrative staff (e.g., director, superintendent, assistants, etc.	4	3	2	1	0
(17) Unit supervisors, program directors	4	3	2	1	0
(18) Cottage director or group leaders	4	3	2	1	0
(19) Caseworkers or social service counselors	4	3	2	1	0
(20) Probation officer	4	3	2	1	0
(21) Juvenile court judge	4	3	2	1	0
(22) Educational counselors or teachers	4	3	2	1	0
(23) Chaplain	4	3	2	1	0
(24) Psychologist	4	3	2	1	0
(25) Parents of juvenile	4	3	2	1	0
(26) Visitors from the community (county social workers, school personnel, friends, etc.)	4	3	2	1	0
(27) Juvenile	4	3	2	1	0
(28) Juvenile's treatment group	4	3	2	1	0
(29) Unit cottage counselors	4	3	2	1	0
(30) Other (Specify)	4	3	2	1	0

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(PART IV.)

2. In your opinion, how much influence do each of the following groups or individuals have in making decisions about whether juveniles should be granted parole.

	(4) A Great Deal of Influence	(3) About The Same As Anyone Else	(2) Only A Little Influence	(1) No Influence	(0) Not Applicable
(31) Administrative staff, (e.g., director, superintendent, assistants, etc.)	4	3	2	1	0
(32) Unit supervisors, program directors, etc.	4	3	2	1	0
(33) Cottage director or group leaders	4	3	2	1	0
(34) Caseworkers or social service counselors	4	3	2	1	0
(35) Probation officer	4	3	2	1	0
(36) Juvenile Court Judge	4	3	2	1	0
(37) Educational counselors or teachers	4	3	2	1	0
(38) Chaplain	4	3	2	1	0
(39) Psychologist	4	3	2	1	0
(40) Parents of juvenile	4	3	2	1	0
(41) Visitors from the community (county social workers, school personnel, friends, etc.)	4	3	2	1	0
(42) Juvenile	4	3	2	1	0
(43) Juvenile's treatment group	4	3	2	1	0
(44) Youself Cottage Counselors	4	3	2	1	0
(45) Other (Specify)	4	3	2	1	0

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(PART IV.)

3. Would you say that decisions concerning initial reviews (diagnostic evaluation) are, for the most part, determined (circle one):

(46)

- a) Prior to the staffing
- b) At the staffing
- c) At the Action Panel

4. Would you say that decisions concerning people are, for the most part, determined (circle one):

(47)

- a) Prior to the staffing
- b) At the staffing
- c) At the Action Panel

PART V.

There are several alternatives open to the staff in recommending a particular disposition for a juvenile. From the standpoint of most juveniles, some of these alternatives may seem more severe or harsh than others. Place the number 8 in the space to the left of the alternative listed below which you think would be seen by most juveniles as the harshest or most severe disposition. Place the number 7 in the space to the left of the alternative which juveniles are likely to perceive as second most severe, and so on, placing the number 1 in the space to the left of the alternative seen by juveniles as least severe.

_____ Probation to a foster home.

(48)

_____ Supervised probation, living at home.

(49)

_____ Unsupervised probation, living at home.

(50)

_____ Commitment to Thistledew Forestry Camp.

(51)

_____ Probation to a community group home, or children's home.

(52)

_____ Commitment to a hospital or treatment center (such as a drug treatment center).

(53)

_____ Commitment to a state juvenile institution (Lino Lakes, Sauk Centre, or Red Wing).

(54)

_____ Commitment to a county home school (such as Glen Lake or Totem Town).

(55)

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PART VI.

As you know, different individuals have different ideas of what the purpose of juvenile institutions should be. We are interested in what you think the purposes of this institution should be (regardless of what they actually are). Please put a 1 next to the statement that best describes what you think should be the main purpose of this institution. Put a 2 by the next statement, and put a 3 by the third statement best describing what you feel the institution's purposes should be. Just mark your first three choices.

_____ Our purpose should be to teach them good social habits.

(56)

_____ Our purpose should be to punish delinquents for the wrong things they did.

(57)

_____ Our purpose should be to train and educate them.

(58)

_____ Our purpose should be to change their social attitudes and values.

(59)

_____ Our purpose should be to help them gain an understanding of the kind of thing that got them into trouble.

(60)

_____ Our purpose should be to protect the home community for a period of time.

(61)

_____ Our purpose should be to teach obedience and respect for authority.

(62)

_____ Our purpose should be to help them learn how to get along better with other people.

(63)

_____ Our purpose should be to help them learn to adjust to life in the institution.

(64)

_____ Our purpose should be to help them learn to adjust to life in the community.

(65)

_____ Our purpose should be to deter other young people from getting into trouble.

(66)

_____ Our purpose should be to help juveniles grow and mature as human beings.

(67)

_____ Our purpose should be to protect juveniles from a poor environment at home.

(68)

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CARD 5

(1)

(2-7)

PART VII.

Thinking about delinquents in general -- that is, children who get in trouble and come to the attention of the authorities -- we would like to know how you feel about the following statements. There are no right or wrong answers. All we want to know is how you feel about the statement. If you strongly agree, circle "strongly agree"; if you agree, circle "agree"; and so forth.

(8)

1. Most juvenile delinquents are vicious and destructive and represent a growing threat to life and property.

strongly agree agree disagree strongly disagree

(9)

2. It is often better to put a juvenile in the institution even if a community placement is available and the juvenile poses no serious threat to others.

strongly agree agree disagree strongly disagree

(10)

3. Obedience and respect for authority are the most important virtues children should learn.

strongly agree agree disagree strongly disagree

(11)

4. Indian boys and girls are more likely to be delinquent than are whites.

strongly agree agree disagree strongly disagree

(12)

5. Most juvenile delinquents are sick people who need help.

strongly agree agree disagree strongly disagree

(13)

6. Juveniles who have not learned to respect authority are likely to get in trouble with the law.

strongly agree agree disagree strongly disagree

(14)

7. Whenever possible, a juvenile should be treated in the community rather than in the institution.

strongly agree agree disagree strongly disagree

(15)

8. A juvenile who is a follower and merely goes along with others in committing delinquent acts but does not instigate these acts himself (herself) does not have a serious delinquency problem.

strongly agree agree disagree strongly disagree

(16)

9. Most delinquents are just bad kids who use their unfavorable home situation as an excuse for their delinquent acts.

strongly agree agree disagree strongly disagree

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(17) 10. There is nothing in this institution which really deals effectively with juvenile delinquency.

strongly agree agree disagree strongly disagree

(18) 11. Society has no right to impose different standards on girls than they do on boys.

strongly agree agree disagree strongly disagree

(19) 12. Just because a judge has recommended that a juvenile be placed in this institution, it doesn't mean that there are no better placements in the community.

strongly agree agree disagree strongly disagree

(20) 13. Juvenile crime is usually a manifestation of deeper psychological conflicts.

strongly agree agree disagree strongly disagree

(21) 14. A good number of juveniles who come to this institution are more sophisticated in the techniques of delinquency when they leave.

strongly agree agree disagree strongly disagree

(22) 15. Younger delinquents are less responsible for their acts than older delinquents who have had more time to learn proper behavior.

strongly agree agree disagree strongly disagree

(23) 16. Youngsters who get into trouble have to suffer the consequences in order to learn that wrong living does not pay and can only lead to punishment and suffering.

strongly agree agree disagree strongly disagree

(24) 17. The trouble with delinquents is that they haven't learned to treat adults with respect and obedience.

strongly agree agree disagree strongly disagree

(25) 18. In general, girls have a greater need than boys to be supervised and protected from improper influences.

strongly agree agree disagree strongly disagree

(26) 19. One of the things a delinquent needs is a chance to express his feelings without being punished.

strongly agree agree disagree strongly disagree

(27) 20. There is little or no relationship between juvenile crime and psychological or emotional disorders.

strongly agree agree disagree strongly disagree

(28) 21. All in all, the judge usually knows what is best for juveniles, and it is foolish to go against his decision.

strongly agree agree disagree strongly disagree

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- (29) 22. We are putting too much faith in the psychological approach to delinquency.
strongly agree agree disagree strongly disagree
- (30) 23. Delinquents have to be punished if they are going to learn correct behavior.
strongly agree agree disagree strongly disagree
- (31) 24. Juvenile delinquency cannot be properly understood unless the delinquent's home situation is considered.
strongly agree agree disagree strongly disagree
- (32) 25. If a juvenile did not need to be kept in an institution, the judge would not have sent him (her) here in the first place.
strongly agree agree disagree strongly disagree
- (33) 26. On the whole, juvenile delinquents are not as much unfortunate and helpless victims of circumstances as some people think; they know right from wrong and can do better if they try.
strongly agree agree disagree strongly disagree
- (34) 27. There is no relationship between a juvenile's age and the likeliness of his or her involvement in juvenile delinquency.
strongly agree agree disagree strongly disagree
- (35) 28. Judges often make mistakes, so it is often necessary to go against their recommendations in making decisions about juveniles.
strongly agree agree disagree strongly disagree
- (36) 29. The chances that a delinquent will straighten out are very slight.
strongly agree agree disagree strongly disagree
- (37) 30. Delinquents must be held accountable for their actions regardless of the quality of the environment in which they live.
strongly agree agree disagree strongly disagree
- (38) 31. Society is going to have to be a lot tougher than it has been if it is going to cut down on delinquency.
strongly agree agree disagree strongly disagree
- (39) 32. Just because some juveniles feel sorry about their delinquent acts, it does not mean that they are not dangerous delinquents.
strongly agree agree disagree strongly disagree
- (40) 33. Most delinquents will respond to genuine friendship.
strongly agree agree disagree strongly disagree
- (41) 34. Most delinquents are rejected children who need help.
strongly agree agree disagree strongly disagree

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- (42) 35. A juvenile who acknowledges his guilt and feels remorse is likely to be less seriously delinquent than a juvenile who shows no remorse.
strongly agree agree disagree strongly disagree
- (43) 36. It would be difficult, if not impossible, to help the juvenile offender who refused to repent and confess his guilt.
strongly agree agree disagree strongly disagree
- (44) 37. Black and Indian juveniles are no more likely to be delinquent than are Whites.
strongly agree agree disagree strongly disagree
- (45) 38. Even if a juvenile doesn't plan or instigate criminal acts, the fact that he goes along with them is evidence of a serious delinquency problem.
strongly agree agree disagree strongly disagree
- (46) 39. Most cases of delinquency result from improper care and supervision at home.
strongly agree agree disagree strongly disagree
- (47) 40. Firmness will help delinquents learn right from wrong.
strongly agree agree disagree strongly disagree
- (48) 41. The likelihood that a boy or girl will become delinquent has nothing to do with their race.
strongly agree agree disagree strongly disagree
- (49) 42. Most of the juveniles who enter this institution leave as better and more responsible people.
strongly agree agree disagree strongly disagree
- (50) 43. Most juvenile delinquents are not able to make decisions even about every day living problems.
strongly agree agree disagree strongly disagree
- (51) 44. We can try, but it is difficult to understand the peculiar behavior of delinquents.
strongly agree agree disagree strongly disagree
- (52) 45. Sympathetic understanding is the key to helping delinquents.
strongly agree agree disagree strongly disagree
- (53) 46. Blacks are usually involved in more serious delinquencies than Whites.
strongly agree agree disagree strongly disagree
- (54) 47. Understanding may be important in helping delinquents, but what is really needed is strictness and firmness.
strongly agree agree disagree strongly disagree

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SPACE

- (55) 48. Compared to other ways of treating delinquents, this institution has a good program for helping delinquents.
- strongly agree agree disagree strongly disagree
- (56) 49. There is little or no relation between a youth's attitude towards authority figures and his or her involvement in delinquent activities.
- strongly agree agree disagree strongly disagree

PART VIII

Please rate the following factors in terms of the impression they convey about the quality and adequacy of a youth's social environment. Circle the number which corresponds to the appropriate description. Circle only one number per item.

	(4) Very Unacceptable Environment	(3) Unacceptable Environment	(2) Poor but Acceptable Environment	(1) Basically Adequate Environment	(0) Good Environment
(57) 1. There is one parent living at home	4	3	2	1	0
(58) 2. The child is not living with both natural parents	4	3	2	1	0
(59) 3. The child's parents (or step-parents) fight or quarrel frequently with each other	4	3	2	1	0
(60) 4. The child's parents (or step-parents) do not have a close affectionate relationship with each other	4	3	2	1	0
(61) 5. The child's parents (or step-parents) demand too much from the child	4	3	2	1	0
(62) 6. The child's parents (or step-parents) fail to properly control or supervise the child	4	3	2	1	0
(63) 7. The child does not get along well with his mother	4	3	2	1	0

DO NOT
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IN THIS
SPACE

	(4) Very Unacceptable Environment	(3) Unacceptable Environment	(2) Poor But Acceptable Environment	(1) Basically Adequate Environment	(0) Good Environment
(64) 8. The child does not get along well with his father	4	3	2	1	0
(65) 9. Child does not get along well with brothers and sisters	4	3	2	1	0
(66) 10. Child fails to receive emotional support from parents	4	3	2	1	0
(67) 11. The home is in poor physical condition	4	3	2	1	0
(68) 12. One or both of the parents have an alcohol problem	4	3	2	1	0

PART IX.

Please rate the following delinquent acts in terms of the impression they convey about the general attitude and behavior of the juvenile and the way he relates to others and adjusts to the institution. Circle the number which corresponds to the appropriate description of the juvenile's attitude and behavior. Circle only one number for each item.

	(4) Juvenile's Behavior or Attitude is Extremely Poor	(3) Juvenile's Behavior or Attitude is Very Poor	(2) Juvenile's Behavior or Attitude is Poor	(1) Juvenile's Behavior or Attitude is Fair or Acceptable	(0) Juvenile's Behavior or Attitude is Good
(69) 1. Juvenile does not cooperate in interviews with psychologist or caseworker	4	3	2	1	0
(70) 2. Juvenile does not cooperate with the cottage staff	4	3	2	1	0
(71) 3. Juvenile frequently picks on or fights with peers	4	3	2	1	0
(72) 4. Juvenile has run or has attempted to run	4	3	2	1	0
(73) 5. Juvenile neglects his (her) appearance	4	3	2	1	0

DO NOT
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SPACE

	(4) Juvenile's Behavior or Attitude is Extremely Poor	(3) Juvenile's Behavior or Attitude is Very Poor	(2) Juvenile's Behavior or Attitude is Poor	(1) Juvenile's Behavior or Attitude is Fair or Acceptable	(0) Juvenile's Behavior or Attitude is Good
<u>(74)</u> 6. Juvenile does not keep his (her) room neat or clean	4	3	2	1	0
<u>(75)</u> 7. Juvenile shows little or no remorse concerning his (her) delinquency	4	3	2	1	0
<u>(76)</u> 8. Juvenile fails to accept responsibility for his (her) actions	4	3	2	1	0
<u>(77)</u> 9. Juvenile lacks insight into his (her) behavior	4	3	2	1	0
<u>(78)</u> 10. Juvenile's profile on MMPI is invalid due to lack of cooperation or defensiveness	4	3	2	1	0

CARD 6

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(1)

PART X

Please rate the following delinquent acts in terms of their seriousness. For each offense, circle the number corresponding to the degree of seriousness. Circle only one number per item.

	(5) <u>Extremely Serious</u>	(4) <u>Very Serious</u>	(3) <u>Serious</u>	(2) <u>Not Very Serious</u>	(1) <u>Not Serious At All</u>
<u>(8)</u> Truancy	5	4	3	2	1
<u>(9)</u> Running Away	5	4	3	2	1
<u>(10)</u> Forcible Rape	5	4	3	2	1
<u>(11)</u> Curfew Violation	5	4	3	2	1
<u>(12)</u> Armed Robbery	5	4	3	2	1
<u>(13)</u> Burglary	5	4	3	2	1

DO NOT
WRITE
IN THIS
SPACE

(PART X)

	(5)	(4)	(3)	(2)	(1)
	<u>Extremely Serious</u>	<u>Very Serious</u>	<u>Serious</u>	<u>Not Very Serious</u>	<u>Not Serious At All</u>
<u>(14)</u> Shoplifting	5	4	3	2	1
<u>(15)</u> Drinking	5	4	3	2	1
<u>(16)</u> Using Marijuana	5	4	3	2	1
<u>(17)</u> Using Heroin	5	4	3	2	1
<u>(18)</u> Sniffing Glue	5	4	3	2	1
<u>(19)</u> Forging Checks	5	4	3	2	1
<u>(20)</u> Incurrigibility	5	4	3	2	1
<u>(21)</u> Murder	5	4	3	2	1
<u>(22)</u> Using LSD	5	4	3	2	1
<u>(23)</u> Disorderly Conduct	5	4	3	2	1
<u>(24)</u> Simple Assault	5	4	3	2	1
<u>(25)</u> Aggravated Assault	5	4	3	2	1
<u>(26)</u> Absenting from Home	5	4	3	2	1
<u>(27)</u> Vandalism	5	4	3	2	1
<u>(28)</u> Automobile Theft	5	4	3	2	1
<u>(29)</u> Arson	5	4	3	2	1

DO NOT
WRITE
IN THIS
SPACE

(PART X)

	(5)	(4)	(3)	(2)	(1)
	<u>Extremely Serious</u>	<u>Very Serious</u>	<u>Serious</u>	<u>Not Very Serious</u>	<u>Not Serious At All</u>
<u>(30)</u> Sexual Promiscuity	5	4	3	2	1
<u>(31)</u> Armed Robbery	5	4	3	2	1
<u>(32)</u> Purse Snatching	5	4	3	2	1
<u>(33)</u> Theft	5	4	3	2	1

PART XI

Please use the space below to make any comments you may have about the questionnaire or comments you would like to make about the decision-making process.

END

7 10/10/11