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# An Analysis of the Impact of Race, Socioeconomic Status and Gender on Juvenile Justice Case Processing in a Southeastern C-Level Metropolitan Area

Melanie Wynell Smith  
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AN ANALYSIS OF THE IMPACT OF RACE, SOCIOECONOMIC STATUS  
AND GENDER ON JUVENILE JUSTICE CASE PROCESSING IN A  
SOUTHEASTERN C-LEVEL METROPOLITAN AREA

by

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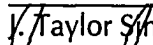
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DOCTOR OF PHILOSOPHY

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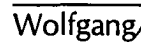
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## ABSTRACT

### AN ANALYSIS OF THE IMPACT OF RACE, SOCIOECONOMIC STATUS AND GENDER ON JUVENILE JUSTICE CASE PROCESSING IN A SOUTHEASTERN C-LEVEL METROPOLITAN AREA

Melanie Wynn Smith  
Old Dominion University, 1995  
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The goal of this research was to evaluate intake, adjudication and disposition of juvenile court cases to determine the extent to which outcomes are influenced by the race, socioeconomic status and gender of the referred youth. Three causal models were developed which incorporated the hypothesized relationships in both consensus and conflict paradigms. Zero-order correlations and path analysis were employed for quantitative analysis. Additionally, court services unit personnel were surveyed to determine the extent to which quantitative results were reasonable and reflective of their experience in the court system under study.

Path analysis and qualitative survey results indicate that the effect of legal variables, specifically prior record, offense, and last disposition, had the greatest impact on case processing. The more extensive the prior record and the more severe the offense and last disposition, the greater likelihood of formal processing at intake, being adjudicated delinquent and receiving a severe disposition. However, extra-legal variables did impact the processing of cases.

Socioeconomic (SES) status had the greatest effect of the extra-legal variables, with its effects being most evident at the intake and dispositional phases.

overwhelming majority of youths in the study were from families and communities with low SES. The impact of SES appears to be largely due to the service needs of the juveniles involved in the system, coupled with a lack of family resources to secure services outside the court system. The impact of race was most evident in the high percentage of minority youths referred to intake. Once in the system, minority youths were slightly more likely to be formally processed and receive more severe dispositions than their white counterparts. Finally, results indicate that gender has no significant impact on case processing.

Results of the research suggest there is a need for continuous monitoring of the policies involving case processing, coupled with training to heightening awareness and appreciation of cultural/racial differences. Future research should include a more in-depth synthesis of quantitative and qualitative techniques, focusing on the therapeutic purpose of the system and further operationalization of SES and offense.

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## **CHAPTER 1 - RESEARCH OBJECTIVES**

### **Problem Statement**

Federal Bureau of Investigation statistics indicate a nationwide increase of 25 percent in juvenile crime over the last decade. This increase holds true for all races, social classes and lifestyles (U.S. DOJ, 1994). In Virginia, the total number of juvenile arrests increased 4.2 percent between fiscal years 1987 and 1992; however, during the same period, the arrest rate for minority juveniles increased 25.8 percent. Because of a perceived inequality in the outcome of juvenile court cases, investigating the over-representation of minority youth in the juvenile justice system is now one of the Virginia Juvenile Justice and Delinquency Prevention Advisory Committee program priority areas. There is consensus that minority youths and, to a lesser extent, youths living in poverty, account for a higher proportion of children in state learning centers (commonly known as reform schools). The question is whether this over-representation is the result of differing patterns of criminal behavior or selection bias due to extra-legal factors.

The juvenile justice system was established with a treatment focus, as opposed to the punitive nature of the adult system, therefore, personnel have been afforded a greater deal of latitude with regard to case processing. Some researchers, (McCarthy & Smith, 1986; Krisberg et al., 1987; Joe, 1987;

Huiziga & Elliott, 1987; Tollett, 1990; Florida Supreme Court Racial and Ethnic Bias Study Commission, 1990; Sheldon & Chesney-Lind, 1993; Crutchfeld, et al., 1994), contend that this latitude allows selection bias to affect the processing of juvenile cases, resulting in differing treatment for youths based on such extra-legal factors as race, gender and/or socioeconomic status. Other researchers (Terry, 1967; Tielmann & Landry, 1981; Frazier & Bishop, 1985; Corley et al., 1989) argue that differing case outcomes cannot be attributed to extra-legal factors. Rather, differing outcomes result from differing patterns of criminal activity.

## **Purpose of the Study**

The goal of this research is to examine intake, adjudication and disposition of juvenile court cases to determine the extent to which outcomes are influenced by the race, socioeconomic status and gender of the referred youth. This goal will be accomplished by examining the impact these three variables, along with select control variables, have at the three decision points in the juvenile justice process. The research objectives are as follows:

1. To analyze the impact of race, above and beyond the influence of other variables under study, on the intake, adjudication and disposition of cases in a c-level metropolitan area.

2. To analyze the impact of socioeconomic status, above and beyond the influence of other variables under study, on the intake, adjudication and disposition of cases in a c-level metropolitan area.
3. To analyze the impact of gender, above and beyond the influence of other variables under study, on the intake, adjudication and disposition of cases in a c-level metropolitan area.

### **Significance of the Study**

As previously stated, the rate of juvenile crime is steadily increasing. Until a cure is found for the social ills that prompt juveniles to engage in delinquent behavior, it is imperative that there be an examination of our system of sanctioning offenders. This is necessary both to improve the juvenile justice system as a whole and to provide a practical solution to the problem of an exploding delinquent population. Of equal importance is an examination of the over-representation of certain juveniles at various stages within the system.

The reason some juveniles are over-represented in the juvenile justice system is a matter for debate. Whether the reason is differing patterns of criminal activity or selection bias, the implications are clear. Biases, be they

real or perceived, create disenchantment with and distrust of the justice system. This for some, results in a lack of respect for the law because of it's perceived unfairness. This is particularly damaging in a society such as ours where race relations are already strained. Such strained relations are most evident in urban areas, where high rates of violence and crime result in increased police presence. The majority of residents in urban areas are typically minority and/or low income persons. Therefore, these areas are most susceptible to the impact of the occurrence or perception of biases.

If, in fact, selection bias does exist, there is an immediate need to address the policies and organizational activities which foster such an environment. The present research seeks to address these issues by investigating the impact of extra-legal variables, above and beyond a juvenile's level of involvement in delinquent activity, and discussing policy implications based on the research results. The methodology for the present research is outlined below.

## **Methodology**

In order to examine the impact of the variables under study, three causal models will be developed based on information gathered through review of previous literature and research. Literature review suggests that research into this topic is based either on consensus or conflict theories. Consensus theories assume shared norms for appropriate and inappropriate

(criminal) behavior, while conflict theories assert that criminal law is merely a reflection of the interests of the most powerful groups. The expectation in the consensus model is similar outcomes for youths with similar offenses and offense histories, regardless of extra-legal variables. The expectation in the conflict model is harsher treatment for juveniles in less-powerful groups (minority, low-socioeconomic and female).

In the present research, path models will be developed for all youth referred to intake, adjudicated youth and dispositions. The models will be developed based on the following assumptions:

1. Race, SES, gender, age and family structure are exogenous variables;
2. Race, SES and family structure are intercorrelated;
3. Race, SES and gender have direct effects on intake, adjudication and disposition as well as indirect effects through referral type and race and gender of the intake worker and judge; and
4. Offense, number of prior adjudications and last disposition have a direct effect on intake and an indirect effect on adjudication and disposition through detention.

Both quantitative and qualitative analysis will be employed by the present research. Quantitative analysis will include basic descriptive statistics, zero-order correlations and path analysis for intake, adjudication

and disposition of cases. Qualitative analysis will involve surveying personnel in the juvenile court under study regarding the reasonableness of the quantitative research results based on respondents experiences in the system under study.

Path analysis will be employed to remove the influence of other variables in the equation to allow for examination of the unique effects of race, socioeconomic status and gender on juvenile justice decision making. The resulting path models will seek to determine the degree to which a juvenile's race, socioeconomic status (hereafter referred to as SES) and/or gender influences whether he/she (1) received formal versus informal processing at intake, (2) was adjudicated delinquent or not delinquent and (3) received a severe disposition.

## **Organization of Study**

The present research is organized as follows:

Chapter one has outlined the research framework, including the purpose, significance and methodology of the study as well as a definitions of relevant terminology.

Chapter two provides a review of relevant literature, encompassing theoretical paradigms, previous research, and methodological issues relevant to the study of juvenile justice.



Chapter three describes the research design. Included in it are operational definitions, the proposed organization and analysis of the data, and a description of the manner in which findings will be reported.

Chapter four contains a discussion of the research findings, and chapter five contains conclusions and theoretical, policy and research implications of the research results.

### **Definition of Terms**

Adjudication - A legal hearing at which guilt/innocence is determined. Being adjudicated delinquent is the equivalent of being found guilty in the adult criminal justice system.

C-level metropolitan area - A locality with a population between 100,000 and 249,999. A-level metropolitan areas have populations over one million; b-level areas have populations between 250,000 and 999,999; and d-level metropolitan areas have populations under 100,000.

Disposition - Legal sentencing for a youth that has been adjudicated delinquent. There are a wide range of dispositions that may be imposed, ranging from probation to community service to placement in a state learning facility.

**Diversion** - Referring a youth to a service/agency outside of the justice system such as mental health therapy, the department of social services or family counseling. The purpose of diversion is to address needs/problems of a youth and/or his family without involving the court.

**Learning Centers** - The juvenile justice equivalent of a jail or prison, commonly referred to as "reform schools". Juveniles who are adjudicated delinquent of serious, violent offenses are usually sent to learning centers.

**Status Offense** - An act that is considered illegal because of the age of the person committing the crime. Status offenses include such activities as breaking curfew, running away and not attending school.

## **CHAPTER 2 - LITERATURE REVIEW**

### **Overview**

A substantial body of literature has emerged on the subject of demographics and crime. For example, in studying the Florida system, Tollett (1990) found that black males were two and one-half times more likely than whites to be arrested, despite research indicating that there are no significant differences in the delinquency rates or types of offenses committed by the two groups. Tollett's research concluded that police make judgement calls on whether or not to formally charge a youth, and often times similarly situated youths are treated very differently. These research results are not limited to the Florida criminal justice system. Throughout the country, the imprisonment rate is four times higher for blacks than whites (Hagan, 1993) and a disproportionate number of minority, lower-class and female youths become officially delinquent (Cohen & Kleugel, 1979; Takagi, 1981; Barton, 1976).

Table 1, adapted from Pope & Feyerherm (1991), summarizes the methodology and results of various studies involving the impact of demographic variables on juvenile case processing. Much, research has been conducted regarding the effects of extra-legal variables, in particular,

**TABLE 1**  
**SELECTED RESEARCH FINDINGS**

	<u>STUDY</u>	<u>TIME PERIOD</u>	<u>DEPENDENT VARIABLE</u>	<u>TYPE OF ANALYSIS</u>	<u>SELECTION BIAS</u>
10	Bishop & Frazier 1988	1/79 - 12/81	Intake, detention adjudication, disposition	Logistic Regression	Yes
	Bortner & Reed 1985	1977	Detention, screening disposition	Log Linear	Yes
	Brown & Warner, 1992	1900	Arrests	Regression	Yes
	Bursik & Grasmik, 1993	1960 & 1980	Referrals	Cross-tabs	Yes
	Chein & Hudson 1981	1974-75	Length of confinement disposition decision	Chi square, ANOVA	No
	Carter 1979	unknown	Intake, adjudication, disposition	Discriminant Analysis	No
	Cohen & Kluegel 1978	1972	Detention	Log Linear	No
	Crutchfield, Bridges & Pitchford, 1994	1982	Imprisonment	Meta Alanysis	Mixed
	Fagan, Slaughter & Hartstone, 1987	1983	Police action, intake, adjudication, disposition	Chi square	Mixed

**TABLE 1**  
**SELECTED RESEARCH FINDINGS**  
 (cont'd)

	<u>STUDY</u>	<u>TIME PERIOD</u>	<u>DEPENDENT VARIABLE</u>	<u>TYPE OF ANALYSIS</u>	<u>SELECTION BIAS</u>
	Farnsworth, Thornberry Krohn & Litzotte, 1994	1988	Delinquent involvement	Pearson's r	yes
	Figueira-McDonough & Fina, 1979	1964-1970	Disposition, process duration	Multivariate scale analysis	Mixed
	Frazier & Bishop 1985	1979-81	Detention, disposition method, disposition severity	Regression	Mixed
	Frazier & Cochran 1986	1977-79	Intake, detention, disposition	Logit	Mixed
11	Henretta, Frazier & Bishop, 1986	1979-82	Disposition	Logit	Yes
	Hohenstein 1969	1960	Police Disposition	Predictive attribute analysis	No
	Huryn 1982	1977-79	Intake decision	Log linear Phi/Lambda	No
	Kowalski & Rickicki, 1982	1977-78	Disposition	Regression	No
	Lundman 1978	1973-75	Referral	Crosstabs/Predictive attribute analysis	Yes

**TABLE 1**  
**SELECTED RESEARCH FINDINGS**  
(cont'd)

12	<u>STUDY</u>	<u>TIME PERIOD</u>	<u>DEPENDENT VARIABLE</u>	<u>TYPE OF ANALYSIS</u>	<u>SELECTION BIAS</u>
	Lundman, Sykes & Clark, 1978	1970-72	Arrest	Observation	No
	McCarthy & Smith 1986	1982	Disposition	Path Analysis	Yes
	Mead 1973	1968-1970	Disposition, Recidivism	Log Linear	No
	Meyers, 1993	1880 - 1940	Incarceration rate	Correlation	Yes
	Nelson, 1994	1985-86	Disposition	Cross-tabs	yes
	Pawlak 1977	1966-68	Detention	% Difference	No
	Paternoster & Mazerolle, 1994	1985 & 1989	Delinquent Involvement	Regression	no
	Phillips & Dinitz 1982	1956-60	Disposition	Discriminant Function	No
	Poole & Regoli 1980	unknown	Disposition	Path Analysis	Yes
	Sampson & Laub 1993	1985	Intake, Detention Adjudication	Regression	Yes
	Shelden & Horvath 1987	1984	Referral	Crosstabs, Stepwise Regression	No

**TABLE 1**  
**SELECTED RESEARCH FINDINGS**  
(cont'd)

<u>STUDY</u>	<u>TIME PERIOD</u>	<u>DEPENDENT VARIABLE</u>	<u>TYPE OF ANALYSIS</u>	<u>SELECTION BIAS</u>
Taggart & Winn 1993	1984	Incarceration	Path Analysis	Mixed
Thornberry 1979	1955-1963	Disposition	Log Linear	Yes
Thomas & Cage 1977	1966-1973	Disposition	Cramer's V	Yes
Wordes, Bynum & Corley, 1994	1900	Detention	Correlation Logistic Regression	Yes

race, socioeconomic status and gender, on juvenile justice case processing. However, as indicated by the following literature review, the impact of these variables on the juvenile justice process is still far from clear.

Review of studies and research can be grouped into one of five categories: (1) research employing meta analysis; (2) research supporting the importance of legal variables; (3) research supporting the importance of demographic variables; (4) theoretical frameworks of the research; and (5) methodological issues. Each of these categories is discussed below.

Meta Analyses - Meta analysis studies involve surveying juvenile justice research in an effort to discern patterns in results which can be used to develop and strengthen the understanding of case processing. For example, in reviewing national research from the late 1960's to the early 1980's Krisberg, Schwartz, Fishman, Elsikovitz, Gutman and Joe (1985) found mixed conclusions relative to the importance of demographics on juvenile justice case processing. They found that some studies concluded that minority youths, as well as those in lower-economic status, are more harshly treated than their white counterparts. However, other studies reviewed by Krisberg et al. concluded that minority and lower-SES youths are more likely to be formally committed to state facilities because their crimes are of a more serious nature.

Pope and Feyerherm (1991) also analyzed several studies involving minority over-representation in juvenile justice. They reviewed 46 studies



focusing on juvenile justice selection bias and found that almost half (20 studies) did not conclude that selection bias was prevalent in juvenile justice case processing. Sixteen of the studies analyzed found statistically significant differences in case processing based on race, and the remaining 10 produced mixed results. Based on their analysis of the studies, Pope and Feyerherm found that research pointed to both direct and indirect cumulative effects of the impact of race on processing, resulting in minorities receiving more severe treatment. These effects were more likely to occur at intake and pre-adjudicatory detention than at adjudication and disposition. The authors also found that research results are not necessarily dependent on the methodology used. Twenty-five of the studies they reviewed involved the use of multivariate analysis and twenty-one used bi-variate analysis. Selection bias was reported in 32 percent of the multivariate analyses and 33 percent of the bi-variate analyses, no evidence of selection bias was found in 36 percent of the multivariate and 50 percent of the bivariate analyses, and mixed results were found in 32 percent of the multivariate and 17 percent of the bivariate analyses.

The aforementioned meta analyses surveyed a variety of research on the issue of juvenile justice selection bias. Despite the comprehensive reviews, the results of these analyses do not provide a clear understanding of factors that affect case processing. Research on the impact of both legal and extra-legal variables on the juvenile justice process is outlined below.

Legal Variables - While results of the aforementioned meta analyses found mixed results, research conducted by several authors (Thomas & Cage, 1977; Pawlak, 1977; Kawalski & Rickicki, 1982; Frazier & Bishop, 1985; Shelden & Harvath, 1987) has concluded that legal variables are the best determinants of case outcomes. Legal variables in this sense refer to such variables as the type and severity of the present offense, history of involvement with the court, detention prior to trial, and prior dispositions. For example, in 1985, Frazier and Bishop, analyzing the impact of pre-trial detention on case disposition, found no relationship between detention decisions and sociodemographic variables. Their findings suggested that detention was most strongly linked to current and prior offenses and the severity of past dispositions. These results support the notion that minority youths are more severely punished by the juvenile justice system because they are involved in more serious criminal offenses.

Similarly, Randall Shelden and John Harvath (1987) studied the effects of legal and extra-legal variables on intake decisions of 500 referrals to a Las Vegas juvenile court. Using multiple regression techniques they found that the number of charges was the best predictor of case outcome. Detention prior to the hearing, number of prior referrals and petitions and prior commitments were also statistically significant in the analysis. School status (attending or drop-out) and grades were also strongly correlated with outcome. However, youths who were dropouts and had below average

grades had more prior offenses and were referred for more serious crimes. Race, SES and gender were found to be only moderately correlated with case outcome. Edward Pawlak (1977) examined the impact of prior record, present offenses, gender and race on detention decisions made between 1966 and 1968 in 66 counties. Juveniles with prior court contacts and who were charged with status offenses were more likely to be detained, regardless of gender or sex. Likewise, Cohen and Kluegel (1979) examined both legal (offense, type and prior record) and extra-legal factors (race, SES, gender, family type) on case processing and found that offense type had the strongest direct and interaction effects on whether a case was treated formally or informally. Race, SES and family type had no significant direct or indirect effects on processing or subsequent handling. However, they did find that females were slightly more likely to be recommended for formal processing than their male counterparts with similar prior records and presenting offenses.

Gregory Kawalski and John Rickicki (1982) studied the impact of number of past offenses, present offenses, age, race and IQ on juvenile justice case dispositions. Employing multiple regression techniques, they found that the legal variables (past and present offenses) were more significant in predicting case outcome. Race was found to have a statistically significant simple correlation with disposition, but was not significant when controlling for the legal and other extra-legal factors. Age was found to be

statistically significant, but as found by Sheldon & Harvath (1987), older youths had longer, and often more serious, delinquent histories.

Thomas and Cage (1977) studied the impact of various legal and extra-legal variables on disposition. Their Cramer's V analysis found that disposition was best predicted by prior record, offense type, school status and the complaint source. While SES was one of the least effective predictors of disposition, lower SES juveniles were almost twice as likely than others to be committed. Similarly, while males and females were equally likely to be committed, males were three times more likely to receive suspended sentences. Black juveniles were slightly more likely to have their case dismissed, but were twice as likely to be committed. Legal variables were more closely linked to disposition decisions than social variables but social variables did appear to impact decisions when comparing youths with similar offense histories and presenting offenses.

While the preceding researchers found legal variables more predictive of case process and outcomes, other research (Poole & Regoli, 1980; Sarri, 1983; Corley et al., 1989; Liska, 1993; McGarrell, 1993; Hagan, 1994) suggests non-legal variables play an important part in the juvenile justice system..

Non-Legal Variables - As indicated by the research outlined below, research on the impact of non-legal variables on juvenile justice case processing has focused in large measure on race, SES, family structure,

gender, age and school performance. In a study of national youth surveys, Huizinga and Elliott (1987) also found that incarceration rates cannot be explained by the percentages of minorities participating in delinquent behavior. Their findings suggest that "statistically significant differences are found between different racial groups in the percentages of offenders arrested for index offenses" but not in the percentage who commit those offenses ( p.219). Based on self-reported criminal activity versus arrest rates, the researchers concluded that minority juveniles were more likely to be arrested for more serious offenses.

Fagan et al. (1987) studied the impact of race on juvenile justice processing in a b-level western metropolitan area. They found that, when controlling for legal and other extra-legal factors, minority youths consistently received harsher treatment. This was true at apprehension, intake, detention, adjudication and dispositional phases. This conclusion is also supported by research conducted by Bortner, Sunderland and Winn (1985), McGarrell (1993), the Florida Supreme Court Racial and Ethnic Bias Study Commission (1990). and Huzinga & Elliott (1987).

Bortner et al. (1985) studied intake, detention and disposition decisions of 32,000 juvenile court referrals over a five year period in a midwestern metropolitan area. At intake, blacks and males were more likely to be formally processed than whites and females (black, 44.5 percent; white, 30.6 percent; male, 35.0 percent; female, 29.6 percent). Blacks

received more severe dispositions than whites. McGarrell (1993) also studied intake, detention and disposition decisions. In surveying juvenile court cases in 159 counties in 17 states during the period between 1985 and 1989 he found that minority youths were more likely to be referred, detained, adjudicated and placed out-of-home than their white counterparts. In the Florida Commission study (1990), interviews with police, counselors, prosecutors, defense attorneys and judges revealed that a majority felt biases exist in the system and are perpetuated by the amount of discretionary decision-making afforded the practitioners. The Commission found that minority youths were more likely to be detained and less likely to be diverted from all phases of the Florida juvenile justice system, based on preconceived notions of juvenile justice practitioners, and often times because of an inability to obtain private services such as drug treatment.

Poole and Regoli (1980) also studied factors impacting dispositions in a southeastern state. Using a causal model analysis, they found that, while race and gender impacted the referral decision, SES was not a significant factor in the decision to pursue formal case processing. They found that, in order of importance, gender, offense type, race, age and SES were all statistically significant predictors of detention decisions. Surprisingly, the higher the SES the more severe the punishment.

With regard to gender bias in juvenile justice, Teilmann and Landry (1981) found no consistent bias with regard to gender, when controlling for

offense type and prior record. However, they did find that, when compared with self report rates, girls were arrested for status offenses more often than were boys. Similarly, Corley, Cernkovich and Giordano (1989) found that demographic characteristics have no effect on judicial dispositions. Their research tested the thesis that the juvenile justice system operates based on a sense of "chivalry" - protecting females to maintain structure in society.

Females are treated more harshly for offenses such as running away because of the type of trouble they can get into while away from home (e.g. engaging in sexual activity). While "chivalry" was not a factor in judicial decisions, they did find that it is important in family and social sanctions. Sarri (1983) suggests that at least part of the reason female juveniles receive more and more severe punishment in the juvenile justice system is the system's "failure to distinguish offenders from victims" (p. 382). She reports that females are often treated the same in cases in which they are the victims of sexual abuse as when they are punished for promiscuous behavior or prostitution.

Females and males reported similar rates of involvement in status, property, personal and drug offenses. However, females were consistently more likely to be formally processed through the juvenile justice system and received more severe sanctions. Research by Figueira-McDonough (1987) and Barton (1976) also support the notion of gender bias in the juvenile justice system.

Figueira-McDonough (1987) states that research using both self-report and official data find no significant differences between males and females

regarding involvement in status offenses. However, males were more likely to engage in criminal offenses. Barton (1976) reviewed studies of the impact of eleven legal and extra-legal variables on apprehension, intake decisions and case dispositions. His analysis of the data indicated that gender is the only extra-legal variable that had any statistically significant impact at any of the four system decision points. Girls were less likely to be apprehended than boys, but, when caught, were more likely to be formally processed and treated more punitively at each stage for similar offenses.

In studying gender and delinquency, Brubeck (1978) states that for males, there is a relationship between offense seriousness and punishment. This situation is not the case for females. Females have historically been more likely to be formally processed for status offenses (Bortner, Sunderland and Winn, 1985) with white females receiving harsher punishment than black females. Sarri (1983) postulates that regarding females, social roles and economic opportunity, "Crime is a manifestation of powerlessness to a substantial degree" (p. 395).

As evidenced by the aforementioned research results, research on the topic of extra-legal variables and crime has very mixed results. It has been suggested (Hindland, 1978; Tittle, Vilemez & Smith, 1978; Elliott & Ageton, 1980; Hagen, 1992; McCarthy & Smith, 1986; Frazier & Bishop, 1988; ) that differing outcomes in the study of demographics and crime can be, at least partially, attributed to the theoretical and methodological framework upon



which the research is based. The theoretical frameworks employed in this type of research focus on the characteristics and behavior of the juvenile justice system or the individuals involved in the system. Methodological issues include the point in the system at which research is focused, sources of data (official statistics or self report studies), and the level of aggregation and operationalization of variables. These issues are reviewed in the remainder of this chapter.

### **Theoretical Framework of This Study**

In analyzing the history of criminal justice theory, John Hagen (1989) indicates that most criminal justice research is based on either conflict or consensus theory. Scott and Zatz (1981) suggest that the critical difference between consensus and conflict theories is the impact of power on the definition of illegal behavior and the implementation of laws.

Consensus Theories - Consensus theories analyze crime and delinquency in terms of personality traits, motivation, association with peers, attachment to society and acceptance of societal norms. The less stable the aforementioned factors are in a juvenile's life, the more likely he will become delinquent. Within the consensus paradigm are theories such as social disorganization, differential opportunity, differential association, labeling theory and reaction-formation, all of which generally rely on official

crime report data (e.g. arrest rates and sentencing) as reliable measures of criminal activity. Social disorganization theory examines a wide variety of actors within a society that result in, or are a result of, social change and cause people to engage in illegal behaviors. Differential association and differential opportunity speak to the notion that people learn illegal behavior through others in their environment, and illegal behavior is used to obtain societal goals (e.g. wealth, status) that are not available to these populations through legitimate means. Labelling theory suggests that preconceived notions of persons in power influence the manner in which they deal with some youths and this, in turn, results in juvenile's behaving as they feel they are expected to. Reaction formation theory rests on the assumption that illegal behavior is merely a rejection of middle-class values, particularly as an explanation for juvenile delinquency.

*Social Disorganization* - Sociological research in juvenile delinquency began with Clifford Shaw and Henry McKay in the early 1920's (Cohen, 1983). Their social disorganization theory focused on "poverty, mobility and ethnic heterogeneity"; increases in these three factors weakened social bonds which resulted in higher rates of juvenile delinquency (Hagan, 1993; Liska, 1993). Shaw and McKay focused on an ecological basis of juvenile delinquency. Urban centers had higher delinquency rates, and these rates dissipated as one moves further from the central business district out to the suburbs and rural areas. Poverty, mobility and ethnic heterogeneity also

diminish as one moves further from urban areas. This, they postulated, was due to the disorganization created when urban/commercial areas expanded within cities, making them less desirable places to live. People with means moved further from commercial areas, leaving behind those who had less resources. What was left were areas in which people struggled for existence. The result was a loss of connection to society and societal norms. Hence, a perfect scenario for delinquent activities and behavior. Shaw and McKay felt that in such an environment delinquency was a normal response to the desire for inclusion, acceptance and recognition (Cohen, 1983; Liska, 1993).

Paternoster and Mazerolle (1994) expanded on Shaw and McKay's proposition, suggesting that measurement of strain should include such things as unsafe neighborhoods, vacant/run down buildings, level of unemployment, family dysfunction and relationships with adults and delinquent peers. They postulate that the more of these stressors juveniles encounter, the more susceptible they become to engaging in delinquent behaviors.

While Shaw and McKay's theory focused on control at the level of neighborhoods, Travis Hirschi's (1969) control theory was based at the individual level. Juvenile delinquency was seen as a result of an individual's lack of attachment to his/her neighborhood and societal norms. Hirschi suggested that children who have strong familial attachments are more likely to have respect for authority and, thereby, more respect for the law. These

familial attachments and respect for authority translate into adherence to societal norms, hence less likelihood of engaging in delinquent behaviors. Hirschi states that people who commit crimes have not accepted the notion of delayed gratification. Crime is the quickest means to their desired ends.

Several researchers (Johnstone, 1978; Duster, 1987; Bursik & Grasmik, 1993) can be found relative to Shaw and McKay's ecological perspective versus Hirschi's individual perspective. Johnstone (1978) used self-report data on delinquency, victimization and arrests in Chicago. He contend that in studying social class and delinquency there needs to be a move away from analysis of localities and focus on an individual's status compared to society at large. He states ecological theory "fails to take into account processes which may explain why some young persons within an area become delinquent while others do not..." (p. 51). Johnstone's research found that delinquency is better explained by family status than community status; being a "have not" in a community of "haves". This contention is supported by Troy Duster (1987) who states that "there is now a wealth of data that shows that *individuals* who experience unemployment are, in fact, more likely to have higher rates of crime" (p. 300) versus the notion that communities or groups of people with high unemployment have higher rates of crime. Both Myers (1987) and Bursik & Grasmik (1993) also studied individual versus ecological approaches to research on crime and delinquency. Myers states that

"by focusing exclusively on offender attributes [sex, race, age, SES], traditional work neglects the broader context of inequality that could condition the salience of these attributes. By focusing primarily on economic inequality, ecological analyses neglect the sentencing of individual offenders, who vary in behavior and in their position in the broader social structure" (p. 748).

Using regression analysis to study probation and prison sentencing data collected in Georgia between 1976 and 1982 Myers found "inequality tends to foster disproportionately harsher punishment of more dangerous and socially disadvantaged offenders" (p. 746). Myers' research found that the degree to which social or demographic variables impact imprisonment and length of incarceration is a function of the degree of inequality within a community. That is to say, demographic variables more strongly impact case outcomes in localities with minority, female and low-SES populations that are small percentages of the total population. Additionally, in localities with large minority populations and more income equality, whites, not blacks, were at more risk for incarceration and longer sentences.

In their analysis, Bursik and Grasmick (1993) found that "the level of aggregation used in an analysis of crime rates can dramatically affect the statistical patterns that emerge" (p. 268). They used regression techniques to analyze referrals for males to juvenile courts in Cook County Illinois in 1960 and 1980. Their findings support Shaw and McKay's theory that "the effect of economic deprivation on crime and delinquency is, in fact, an indirect one, mediated by the capacity of a neighborhood to solicit human and

economic resources from external institutional actors" (p. 281). Findings also suggested that the rate of delinquency was not significantly predicted by SES but was predicted by the level of economic deprivation as measured by percentage of families below poverty level, unemployment rate and rate of public assistance per 100 residents.

*Differential Opportunity* - During the late 19th century Emile Durkheim developed a philosophy based on the notion that crime results when a person or group of people do not have adequate means to provide for their needs. The result is frustration, anger and despair which lead to strained social bonds. This strain, which he termed anomie, among other things, leads to criminal subcultures. Durkheim's theory was based on the notion of a "collective conscience" of what is deemed socially acceptable. Behaviors are illegal only to the extent that they violate the collective conscience. Because society is composed of individuals, it is impossible to have a society in which everyone acts in the exact same manner. In this regard, deviance is inevitable and crime is an "expression of individual freedom and one of the prices to be paid for social change" (Mannheim, 1965, p. 53).

Building on Durkheim's theory of anomie, Robert Merton, asserted that criminal behavior results when people lack not only the means, but more importantly the opportunity, to legitimately meet their needs. He postulated that within any culture there are two social components, cultural

goals (what is defined as success within a society) and institutional means (socially acceptable means for achieving cultural goals). Merton suggests five types of "individual adaptation" within a class-oriented society that are used when a person's means are not adequate to obtain their goals : (1) conformity - accepting both societal goals and institutional means, with no discrepancy between goals and opportunity; (2) innovation - acceptance of goals, rejection of norms, and engage in whatever behavior will produce desired results; (3) ritualism - rejection of goals and acceptance of means, through abandonment of ambitious goals to fit available resources; (4) retreatism - rejection of both goals and means, resulting in withdrawal from society through the use of drugs, alcohol, etc; and (5) rebellion - rejection of both goals and means and substituting one's own. In Merton's theoretical framework, criminal activity is a means of "problem solving" (Cohen, 1983; Manneheim, 1965; McCaghy, 1976).

*Differential Association* - Cohen (1955) postulated that groups of people with no legitimate means for reaching their goals adopt innovative ways to address their needs. Because they act in a group they have reinforcement for their illegal behaviors. His writings focused on lower-class males who, he suggested, have the same goals as their middle-class counterparts. As with strain theory, Cohen states that these lower-class males do not have the same resources or opportunities as middle-class males. When they fail to meet societal goals they group together and form a

"subculture" that has its own standards of behavior. They create a situation in which they are less likely to fail.

Cloward and Ohlin's (1960) blocked opportunity theory hypothesizes that middle class juveniles do engage in delinquent behavior, but because the group norms are different than norms of criminal subcultures the behavior is less gratifying and therefore less likely to continue. Taking from Cohen, they postulated that middle-class children grow up in homes with norms of ambition, responsibility and postponed gratification. Children in delinquent subcultures grow up in environments that value the rewards of the middle class, but support behavior, legal or illegal, that will achieve those rewards. Delinquent behavior of lower-class youths is a "natural outcome" of the support received from the delinquent subculture within which they live. (Mannheim, p. 515). As expressed by Cohen (1983) "(t)he occurrence of deviant behavior and the form that it would take depend on the illegitimate opportunity structure: the opportunity to learn, to practice and to perform deviant and criminal codes" (p. 346).

Yet another differential association theory was postulated by Edwin Sutherland who felt that criminal behavior resulted from "cultural transmission". He postulated that people learn behaviors, both legal and illegal, from those in their immediate environment. "Frequency, duration, priority and intensity" of associations determine the extent to which one engages in and continues to be involved with criminal activity. (Cohen,



1983, p. 344). It also dictates the type of criminal activity in which one engages.

Simons and Gray (1989) tested differential opportunity/association theory on national data gathered on 2,500 youths. They found no significant differences on self-report measures of delinquency for the four groups (lower- and middle class whites and lower- and middle-class blacks). Contrary to Cloward and Ohlin's contentions, Simons and Gray found no perceived differences in opportunity among the four groups. They relate this, at least in part, to the fact that lower- and middle-class youths have different career ambitions; therefore, lower-class youths perceive no more barriers to achieving their goals than do middle-class youths with higher aspirations. They argue that the perceived fairness of the system is also an important factor in the choice to engage in delinquent behavior. They suggest that "lower-class youngsters are likely to respond to anticipated failure in a different fashion than middle-class young people" (p. 99) and that blacks have the added effects of racism. In support of this notion, they point to the fact that, lower-class whites did not score the same as lower-class blacks.

*Labeling Theory* - Labeling theory suggests that preconceived notions/prejudices on the part of the group in power leads to biases in the development and workings of social organizations. Coupled with a "self fulfilling prophecy", groups behave as they feel they are expected to and this increases the likelihood and severity of sanctions against the group with less

power. Cohen (1983) summarizes the labeling perspective as follows:

"The definitions of crime as infractions and of the criminal as lawbreaker are rejected in favor of the definition of the criminal as one who bears the label of 'criminal' and is publicly identified as criminal. It is then possible for persons who have violated no law to be criminals and for persons who have violated the law not to be criminals" (p. 347).

Within this theoretical context, it is not behavior, but how said behavior is defined by society and those within social control agencies that defines criminality. Therefore, people employed by social control agencies greatly impact who is ultimately considered delinquent. Research conducted by Sampson (1986) supports such a notion. His research found that class, race and associating with delinquent peers accounts for 30 to 37 percent of the variance in police intervention. Individual SES had no significant impact; however, community SES was strongly negatively associated with official police action. Sampson suggests that patterns of delinquency may be the same in lower- and middle- or upper-class SES communities but because of heightened police presence and biases of police officers in low SES areas, more delinquent activity is seen and, therefore, officially handled. This notion is supported by Conley (1994) who suggests that there often is more police surveillance in black and low SES communities.

*Reaction Formation* - While labeling theory postulates that people act in accordance with other's perceptions of them, reaction formation theory suggests that some persons purposefully act in ways that are seen as

mainstream. Social controls, particularly police saturation in minority and low SES communities, can result in resentment and resistance to domination. This resistance to domination, being in conflict with the values of juvenile justice personnel, impacts case processing (Guarino and Ghezze, 1994; Sampson and Laub, 1994). As summarized by Takagi (1981) "...for many people, particularly among oppressed minorities, there is a culture of resistance to domination by others" (Takagi, 1981, p. 63).

Martin (1970) suggests that the discretionary powers of juvenile justice personnel are influenced by their middle-class values and norms and these norms invariably reduce objectivity in case processing. Research by Cicourel (1968), Emerson (1969) and Luchterhand (1970) support this contention. Both Cicourel and Emerson found that social, non-legal factors such as demeanor and family composition are used by juvenile justice personnel to evaluate a youth and the treatment of that youth. Minority and low SES youth are more likely to come from broken homes and display what is termed attitudes less respectful of authority. As a result, they are more often formally processed through the system. Similarly, Luchterhand (1970) studied 1,525 self-report interviews with juveniles in six metropolitan areas in 1964. He compared their responses to records in the juvenile courts in the cities under study and found the overrepresentation of blacks in the system could not be explained by offense type or non-legal variables under study, other than race. While black youths in the sample presented with less

aggressive offenses than whites, they were more likely to come from broken homes and display attitudes that appeared to reject authority. Lutterhand suggests that the social norms displayed by these youths, which were in conflict with middle-class norms of the juvenile justice personnel, may partly explain their overrepresentation.

As previously noted consensus theories all share a common thread. As stated by Scott and Zatz, consensus theories are based on the notion of "universally accepted" societal norms and "universally condemned" violations of those norms. This is contrary to the theoretical underpinnings of the conflict paradigm.

Conflict Theories - Conflict theories postulate that social organizations, including the law, are used by persons in power to exploit those in society who do not have the means to control the production and distribution of goods. Traditional, Marxist control theory is based on the notion of social class, with those in power perpetually attempting to maintain control over limited resources. Neo-marxist theories also sees conflict as a permanent social phenomenon; however, these theories are not based on the marxist notion of social class, as defined by ability to control production and distribution. Neo-marxist theories suggest that social organizations seek to control those in society who are not considered part of the majority. Efforts

to control groups could be based on social class, gender, race, or any other factor that was perceived by a threat to those in power. As explained by Scott and Zatz (1981),

"Theorists of the conflict tradition assume that what is defined and sanctioned as criminal or deviant behavior is a function of interest group conflict. Groups with access to the resources necessary to have their interests translated into law not only define what constitutes deviant or criminal behavior but also determine who is to be punished for violations and the severity of the sanctions to be applied". (p. 246)

Theories in the conflict paradigm include the traditional conflict theory, as espoused by Marx and Engels, as well as neo-Marxist theories such as social control and interest theory.

*Traditional Conflict Theory* - Developed by Karl Marx and Friedrich Engels, traditional conflict theory proposes that in any society there are limited resources and, as a result, conflict erupts between various groups as they strive to further their own interests and acquire more and more resources. When one group gains power over the other it exerts what Marx and Engels term illegitimate use of power. Specifically "the courts, the police, and the army, as well as the legislative and administrative apparatus of the state, are used by the class in power to exploit other classes" (Duke, 1976, p. 25).

While social class is at the center of Marxist theory, Marx did not define class by income, occupation or status. Class was defined by Marx

based on the ability to control the means of production and distribution within a society. In other words, class status was defined by the degree of exploitation one experienced (McCaghy, 1976; Duke, 1976; Elster, 1986), and in a capitalistic society minority and lower-SES persons are more likely to lack control of production/distribution, thereby being more susceptible to exploitation.

Both Marx and Engels felt that within a society that functions on competition and exploitation of people, crime is an inevitable expression of protest against exploitation. As explained by Cohen (1983):

"The poor, since they have no property, do not respect property as do the bourgeoisie. Lacking both economic and political power and enjoying none of the fruits of the system, they feel little compunction about violating its laws...the poor sometimes express their alienation and rage by attacking their oppressors,...become coarse, brutish and violent and turn upon one another...[and] many hard-working parents will fail to realize their aspirations for themselves and their children, will become permanently or intermittently dependent, and will lose hope, pride, cohesion and harmony" (p. 350).

Within this type of environment, Marxist conflict theory views offenders as victims of a corrupt system. In this regard, it is the system, not those victimized by it, that needs changing (Mannheim, 1965).

Willem Bongers was the first author to "suggest a grand scale Marxian theory of crime" (McCaghy, 1976, p. 49). Bongers's theory supported the contention that, within most societies, individual worth is defined by economic success. His philosophy was based on several key points

including notions of what constitutes immoral behavior and crime change with changes in the societal structure and behaviors prohibited by the criminal laws are those harmful to the powerful. Also included in Bonger's philosophy was the notion that capitalism produces poverty which results in crime, as people struggle for basic necessities and are judged by their personal wealth. Bonger believed that people are, by nature, pleasure seeking and, within a capitalistic society, pleasure requires wealth. As postulated by Marx and Engels, because capitalism fosters competition and haves versus have-nots, people lose their allegiance to each other and engage in criminal activity to obtain wealth.

In studying minority over-representation in incarceration, Joe (1987) concluded that blacks are over-represented in incarceration because they are over-represented in poverty, which leads them to commit crime in an effort to "make up" the difference. Pretrial detention serves to prejudice a youth's case in that he or she is more likely to be prosecuted and subsequently sentenced to some form of out-of-home placement. This situation results in a longer official record which is held against the youth at future referrals. This condition is referred to as the "snowball" effect by the Florida Commission (1990) and as "bias amplification" by Sampson (1986). As stated by Sampson, "[b]y the time a juvenile is sentenced . . . he or she has been judged a delinquent at several stages - institutionalization is merely the final stage of a sanctioning process" (p. 876).

### *Social Control/Interest Theory - Social Control and Interest*

theories suggest that social organizations seek to control those in society who are not considered part of the majority. Efforts to control groups could be based on social class, gender, race, or any other factor that was perceived by a threat to those in power. Liska (1993) summarizes social control/interest theory as follows: "structure and functioning of social control bureaucracies reflect the interests of the powerful and that it is part of an overall strategy by them to manage the actions, events and people that threaten their interests" (p. 348). One such theory, Quinney's interest theory (Quinney, 1970), hypothesizes that all laws are reflective of the interests of a powerful group and power changes from group to group depending on the issue involved. "Legislation becomes a weapon in the inter-group and class struggles of a society" (Quinney, 1970, p. 612).

Another version of interest theory is the threat hypothesis proposed by Brown and Warner (1992). Their theory states that social control measures are heightened during times of social, political and/or economic conflict by the dominant group as a means of maintaining their interests. Studying arrest rates in the 50 largest U.S. cities in 1900 and 1950's, they found that, when controlling for number of police, population density, degree of housing segregation, region of the country and political climate, the higher the proportion of the non-american population relative to the total population, the higher the arrest rates. Based on their research, Brown and Warner



concluded that the city government, acting as an agent for the dominant groups within the cities, exerted social action in the form of police action as a means of controlling the immigrants, thereby protecting the interests of the dominant groups of the two time periods. Research conducted by Myers (1993) and Sampson & Laub (1993) supports these conclusions.

Myers studied the impact of race on incarceration rates in the rural south during the late 19th and early 20th centuries. She found that social control of both misdemeanors and felonies were affected by race. As the level of racial equality and the racial composition of an area increase, the rates of arrest and severity of sentencing decreased. Myers concluded that, during times of economic stability or prosperity, as blacks increased their number and position within a given community they were less likely to be incarcerated for felony or misdemeanor charges. Conversely, during times of economic despair, arrests and convictions for blacks were more frequent and more severe.

Sampson and Laub (1993) also studied the impact of social class on juvenile case processing. Their analysis of intake decisions, pre-dispositional detention and sentencing of juveniles in 200 U.S. counties during 1985 was based on the notion of "social threat". This notion stipulates that communities will react to (punish) juveniles differently depending on the degree to which the majority feels the group is a threat and the level of threat is based on the size of the "underclass" group relative to the population at

large. They found that race and poverty were statistically significantly related to increased likelihood of formal processing as well as severity of dispositions, particularly for pre-disposition detention and out-of-home placements.

### **Methodological Issues**

Hindelang (1978) suggests that results of research on the impact of demographics on crime can, at least in part, be skewed by the type of data used. He asserts that "studies that have relied upon official data have generally supported the differential involvement hypothesis, whereas studies relying on self-report techniques generally have supported the differential selection hypothesis" (p. 93). Using data from the 1976 National Survey of Victims of Crime - Racial Characteristics of Offenders, he found that over-representation of blacks in arrest and conviction rates are the result of proportionally more involvement in crime by blacks. Elliott and Ageton (1980) suggest that the difference between self-report and official measures of delinquency may be due to the type of offenses included in self-report studies. Typically, self-report surveys include minor offenses such as truancy and petit larceny, while excluding more serious offenses. Also, interview self-report studies may reduce the reliability of responses because juveniles are less likely to admit to serious crimes when posed questions directly.

Both Tittle, Villemez and Smith (1978) and Hagan (1992) suggest that self-report studies reflected lower associations between demographics and crime

In studying methodological shortcomings of previous research, McCarthy and Smith (1986) found that most prior studies had failed to view the juvenile justice process as a continuum, instead focusing on a single aspect, either pre-adjudication, adjudication or post-adjudication. They concluded that the further a youth progresses in the system, the more race and social class become important. Bishop and Frazier (1988) also found indirect, cumulative effects of race throughout the juvenile justice process. Their research concluded that males, older youths and blacks were significantly more likely to be formally processed and placed in out-of-home placements than were female, younger and white youths. At the adjudicatory phase of processing, their research found that blacks charged with minor offenses were treated more severely than were whites. However, this difference did not hold true for serious offenses. When controlling for legal and processing factors, their research found that being black resulted in an 11 percent increase in the likelihood of formal processing and a nine percent increase in likelihood of out-of-home placement or transfer of jurisdiction to criminal court. The authors also found that between the intake and adjudicatory phases, prosecutorial screening "evens out" the initial effect of race in that prosecutors override 18 percent of intake recommendations. This phenomena is why the authors note that "the

cumulative effect of differential treatment deserves special emphasis because small differences at individual stages can translate into sizeable incremental differences that place black youths at a substantial disadvantage relative to whites" (Bishop & Frazier, 1988, p. 258). This notion is supported by Fagen, Slaughter and Hartstone (1987) who suggest that there is a need to include control variables and examine each decision point, as well as the cumulative effects of non-legal variables.

### **Summary**

The preceding review of research, theory and methodology in the study of the effects of legal and extra-legal variables on case processing suggests that the theoretical frameworks employed in this type of research focus on the characteristics and behavior of the juvenile justice system (conflict theories) or the individuals involved in the system (consensus theories). As outlined in the preceding discussion, the conflict and consensus paradigms view the juvenile justice system from vastly different vantage points. For conflict theorists, juveniles involved in the system are victims of the system and the society it represents. To consensus theorists, juveniles involved in the court system are the victims of their own poor judgement and behavior.

Along with theoretical differences in the research of this issue are issues regarding methodology. Methodological issues include the use of self-

report or official crime statistics, the latter of which usually support the notion of differential involvement; focusing on a single point in the system, such as intake, versus viewing the system as a process; and the measurement of SES at the community or individual level. Regardless of the theoretical underpinnings or methodological framework used, results of research on this topic are mixed.

Due to the lack of consensus regarding the impact of variables in the processing of cases, further research is required. The following chapter outlines the present research, which is designed to analyze the interactions of both legal and extra-legal variables at various stages in the juvenile justice process.

## **CHAPTER 3 - METHODOLOGY**

### **Overview**

Previous literature has generally focused on one phase of the juvenile justice process (either intake, adjudication, detention or disposition), focused on a small set of variables, and used either quantitative or qualitative data analysis. The proposed research seeks to address these limitations in three ways. First, the research will analyze multiple decision points, thereby viewing the juvenile justice process as a continuum. This strategy allows for examination of different patterns of selection bias at different points in the process. Second, this research initiative will employ both quantitative and qualitative methods. This approach allows for an examination of secondary records as well as survey of personnel opinions and experiences relative to all factors that impact case outcomes. Finally, the present research will include control variables to account for the possibility that observed relationships between race, SES, gender and the decision points are due to other factors. The most commonly cited factors (juvenile's age, referral type, offense severity, prior record, prior disposition, family structure, decision maker's race and gender, and type of representation) will be included for analysis.

### **Research Design**

The goal of the research is to evaluate the impact of race, SES and gender, above and beyond the influence of other variables under study, on

the intake, adjudication and disposition of cases in a c-level metropolitan area. Figure 1 diagrams the hypothesized relationships if the present research was based purely on the consensus paradigm. As previously indicated, consensus theories assume shared norms for appropriate and inappropriate (criminal) behavior and, as such, laws serve to maintain the desires of the community (Scott & Zatz, 1981; Hagen, 1982; Sampson & Laub, 1993). Decision variables (intake, adjudication and disposition) are impacted by legal factors only, with extra-legal variables having no statistically significant effect. The hypotheses in this model are as follows:

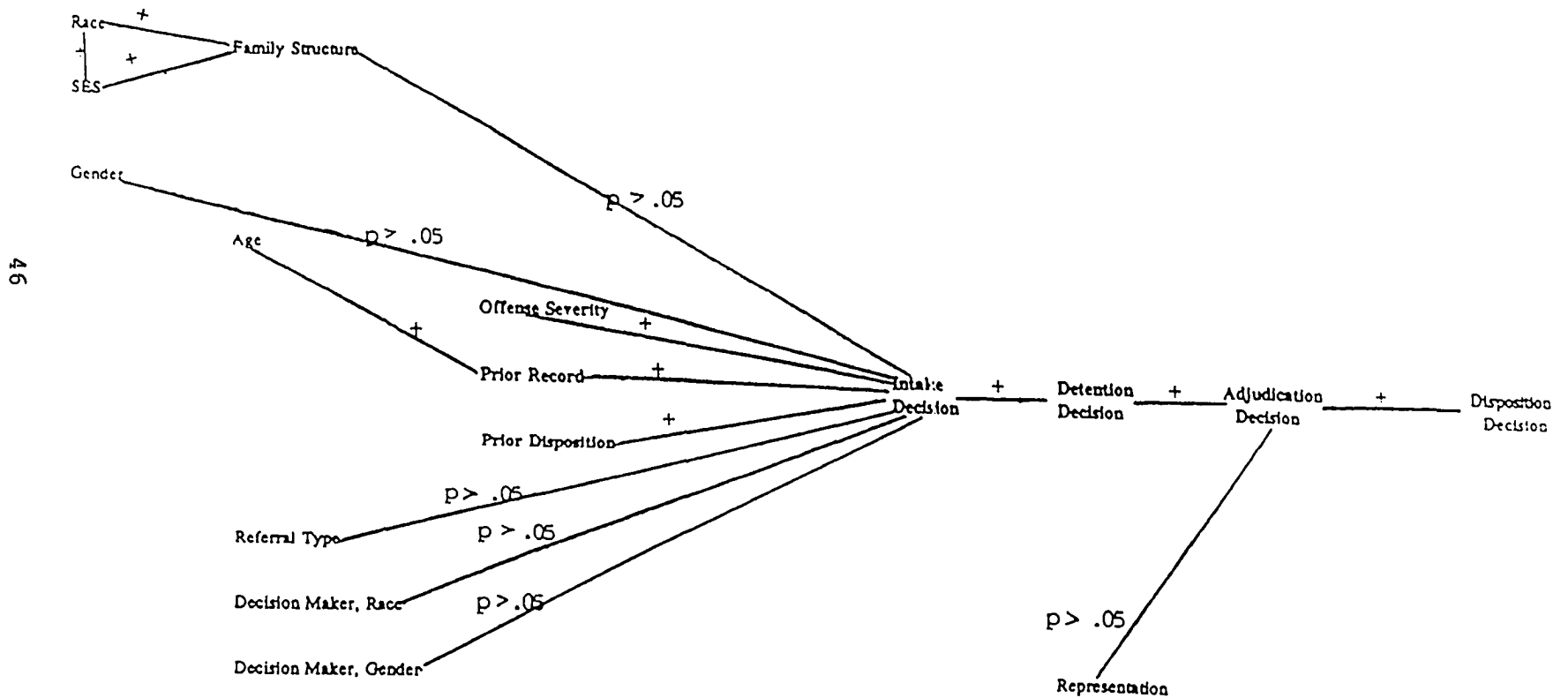
1) There are positive relationships between the legal variables (offense severity, prior record, and disposition) and intake;

(2) There are positive relationships between the legal variables and detention decision as well as the likelihood of being formally processed and adjudicated delinquent; and

(3) There are positive relationships between the legal variables, detention decision and disposition.

The expectation in this model is similar outcomes for youths with similar offenses and offense histories. The more severe the present offense, prior record and prior sanctions, the more likely a youth will be detained, adjudicated delinquent and receive a more severe disposition.

Figure 1  
Consensus Theory Model  
Relationships Between Independent, Control and Decision Variables



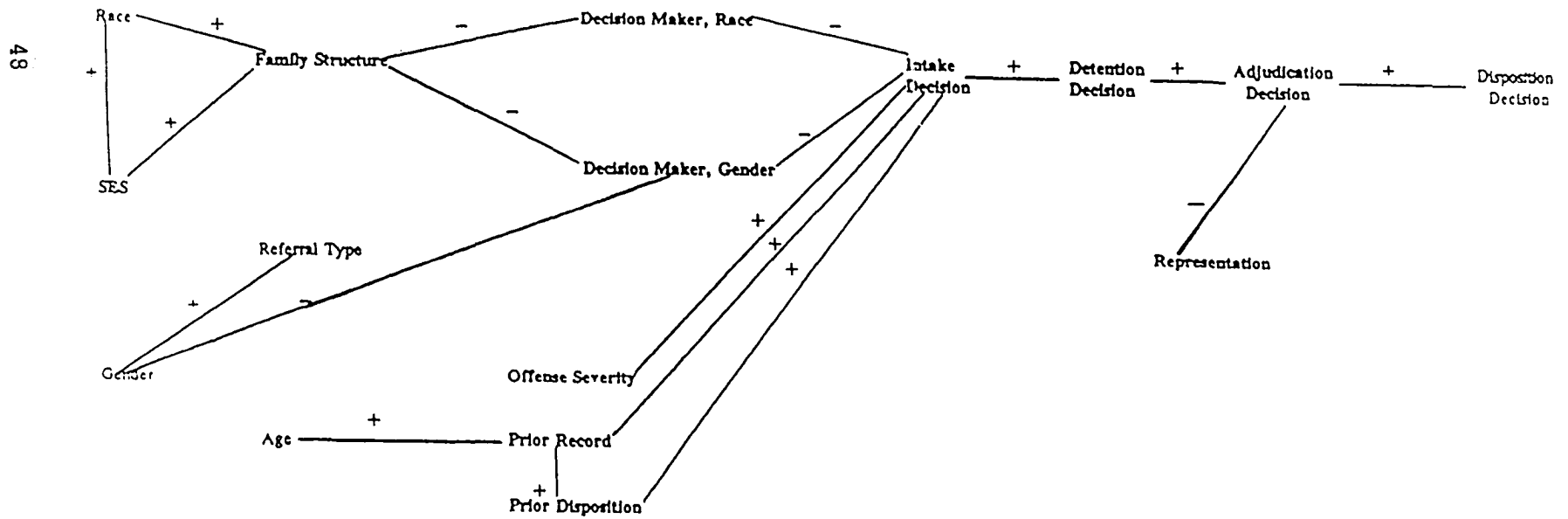


Conflict theories assert that criminal law is merely a reflection of the interests of the most powerful groups. Law is administered to maintain power and protect the interests of the powerful group, often at the expense of the less powerful (Hopkins, 1975; Scott & Zatz, 1981; Warr, Gibbs & Erickson, 1982). Figure 2 diagrams the hypothesized relationships if the present research was based purely on the conflict paradigm. Decision variables (intake, adjudication and disposition) are impacted not so much by legal factors, but by extra-legal factors that are contrary to the norms/interests of those in power. The hypotheses in this model are as follows:

- (1) There will be positive relationships between the independent variables (race, SES and gender) and intake;
- (2) There will be positive relationships between the independent variables and detention decision as well as the likelihood of being adjudicated delinquent; and
- (3) There will be positive relationships between the independent variables, detention decision and disposition.

This model presumes that interaction effects will be seen. Different effects will result from the decision maker's race and gender as well as the type of legal representation a juvenile retains. Decision makers of different races and genders will treat youths differently and some youths will be able to afford private counsel while others will not. As a result of these biases, minority, low socioeconomic status and female youths are more likely to

Figure 2  
Conflict Theory Model  
Relationships Between Independent, Control and Decision Variables



have more severe prior records and dispositions, which will also impact case processing. This situation is what the Florida Commission (1990) refers to as the "snowball effect". The expectation in this model is harsher treatment for juveniles in less-powerful groups. Minority, low-socioeconomic and female youths will be more likely to be formally processed at intake, detained, adjudicated delinquent and receive more severe disposition than white, upper-income, male youths with similar presenting offenses, prior records and prior dispositions.

It should be noted that in both models there is an expectation of positive relationships between race, socioeconomic status and family structure. This expectation is based on the plethora of research indicating that minority youths are less likely to be in two-parent homes and minority and single-parent, female-headed households have lower median incomes. This condition is not a factor in the consensus theory model, however, it is very important in the conflict model, as these groups are not traditionally thought to have power and/or influence in public policy and law making. Also, there is an expectation in both models that a positive relationship between age and prior record will exist since older youths have the opportunity for a more lengthy delinquent history. The positive correlation between gender and referral type is attributable to what Corley et al. (1981) refer to as "chivalry".

In order to examine the impact of the variables under study three

causal models were developed which incorporated the hypothesized relationships in both the consensus and conflict models. A path model was developed for all youth referred to intake, adjudicated youth and dispositions. The models were developed based on the following assumptions:

1. Race, SES, gender, age and family structure are exogenous variables;
2. Race, SES and family structure are intercorrelated;
3. Race, SES and gender have direct effects on intake, adjudication and disposition as well as indirect effects through referral type and race and gender of the intake worker and judge; and
4. Offense, number of prior adjudications and last disposition have a direct effect on intake and an indirect effect on adjudication and disposition through detention.

### **Data Collection**

Data will be obtained from case file records at the Newport News Court Services Unit. A random sample of 470 cases will be drawn for the study. This represents 20 percent of the juvenile status, misdemeanor and felony offense referrals for the area during 1993. Case file information will

be gathered from the court services unit's computerized intake log and case tracking system. Information not found in the computerized files will be collected from the court files maintained at the court services unit.

Statistical analysis will expand on the data analysis conducted by McCarthy and Smith (1987) which was conducted in a b-level metropolitan area in the southwest. The McCarthy and Smith research examined social class, race, gender and several legal variables. No control variables were used in their analysis. The preceding literature review has presented evidence that numerous variables impact the relationships between the race, SES and gender and legal variables. Hence, a selection of the key variables will be included in this research study.

Appendix A provides the data collection instrument to be used to collect the quantitative data for the present analysis. The variables to be incorporated in this study include the following:

Independent Variables

juvenile's race

0 - white

1 = non white

juvenile's gender

0 = male

1 = female

community SES

based on median income for zip code

family SES  
family income rounded to nearest \$1,000

Dependent Variables

intake decision

0 = resolved at intake

1 = formal processing

adjudication

0 = not adjudicated delinquent

1 = adjudicated delinquent

disposition

0 = no sanctions

1 = suspended sentence

2 = community service

3 = restitution

4 = probation

5 = electronic monitoring/outreach

6 = therapeutic, in-home

7 = therapeutic, out-of-home

8 = commitment to DYFS

9 = transfer to adult system

It is anticipated that some variables may obscure the relationships between the independent and dependent variables, hence the need to control for those possible rival explanations. This will be accomplished by including those variables in the analysis to determine their impact on the observed relationships. Based on past research (Emerson, 1969; Johnstone, 1978; Bursik & Grasmik, 1993; Guarino & Ghezze, 1994), the following variables have been found to have an impact on the juvenile justice process and will be included in the present research as control variables.

## Control Variables

juvenile's age

age in years

referral type

1 = police    2 = school    3 = agency

4 = victim    5 = family    6 = other

offense severity

1 = status/CHINS

2 = violation of probation

3 = misdemeanor - property

4 = misdemeanor - drug

5 = misdemeanor - person

6 = felony - property

7 = felony - drug

8 = felony - person

prior record

number of prior adjudications (used as opposed to number of intakes  
because a judge would have determined the validity of the petitions)

last disposition

0 = no sanctions

1 = suspended sentence

2 = community service

3 = restitution

4 = probation

5 = electronic monitoring/outreach

6 = therapeutic, in-home

7 = therapeutic, out-of-home

8 = commitment to DYFS

9 = transfer to adult system

family structure

1 = foster care

2 = guardian

3 = other relative

4 = one parent

5 = two parents

detention decision

1 = not detained

2 = time of intake  
3 = parent/child refused to return home  
4 = danger to self  
5 = danger to others  
6 = failed to appear in past  
7 = failed to comply in past  
8 = abscond/threat to abscond  
9 = fugitive

decision maker race

0 = white  
1 = non-white

decision maker gender

0 = male  
1 = female

representation

0 = waived  
1 = court appointed attorney  
2 = private counsel

Along with quantitative data, qualitative data will be collected through survey of personnel in the juvenile justice system under study. The purpose of the qualitative analysis is to determine the extent to which personnel find the quantitative results reasonable based on their experiences in the court services unit. Surveys will be distributed to all 44 court services unit personnel during their monthly staff meeting. The researcher will provide a brief overview of the research and results of the quantitative analysis. Staff will be asked to complete the survey (see Appendix B) and return it to the researcher.



## **Data Analysis**

Both quantitative and qualitative data will be analyzed in this research study. Several researchers suggest a research approach which combines quantitative and qualitative techniques reduces the bias that may be inherent in employing a single approach while allowing for better interpretation of the meanings of the relationships under study (Denzin & Lincoln, 1994; Yin, 1989; Pope & Feyerherm, 1991; Nelson, 1994).

Quantitative Analysis - The first phase of quantitative analysis will involve generating basic descriptive statistics of the youths in the sample. Percentages presented at intake, adjudicated delinquent and receiving various dispositions will be examined by race, SES, gender, family and referral type, presenting offense, number of prior offenses and last disposition received. Next, zero-order correlations will be generated.

Finally, SPSS LISREL will be used to generate path coefficients for the three research models. McCarthy and Smith indicate that path analysis is preferred over most other forms of statistical analysis because "this approach permits the examination of the possibly distinct influences of discriminatory factors at different stages of the juvenile justice process while at the same time considering differences in the pool of offenders received at each stage" (p. 49). The effects of the variables under study may appear at one decision point and not at another, or in varying degrees at each decision point (Crutchfield et al., 1994). Path analysis allows for analysis of the direct and

indirect effects at each decision point.

All predicted relationships will be evaluated for statistical significance at the  $p \leq .05$  level, showing with 95 percent confidence that results represent a genuine association and are not the result of sampling error only.

Qualitative Analysis - Results of the survey of court services unit personnel will be analyzed on two levels. First, responses will be evaluated to determine the extent to which staff feel the quantitative results are representative of case processing in the system under study. This, along with comparison of the sample to the total intakes during the year, will allow for a more meaningful interpretation of the quantitative results (Denzin & Lincoln, 1994). Second, the survey results will be analyzed in terms of the respondents experiences as to whether the variables under study (in particular, race, SES and/or gender) impact case processing and, if so, at which point in the system the impact is most and least likely to occur.

### **Research Limitations**

Additional variables have proven to impact on juvenile justice outcomes as well, namely juvenile's dress, attitude and demeanor. Organizational factors such as caseloads, fiscal restraints and changes in legislation have also been found to impact case outcomes (Pope & Feyerherm, 1991). Inclusion of these variables in the present research is not possible, as such information is not collected in case files. However, the

impact of these and other variables not included in the study will be investigated through the qualitative survey. Those persons surveyed will be asked to comment on the results of the quantitative analysis, as well as provide insight into the less quantifiable day-to-day operations of the juvenile justice system that impact case outcomes.

Additionally, measurement of SES has been found to affect research results (Hindlang, 1978; Tittle et al., 1978; Hagan, 1992). The present research will use both median income for the zip code in which the juvenile resides and family income as measures of SES. Median income for zip code is the only objective measure of social class collected at intake. Comparisons will be made with actual income, when available, for all juveniles that progress beyond the intake phase. This procedure will allow for investigation of the effect of both community (median income for zip code) and individual (family income) SES.

## **Summary**

The preceding discussion outlined the methodology for the proposed research study. The research will employ both quantitative and qualitative techniques to analyze multiple decision points in the juvenile justice process. This approach will involve examination of secondary records as well as survey of personnel opinions and experiences relative to all factors that impact case outcomes. The descriptive statistics, zero-order

correlations, path analysis and survey results generated for the study will be reported in Chapter 4.

## CHAPTER 4 - FINDINGS AND INTERPRETATIONS

Listed below are results from the data collected for the present analysis. Descriptive statistics, correlations and path coefficients are reported for all youth presented at intake, those adjudicated delinquent, and those receiving the range of dispositions. Following the presentation of quantitative data analysis results, qualitative survey results will be examined.

Descriptive Statistics - Appendix B provides descriptive statistics for the 470 intakes evaluated in the study. Two hundred seventy-two cases (58 percent) were formally processed at intake and 187 cases (40 percent) were adjudicated delinquent. Forty percent of the referred youths were white and sixty percent of the referred youths were non-white. Over two-thirds (69 percent) of youths presented at intake were males and the median age at intake was 14. Sixty-one percent lived in one-parent households, 26 percent lived in two-parent households, and 13 percent lived with other relatives, a guardian or in foster care. Half of the youths presented at intake lived in communities with a median income of less than \$40,000; two-thirds had family incomes of less than \$20,000 and another 20 percent had family incomes between \$20,000 and \$30,000. (Note: Family income is collected only when the court orders a complete social history for a case and was

available for only 128 cases).

The majority of youths (53 percent) were referred for misdemeanor offenses. Twenty-four percent were referred for status offenses, 12 percent for parole violations and 11 percent for felony offenses. Sixty-six percent of referred youths had no prior delinquent adjudications. Four percent had been adjudicated delinquent eight to nine times.

*Processing by Race, SES and Gender* - Two-thirds of both white and non-white youths were formally processed at intake, as were 59 percent of males and 62 percent of females. Sixty-nine percent of both white and non-white youths who were formally processed were adjudicated delinquent, as were 69 percent of both males and females.

Formal case processing by community SES ranged from 45 percent in communities with median incomes between \$30,000 and \$40,000 to a high of 66 percent (four of six) for youths from communities with median incomes greater than \$50,000. For family SES, the referral rate ranged from a low of 40 percent for youths with family incomes between \$30,000 and \$40,000 to a high of 75 percent for youths with family incomes above \$50,000. At adjudication, youths with community SES between \$30,000 and \$39,999 were slightly less likely to be adjudicated delinquent than youths with either higher or lower community SES. All five youths with community SES greater than \$40,000 were adjudicated delinquent. Youths with family SES between \$30,000 and \$39,999 were also less likely to be adjudicated delinquent than

youths with higher or lower family SES. Eighty-two percent of youths with family SES less than \$10,000 were adjudicated delinquent, as were 75 percent (three of four) of youths with family SES greater than \$40,000.

*Processing by Legal Variables* - Regarding legal variables, youths referred by police or school/agency were most likely to be formally processed (81 percent for police referrals and 83 percent for school/agency referrals). Approximately half (49 percent) of the youth referred by either the family or victim were formally processed. Probation violations and felony offenses were most likely to be formally processed (89 percent for each). Thirty-two percent of status offenders were formally processed as were 60 percent of misdemeanants. Forty-six percent of youth with no prior offenses were formally processed; 85 percent of those with one to four "priors" and 94 percent of those with five to nine "priors" were formally processed.

At adjudication, 58 percent of youths with no "priors" were adjudicated delinquent. Seventy-six percent of youths with one to four "priors" were adjudicated delinquent and 89 percent with five to nine "priors" were adjudicated delinquent. Youths referred for probation violations were most often adjudicated delinquent (92 percent), followed by status offenders and felons (70 percent for both) and misdemeanants (61 percent).

Most youths who were adjudicated delinquent received some form of

therapeutic intervention, either in their home or in a residential treatment facility. This was the case for 44 percent of whites, 41 percent of non-whites, 40 percent males, 45 percent females, 48 percent of status offenders, 42 percent of probation violators, 46 percent of misdemeanants and 27 percent of felons.

In sum, descriptive statistics indicate little variability in processing at any stage based on race, SES or gender. While non-white youths were slightly more likely to be presented at intake, they were formally processed, adjudicated delinquent and sentenced at rates comparable to white youths. Being referred by policy or a social agency (social services, school, probation officer) and having several prior delinquent adjudications appeared to increase the risk of processing at each phase.

Zero-Order Correlations - As Table 2 indicates, the largest zero-order correlates of intake, adjudication and disposition were legal variables. Intake was most highly correlated with present offense ( $r = .2543$ ), prior record ( $r = .3400$ ) and last disposition ( $r = .3852$ ). Adjudication was most highly correlated with prior record ( $r = .2456$ ) and last disposition ( $r = .2428$ ). Disposition was most highly correlated with prior record ( $r = .3135$ ), last disposition ( $r = .3178$ ) and detention ( $r = .2440$ ). All relationships were significant at  $p < .01$ . Youths with more serious offenses were more likely to receive formal case processing. Youths with more lengthy offense histories and more restrictive prior dispositions were more likely to be



formally processed, adjudicated delinquent and receive more restrictive dispositions. Additionally, youths who were detained were more likely to receive more restrictive dispositions. These results are consistent with the consensus theories. Also in support of conflict theory, females were more likely than males to be formally processed ( $r = .030$ ), adjudicated delinquent ( $r = .001$ ) and receive more harsh dispositions ( $r = .037$ ). While these relationships lend support to conflict theory it is important to note that all

**Table 2**  
**Zero-Order Correlations for Dependent Variables**  
**with Independent and Control Variables**

Independent Variables		Intake	Adjudication	Disposition
	Race	-.0055	.0007	-.0261
	Community SES	.0278	-.0289	-.0454
	Family SES	.0764	-.1447	-.1810
	Gender	.0299	.0015	.0370
Control Variables				
	Family Structure	-.0744	.0006	-.0252
	Age	.0029	.0358	.0314
	Referral Type	.0894	.0032	.0475
	Offense	.2543**	-.1017	-.0598
	Prior Record	.3400**	.2456**	.3135**
	Last Disposition	.3852**	.2425**	.3178**
	Intake Worker's Race	-.0037	-.0007	-.0372
	Intake Worker's Gender	-.0586	.0823	.0423
	Detained	.4212**	.1129	.2440**
	Representation	.0013	.0610	.0376
	Judge's Race	.0459	.0515	-.0135
	Judge's Gender	.0459	.0151	-.0315

\*  $p \leq .05$

\*\*  $p \leq .01$

correlations are small in magnitude and were not statistically significant at  $p < .05$  level.

Contrary to the premise of conflict theories, white youths ( $r = -.01$ ) and youths with higher SES ( $r = .05, .08$ ) were slightly more likely to be formally processed and receive more severe dispositions. However, lower SES youths were more likely to be adjudicated delinquent ( $r = -.03, -.15$ ) and receive harsher dispositions ( $r = -.05, -.08$ ). It is important to note that using zero-order correlations, race, SES and gender showed no statistically significant relationship with any stage of case processing. This was also the case for the extra-legal control variables (family structure, age, referral type, intake worker's race and gender, and judge's race and gender).

While only legal variables were statistically significantly correlated with intake, adjudication and disposition, Table 3 indicates that some legal variables were significantly correlated with extra-legal variables. Family structure was statistically significantly correlated with prior record ( $r = -.1343$ ), prior disposition ( $r = -.1281$ ) and detention ( $r = -.1561$ ). Referral type was statistically significantly correlated with prior disposition ( $r = -.0982$ ). These correlations suggest that youths not in a two parent home had more extensive prior records, more severe last dispositions and were more likely to be detained if formally processed at intake. Youths referred by family were more likely to be charged with status offenses, while youth referred by police were more likely to be charged with more serious offenses. These correlations point to indirect effects of the extra-legal variables, which were investigated by path analysis.

**Table 3**  
**Zero-Order Correlations, Means and Standard Deviations for the Variables Under Study**

	X1	X2a	X2b	X3	X4	X5	X6	X7	X8	X9	X10	X11	X12	X13	X14	X15	X16	X17	Mean	Std. Dev.
X1																			1.6617	.4736
X2a	-.34**																		3.2426	.8765
X2b	-.29**	.23**																	2.1563	1.2195
X3	.01	.03	-.06																4.0469	.8307
X4	-.09	-.06	.27**	-.01															14.8532	2.0634
X5	.01	.06	-.12	-.04	-.11*														1.3149	.4650
X6	.06	.02	-.08	.01	-.02	.04													2.6979	1.6437
X7	.04	-.07	-.01	.02	.04	-.02	-.28**												3.3830	2.0006
X8	-.01	-.03	-.03	-.13**	.04	-.01	-.09	.00											1.2000	2.2074
X9	-.00	-.06	.00	-.13**	.01	.05	-.10*	-.00	.73**										1.7426	2.6364
X10	-.02	-.06	-.01	-.04	.02	-.03	.00	.00	.00	.06									1.3383	.4736
X11	.03	.05	.08	.08	.02	.00	-.04	.00	-.01	-.03	-.47**								1.3021	.4597
X12	-.01	.03	.08	-.07	.00	.03	-.09	.25**	.34**	.39**	-.00	-.06							1.6000	.4904
X13	-.07	.03	.06	-.16**	.05	.03	-.06	.04	.43**	.42**	.00	-.04	.42**						2.1979	2.2624
X14	-.03	-.01	.05	.08	-.00	-.09	-.11	.18**	-.03	-.04	.02	-.09	.00	.01					2.0109	.5099
X15	-.01	.07	.12	.05	.02	.13*	-.00	-.12	.06	.11	.05	.02	.05	-.06	.04				1.3650	.4823
X16	-.01	.07	.12	.05	.02	.13*	-.00	-.12	.06	.11	.05	.02	.05	.06	.04	1.0			1.3650	.4823
X17	.00	-.03	-.15	.00	.04	.00	.00	-.10	.25**	.24**	-.00	.08	-.04	.11	.06	.05	.05		1.6886	.4639
X18	-.03	-.05	-.18	-.03	.03	.04	.05	-.06	.31**	.32**	-.04	.04	-.01	.24**	.04	-.01	-.01	.08**	3.6740	3.0558

\*  $p < .05$

\*\*  $p < .01$

X1 = juvenile's race  
X2a = community SES  
X2b = family SES  
X3 = family structure  
X4 = juvenile's age at intake  
X5 = juvenile's gender  
X6 = referral type

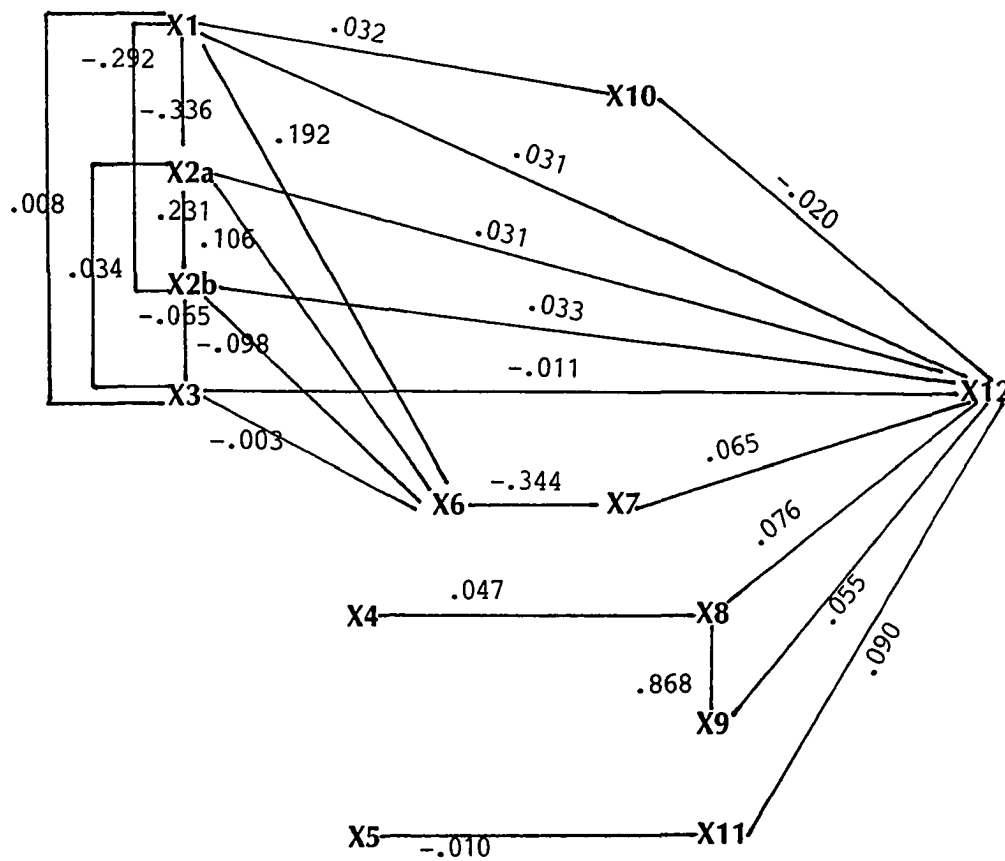
X7 = offense type  
X8 = prior record  
X9 = last disposition  
X10 = intake worker's race  
X11 = intake worker's gender  
X12 = intake decision  
X13 = detention

X14 = representation  
X15 = judge's race  
X16 = judge's gender  
X17 = adjudication decision  
X18 = disposition

Path Analysis - Figures 3a, 3b and 3c present the maximum likelihood weighted least squares LISREL estimates of the path coefficients generated for the data collected. This procedure was employed due to its proven reliability in analyzing non-normally distributed data (Joreskog and Sorbon, 1989). The intake and adjudication models fit the data very well, yielding chi-squares of 31 with 35.89 degrees of freedom ( $p = .000$ ) and chi-square of 38 with 47.64 degrees of freedom ( $p = .000$ ) respectively. The adjusted goodness of fit indices (.966 for intake, .937 for adjudication) indicate an excellent match between the observed covariances and the model designs. The disposition model, while a good fit, did not fit the data as well as the intake and adjudication models. The adjusted goodness of fit index was .735, with chi-square of 38 with 58.52 degrees of freedom ( $p = .000$ ).

Tables 4 and 5 indicate that, as expected, there were both direct and indirect effects of the independent and control variables on intake, adjudication and disposition. Direct effects refer to the effect of one variable on another, holding all other variables constant. Indirect effects refer to the effect of a variable on another, through intervening paths in the model. Total effects refer to the sum of the direct effect of a variable plus each intervening path. For example, as indicated in Table 5, total effect of race on intake (0.026) is computed as follows: 0.031 (the direct of effect from race to intake) plus -0.001 (path from juvenile's race to intake worker's race times path from intake worker's race to intake decision) plus -.004

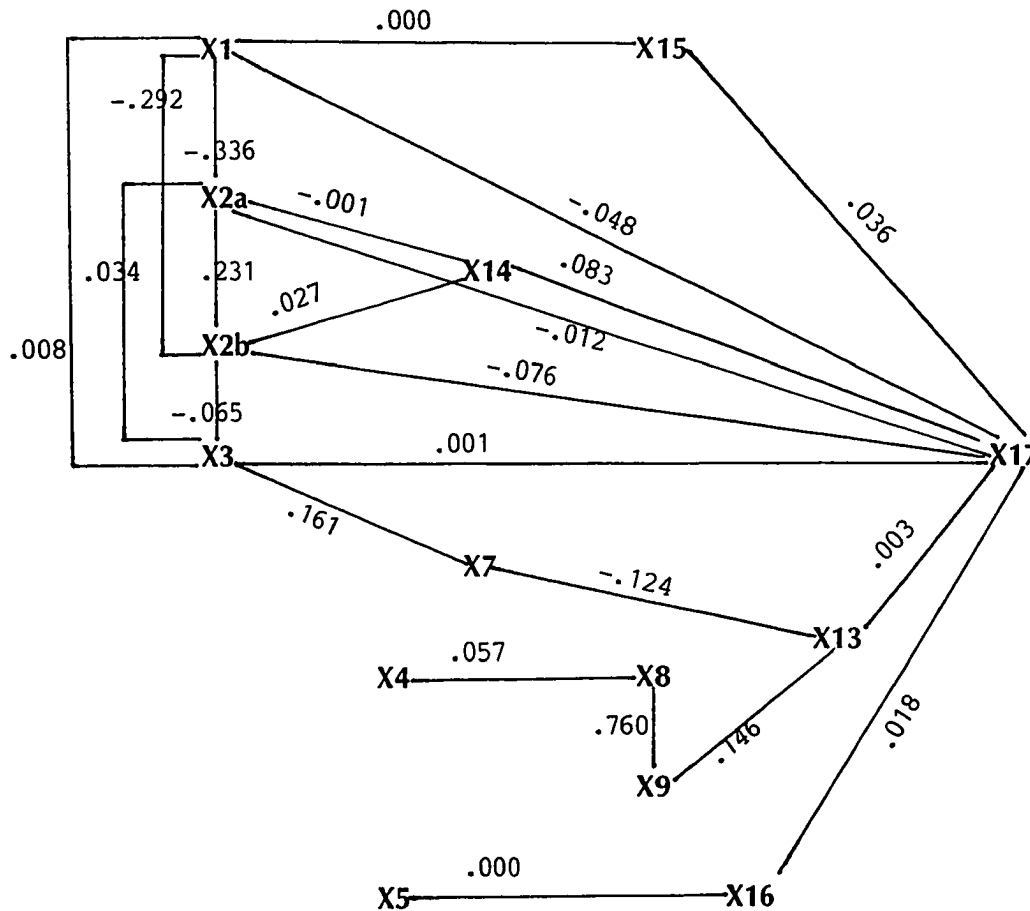
Figure 3a  
Path Diagram of Intake Phase



X1 = juvenile's race  
X2a = community's SES  
X2b = family SES  
X3 = family structure  
X4 = juvenile's age at intake  
X5 = juvenile's gender  
X6 = referral type

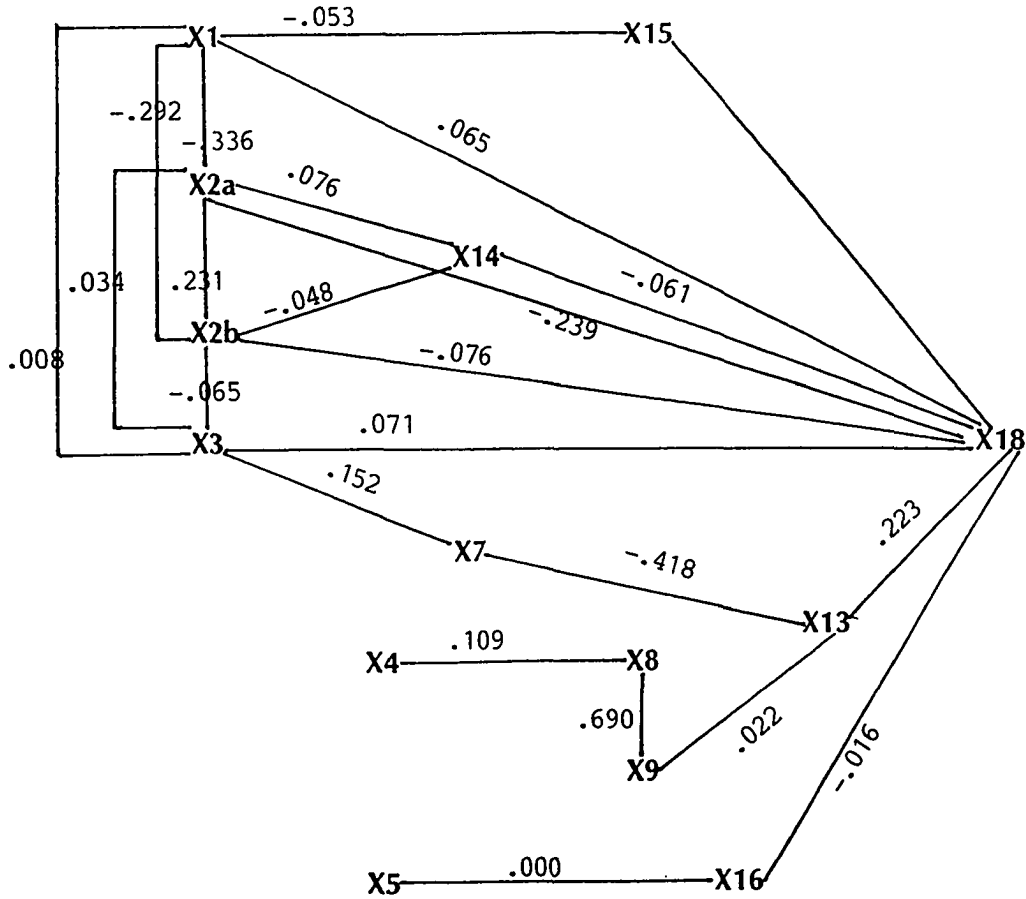
X7 = offense  
X8 = prior record  
X9 = last disposition  
X10 = intake worker's race  
X11 = intake worker's gender  
X12 = intake decision

Figure 3b  
Path Diagram of Adjudication Phase



- |                               |                             |
|-------------------------------|-----------------------------|
| X1 = juvenile's race          | X8 = prior record           |
| X2a = community's SES         | X9 = last disposition       |
| X2b = family SES              | X13 = detention             |
| X3 = family structure         | X14 = representation        |
| X4 = juvenile's age at intake | X15 = judge's race          |
| X5 = juvenile's gender        | X16 = judge's gender        |
| X7 = offense                  | X17 = adjudication decision |

Figure 3c  
Path Diagram of Disposition Phase



- |                               |                            |
|-------------------------------|----------------------------|
| X1 = juvenile's race          | X8 = prior record          |
| X2a = community's SES         | X9 = last disposition      |
| X2b = family SES              | X13 = detention            |
| X3 = family structure         | X14 = representation       |
| X4 = juvenile's age at intake | X15 = judge's race         |
| X5 = juvenile's gender        | X16 = judge's gender       |
| X7 = offense                  | X18 = disposition decision |

(path from juvenile's race to referral type times path from referral type to offense times path from offense to intake decision). All path coefficients, other than those for the exogenous relationships, are the values of the direct paths from one variable to the next. Path coefficients for the exogenous relationships (race, community and family SES, family structure) are the zero-order correlations for the two variables.

Intake - Prior record had the strongest impact on intake outcomes (.076), followed by offense (.062) and last disposition (.055). Regardless of non-legal variables, being charged with a serious offenses, having a lengthy history of involvement with the court, and more severe prior dispositions increased the likelihood of being formally processed at intake. Path coefficients indicate that having a higher family or community SES also increased the likelihood of formally processed (.003, .032). However, the total effect of family and community SES was affected by the referral type. Youths with higher family SES who were referred by family were slightly more likely to be formally processed than those referred by the police or a social agency (.001). Conversely, youths with high community SES who were referred by family slightly decreased their chances of being formally processed (-.003) This may point to the fact that the median income of the community is not necessarily reflective of a family's SES.



## Table 4

Intake			Adjudication			Disposition		
Total	Direct	Indirect	Total	Direct	Indirect	Total	Direct	Indirect
0.026	0.031	-0.005	-0.048	-0.056	0.008	0.065	0.062	0.003
0.029	0.032	-0.003	-0.012	-0.011	-0.001	-0.224	-0.219	-0.005
0.036	0.033	0.003	-0.059	-0.061	0.002	-0.073	-0.076	0.003
-0.011	-0.011	.000	0.003	0.007	-0.004	0.135	0.071	0.064
.004	.000	0.004	0.002	.000	0.002	0.036	.000	0.036
.001	.000	0.001	.000	.000	.000	.000	.000	.000
-0.026	0.06	-0.034	n/a	n/a	n/a	n/a	n/a	n/a
0.062	0.065	-0.003	-0.026	-0.022	-0.004	0.424	0.544	-0.12
0.076	0.027	0.049	0.042	0.024	0.018	0.331	0.168	0.163
0.055	0.055	.000	0.023	0.022	0.001	0.088	0.082	0.006
-0.020	-0.061	0.041	n/a	n/a	n/a	n/a	n/a	n/a
-0.090	-0.09	.000	n/a	n/a	n/a	n/a	n/a	n/a
n/a	n/a	n/a	0.003	0.003	.000	0.229	0.23	-0.001
n/a	n/a	n/a	0.085	0.083	0.002	-0.062	-0.061	-0.001
n/a	n/a	n/a	0.036	0.018	0.018	-0.063	-0.047	-0.016
n/a	n/a	n/a	0.018	0.018	.000	-0.016	-0.016	.000

While black youths were slightly more likely to be formally processed (.031), having a white intake worker slightly reduced the likelihood of being sent to court (-.005). Additionally, family structure, last disposition, and intake worker's gender had solely direct effects on intake. Regardless of other variables under study, youths not living in two parent homes (-.001), those with more restrictive prior disposition (.005) and those with male intake workers were more likely to be formally processed at intake.

Age and gender had no direct measurable impact on intake processing. Their minimal impact appears to be due solely to the indirect effect of prior record (.004) and the gender of the intake worker (.001).

Adjudication - Family SES had the greatest impact on adjudication (-.059). Youths from families with low SES were adjudicated delinquent more often than those with higher family SES; however, this effect was slightly mitigated by having private counsel (.002). Race (-.048) and prior record (.042) had the next greatest impact on being adjudicated delinquent. While white youths were more likely than blacks to be adjudicated delinquent (-.056), this effect was slightly reversed by having a white judge (.008). As with intake, the more extensive the prior record and more severe the last disposition, the greater likelihood of being adjudicated delinquent. Additionally, youths who were detained were more likely to be adjudicated delinquent. However, a status offender or probation violator was more likely than other offenders to be adjudicated delinquent when they were referred

**Table 5**  
**Direct, Indirect and Total Effects of Race, SES and Gender**  
**on Intake, Adjudication and Disposition**

		Intake	Adjudication	Disposition
Race	Direct	0.031		
	via Intake Worker's Race (.032)(-.020)	-0.001		
	via Referral Type and Offense (.192)(-.344)(.060)	-0.004		
	Total	<u>0.026</u>		
Community SES	Direct		-0.048	0.062
	via Judge's Race (-.010)(.090)		.000	(-.053)(.047) <u>0.003</u>
	Total		<u>-0.048</u>	<u>0.065</u>
	Direct	0.032		
Family SES	via Referral Type and Offense (.106)(-.344)(.062)	-0.003		
	Total	<u>0.029</u>		
	Direct		-0.011	-0.219
	via Representation (-.001)(.083)		-0.001	(.076)(-.061) <u>-0.005</u>
Gender	Total		<u>-0.012</u>	<u>-0.224</u>
	Direct	0.033		
	via Referral Type and Offense (-.098)(-.344)(.062)	0.003		
	Total	<u>0.036</u>		
	Direct		-0.061	-0.076
	via Representation (-.027)(.083)		0.002	(-.048)(-.061) <u>0.003</u>
	Total		<u>-0.059</u>	<u>-0.073</u>
	Direct	.000		
	via Intake Worker's Race (-.010)(.090)	-0.001		
	Total	<u>-0.001</u>		
	Direct		.000	.000
	via Judge's Gende (.000)(.018)		.000	(.000)(-.016) <u>.000</u>
	Total		<u>.000</u>	<u>.000</u>

by the police or agency staff.

Youths in one parent homes with status offenses were also more likely to be adjudicated delinquent regardless of their race or SES. Having a black, female judge further increased this likelihood of delinquent adjudication.

Disposition - Offense had the greatest impact on the severity of disposition. (.424). Youths with extensive prior records received more severe dispositions, particularly when they had more punitive prior dispositions.

Regarding extra-legal variables, being from a community with a low median SES has the greatest impact of the non-legal variables (-.219). Being black, having low family SES and living in a non traditional family (not living with two parents) also increased the severity of disposition. There was no measurable impact of gender on disposition, and the impact of age was due solely to prior legal involvement and last disposition.

Qualitative Analysis - Twenty-six (60 percent) of the forty-four court services unit personnel responded to the qualitative survey. Eighty-one percent felt the qualitative results reasonably reflected their experiences in the system under study. Responses indicated that seriousness of offense and safety of the juvenile are the prime issues in the decision making; however the family situation may impact processing. Several staff reported that families often come to court to access services from other community

agencies. Lack of financial resources or insurance were listed among the chief reasons that this occurs. Respondents also indicated that attitudes of both the juvenile and parent/guardian can impact the way in which cases are handled. Uncooperative juveniles/parents or those who appear to have chaotic family dynamics have a greater chance of being formally processed.

Half of the respondents indicated they had witnessed an action by a juvenile justice professional that was influenced by race, SES or gender. With regard to race, two respondents stated that black males are treated more punitively. With regard to gender, one respondent indicated that professionals sometimes act to "protect" females. The majority felt that SES had the greatest influence on professionals. As previously stated, respondents indicated that families with low SES often lack the resources necessary to address the needs of their children and, as a result, look to the court to provide services they otherwise could not afford.

Respondents who indicated that the qualitative results were not reflective of their experience indicated that processing is based solely on the offense and length of court involvement. This situation was also expressed by the 25 percent of respondents who indicated that neither race, SES or gender is a consideration in case processing.

Of the 75 percent of respondents who felt that race, SES and/or gender of a juvenile did influence case processing, the majority indicated that SES has the greatest influence. Again, this was related to the service

needs of the juveniles involved in the system. Those indicating that race was an influence suggested that it was not a conscious decision made by professionals. Rather, race influenced decision making due to "cultural socialization" of some in the system. As previously mentioned, some respondents felt that gender influences processing in that some professionals act in ways which they feel will protect female juveniles involved in the court system.

The influence of these factors was seen to occur primarily at the intake phase (55 percent). However, respondents indicated that the influence was not in terms of diversion versus formal processing at intake. Rather, the SES of a youth effected the referral source. This was particularly true for those referred by the police, who were seen as referring low SES juveniles more often than juveniles with higher SES.

Fourteen percent of respondents felt that race, SES and/or gender impacted adjudication decisions, 23 percent felt they impacted case disposition, and 10 percent felt they impacted all phases of processing. Again, the major influence cited was the service needs of the juvenile and his/her family.

Summary - Quantitative analysis results indicate that non-white youths were slightly more likely to be referred to intake than white youths. Lengthy

history of court involvement, low family SES and seriousness of offense have the strongest impact on being formally processed at intake, adjudicated delinquent and receiving a severe disposition respectively. These relationships were slightly impacted in varying degrees at each of the three phases of processing by referral type, family structure, race, and being detained. Being referred by police or agency personnel, living in a non-traditional family (not with two parents), having a more severe prior disposition or a male intake worker increased the likelihood of formal processing and being adjudicated delinquent, as well as the severity of disposition. Having a white intake worker or private counsel decreased the severity of processing for black and low SES youths respectively. Finally, a youth's gender had no effect on processing at either of the three stages, and the effect of age was specifically related to a youth's prior court history and last disposition.

Qualitative survey results indicate that the majority of respondents felt the quantitative results were representative of processing in the system under study. Their responses support the quantitative results which suggest that legal variables, particularly offense and length of involvement with the court, are the primary forces which drive case processing. With regard to extra-legal variables, race and gender were perceived by a small minority of respondents as impacting case processing, while the majority of respondents overwhelmingly cited SES as the most important extra-legal factor in case

processing. SES was seen as a influence in terms of the differential rate of referrals to intake by referral sources, particularly the police. More substantially, SES was seen as an influencing factor in terms of the service needs of the juveniles, as well as the family's perceived inability to secure services outside the court system to address the juvenile's needs. The results of this research, and their implications, will be further discussed in chapter 5.



## CHAPTER 5 - DISCUSSION

The goal of this research was to evaluate intake, adjudication and disposition of juvenile court cases to determine the extent to which outcomes were influenced by the race, socioeconomic status and gender of the referred youth. This goal was accomplished by examining the impact these three variables, along with select control variables, had at each of the three decision points in the juvenile justice process. Both quantitative and qualitative results of the present research indicate that legal variables have more impact on case processing than do any of the extra-legal variables under study. Prior record, offense and last disposition had the greatest impact on processing. The more extensive the prior record and the more severe the offense and last disposition, the greater likelihood of formal processing at intake, being adjudicated delinquent and receiving a severe disposition. These findings support the findings of several studies discussed previously (Cage, 1977; Kawalski & Rickicki, 1982; Frazier & Bishop, 1985; Corley, et al., 1989; Hagan, 1993; Paternoster & Mazerole, 1994; Corley, 1994). The appropriateness of the models employed in this study, discussion of findings relative to research objectives, and implications for theory, policy and future research are discussed below.

### **Appropriateness of the Study Models**

The goodness of fit indices suggest that the research models used in the present research fit the data very well, particularly the intake and adjudication phases. Additionally, relationships examined through path analysis were statistically significant at  $p < .05$ . However, caution should be used when generalizing the results of the present research. Prior research (McCarthy & Smith, 1986; Poole & Regoli, 1980; Davis, 1985) indicates that a level of .10 should be used as criterion for large effects in path analysis. Only 10 of the 51 paths examined meet this criteria. At intake the paths from race to referral type, referral type to offense, and prior record to prior disposition had a value of .10 or greater. At adjudication, paths between family structure and offense, prior record and prior disposition, and prior record and detention had values of .10 or greater. At disposition, paths from community SES to disposition, offense and detention, prior record and prior disposition, and detention and disposition had values of .10 or greater. Again, although the majority of paths were not greater or equal to .10, all were statistically significant at  $p < .05$  level.

### **Research Objectives and Results**

The three research objectives for this research study, and a discussion of data analysis results are as follows:

*Objective 1: To analyze the impact of race, above and beyond the influence of other variables under study, on the intake, adjudication and*

*disposition of cases.* The most obvious impact of race on processing occurred at referral to intake. Black youths represent 41 percent of the juvenile population for the city under study but accounted for 60 percent of referrals to court intake. Qualitative results indicated that some court personnel felt black males were treated more harshly throughout the process, relative to the offenses they commit, while quantitative results suggest that the impact of race varies at the three decision points. Once presented at intake, black youths were slightly more likely to be formally processed, less likely to be adjudicated delinquent, and slightly more likely to receive a more harsh disposition than white youths. The total effect of race is smaller than the impact of the legal variables at both intake and disposition, while at adjudication the effect of race is virtually equal to that of the legal variables.

*Objective 2: To analyze the impact of socioeconomic status (SES), above and beyond the influence of other variables under study, on the intake, adjudication and disposition of cases.*

Sixty-six percent lived in families with an income less than \$20,000, and 20 percent lived in communities with a median household income between \$20,000 and \$30,000. Quantitative results indicate that SES has a differential effect at intake; low SES youths have an increased chance of formal processing when referred by police, while upper SES youths increase their chances of formal processing when referred by family. Family structure, which was highly correlated with SES, had the greatest impact of

all variables at adjudication. Youths not living in traditional (two-parent) families were more likely to be adjudicated delinquent. Finally, with regard to disposition, youths with low family and community SES received more severe dispositions than those with high SES. These results support research findings of several other studies (Johnstone, 1978; Meyers, 1982; Bursik & Grasmik, 1993; Conley, 1994; Sampson & Laub, 1994; Guarino-Ghezzi, 1994).

Qualitative results pointed to SES as the major extra-legal factor in processing of cases. Survey results suggested that families with low SES often cannot meet the discipline, nurturing and guidance needs of their children and they view the court system as a vehicle for obtaining the services for which they do not have resources. These parents sometimes reject efforts at intake to mediate family problems or refer families to outside agencies for assistance. As a result, the children become formally involved in the juvenile justice system, not due to the level of their delinquency, but rather, due to needs their parent's do not feel they can address without the involvement of the court.

*Objective 3: To analyze the impact of gender, above and beyond the influence of other variables under study, on the intake, adjudication and disposition of cases.*

While two of survey respondents felt some professionals act to protect females, results of this research suggest no discernable impact of gender at

any phase of processing. Formal processing at intake, adjudication and dispositions occurred at the same rate for males and females in the present research. All correlations for gender with other variables under study were found not to be statistically significant. Further, path coefficients for gender were barely negligible, with the only measurable coefficient, between gender and intake, having a value of .001.

### Implications for Theory

As stated previously, most criminal justice research has been based on either conflict or consensus theory. Consensus theories share the basic premise of universal societal norms, suggesting that an array of personal and environmental factors weaken one's attachment to society, resulting in delinquent/illegal behavior. Conflict theories postulate that it is society that creates delinquent/illegal behavior, as the elite attempt to maintain control over limited resources by subjugating those not in power. Results of the present research indicate that neither paradigm, in and of itself, is sufficient to explain the complexity of juvenile justice case processing. Both qualitative and quantitative findings suggest that court operations are based on the *parens patriae* concept upon which juvenile court was founded. Within this framework the court acts a surrogate parent and the impetus is on addressing the needs of the youths who become involved in the system. This is an individualistic approach with therapeutic consequences focusing

on child welfare as opposed to punishment (Barton, 1976). Involvement within the system is not necessarily a measure of criminality. Families go there to access mentoring, parenting and mental health services for their children that they cannot otherwise afford (Conley, 1994; Sampson and Laub, 1994; Wordes et al., 1994). Therefore, involvement and continued involvement in the system may speak to a juvenile's level of service needs for therapeutic interventions rather than his/her level of criminal activity.

As the juvenile justice system currently operates, there are two classes of delinquents and two juvenile justice systems. One class of juveniles is in need of guidance and nurturance that the family is not able to provide. Involvement in the court system, being adjudicated delinquent and receiving a disposition is the process by which service needs are met. The other class of juveniles includes the rising number of juveniles who have increasingly become involved in violent, dangerous crime. For this juvenile, the court system provides punitive sentencing, much as in the adult system. Both the consensus and conflict paradigms provide a rationale for court involvement for the latter youth, based either on some measure of personal or social control. The theories presume the purpose of the court is punitive. This fosters an environment in which the juvenile justice system runs the risk of being misrepresented. Studies supporting the consensus paradigm, focusing solely on legal factors and official statistics, will neglect the subtle impact of extra-legal variables on case processing. Similarly, research results

supporting conflict theories, asserting ingrained biases on the part of the system and those working in it, will foster the notion of an unjust justice system.

Results of the present research suggest that the consensus and conflict paradigms need not be mutually exclusive. The results provide support for the consensus theories in that legal variables had the greatest impact on case processing. However, SES and, to a lesser extent, race also impacted processing, providing support for conflict theorists as well. Perhaps the notion that the two paradigms must be mutually exclusive is due to the assumption upon which juvenile justice case processing is based. Such research is generally guided by the assumption that receiving sentencing in the juvenile system represents punishment. In fact, the purpose of the court is to act in the best interest of the children. Based on this purpose, a more appropriate assumption for guiding this type of research is that there may be varying levels of service needs among different groups of juveniles and their families. Further, the varying needs may result in varying levels of involvement in the court system.

In sum, analyzing the juvenile justice system as a mirror of the adult system negates the large number of children who, again, are involved with court because of child welfare issues as well as the court's therapeutic interventions. Further, theoretical analysis of the over-representation of some youths in the juvenile justice system should consider the theoretical

purpose of the system as well as the reason for and the nature of a juvenile's involvement in the system.

### Implications for Policy

The results of the present research indicate that legal factors, namely offense and history of involvement with the juvenile court, have the greatest impact on case processing in the system under study. However, socioeconomic status and, to a lesser extent, race do appear to have differential effects at various stages of case processing. For this reason it would be advisable for that the court services unit develop a systematic monitoring process for cases involved in the system.

The purpose of a monitoring process would be to reduce bias in case processing, both real and perceived. Such a process would be most effective if provisions were made for participation of representatives of the internal and external environments, namely court staff, parents, community representatives and juveniles. This would allow those outside the system to develop a better understanding of court operations and serve as a beginning for improved relations and trust between the court and the community it serves. This monitoring committee would periodically review decisions made at intake, adjudication and disposition to identify patterns that may indicate influence of extra-legal variables. Once such a system was established, monitoring efforts could be most intense at those points in the



system where patterns suggest that extra-legal factors consistently effect case processing.

Another function of monitoring would be to review policies and procedures to determine if measures can be employed to strengthen guidelines and/or improve implementation. Such review would help to provide more clarity in definitions of such terms as 'danger to self'. Clearer definition of terms would reduce the opportunity for personal biases, be they conscious or subconscious, to impact case processing. This is particularly important at intake, as the present research indicates non-white and low socioeconomic status youths are over-represented at intake in comparison to their representation in the community under study.

The results of both policy review/revision and monitoring activities should be used by the court system to counteract negative perceptions that the public may feel toward the court. The community should be apprised if the activities indicate there are no significant effects of extra-legal variables, so that juveniles and their families who become involved with the court can reasonably expect that the treatment they receive is based on their charges. If results suggest influence of factors other than legal, the court system should report these findings, along with a plan for addressing the problems in the system. This would show a "good faith effort" on the part of the court system.

Along with monitoring and review, the court system could institute

training on cultural competence and race relations. Specific activities of such training would be dependent upon the outcome of the monitoring and policy review processes. However, the overall focus should be on developing an appreciation of cultural differences as well as identifying and addressing attitudes and behaviors that can lead, consciously or unconsciously, to differential case processing.

While the present research indicates legal factors generally have the strongest impact on case processing, minority and low SES youths are over-represented at intake, in comparison to their distribution in the area's population at large. It has been suggested that police and others in positions of social control exercise discretion in reporting juveniles to intake, and that a juvenile's perceived family and social environments are important in terms of the referral source's handling of a case (Cohen & Kleugel, 1979; Barton, 1976; Sampson, 1986; Nelson, 1994). This problem could be addressed by recruiting and assigning personnel with consideration for the racial, social makeup of the community in which services are rendered. Cultural competency training and initiatives such as neighborhood policing programs and Police Athletic League could be expanded to strengthen relationships between law enforcement personnel and the juveniles and families in the community.

Training, monitoring and policy review all require additional staff resources, which are not likely to be available in the current fiscal climate.

Given this, the best, most cost effective, alternative is to attempt to reduce the number of juveniles that are presented to, and become involved in, the juvenile court system.

The federal Office of Juvenile Justice and Delinquency Prevention (OJJDP) Act of 1974 focused on deinstitutionalization and development of community based programs, particularly for status offenders. Such deinstitutionalization appears to have happened at the disposition phase in the locality under study, as 40 percent of juveniles adjudicated delinquent received some form of therapeutic disposition (with the exception of felons, with 73 percent being committed to the State Department of Youth and Family Services learning centers or referred to adult court). As the rate of juvenile involvement in serious, violent offenses continues to increase the juvenile justice system will become more overburdened. An effort similar to the OJJDP Act's focus on community-based programs is needed at intake to reduce the likelihood that a juvenile will become involved in the juvenile justice system.

Another major policy implication relates to the use of court intake as an entry point into the community service delivery system. There is a need for the court to develop programmatic partnerships with public agencies and private organizations that address the needs of youths. This approach would include making the community aware of other agencies and organizations, such as the United Way, Community Services Board,

Department of Social Services, churches and civic organizations, which provide the services they need. Such services are generally provided on an ability-to-pay basis. Providing this information to the community would decrease the frequency of the court being used as a vehicle to address non-criminal, status offenses. Additionally, the court could become the focal point for working collaboratively with community agencies and organizations to provide mental health, substance abuse, parenting, and other family-oriented services without involvement of the court. A proactive stance could also be promoted by utilizing and developing prevention programs for high-risk populations. Again, this approach could be most effective if the court worked in conjunction with other agencies and organizations.

For those children who do become formally involved in the system, public sentiment requires they be held accountable for their behavior. For status offenders and misdemeanants, this would require engaging parents/guardians in the court process and empowering them to effectively address the needs of their children. With regard to violent and felony offenders, society appears to want most, if not all, transferred into the adult court system, presumably because they would receive harsher treatment. However, transfer to the adult court system would not ensure longer sentences for juveniles. Adults with extensive offense histories are receiving what is perceived by society to be light sentences. For example, the average

sentence for felony offenses is six years with only one-third of the sentence actually served in prison, and the average sentence served for violent offenses is three years, nine months (Brunelli, 1994). Juvenile court has the option of sentencing offenders to learning centers until the age of twenty-one. Conceivably, a 14-year old who commits a felony and is adjudicated in the juvenile system could serve up to seven years for the offense, while in the adult system he would likely be free before his eighteenth birthday.

In either of the above scenarios society will, at some point, be faced with the reintegration of a young adult that is ill-equipped to be a productive member of society. Additionally, transferring greater numbers of juveniles into the adult court system would merely add to the already overcrowded correctional system. As a result, juveniles, who would have less extensive offense histories, would likely serve little or no time in jail or prison. An alternative to shifting the responsibility of juvenile corrections from juvenile to adult court would be for juvenile court and correctional policies to reflect the belief that punishment and treatment need not be mutually exclusive. Sentencing for juveniles could include a range of requirements such as restitution, electronic monitoring, detention, mental health treatment and family therapy, with the combination of sentencing requirements being dependent upon the offense committed, as well as the needs of the youth and his/her family. Such policy would be based on prevention/early intervention and empowering families to address their individual needs

without the involvement of the court. Policy based on prevention and early intervention would be, in the long term, less costly and more effective than incarceration alone. Involving parents/guardians would also decrease the numbers who rely on the court for assistance with family problems.

### Implications for Future Research

Future research on juvenile justice case processing would do well to address the issues of multiple measurement of SES and measurement of offense. Because of the complex nature of the concept of SES, measurement would best be accomplished by an assessment of the duration of low SES status over time and by various factors (Farnsworth, et al., 1994). This dynamic could include family and community income levels as well as a family's ability to access additional resources, financial or otherwise. The ability to transition into higher SES status (through education, training) should also be investigated.

Measurement of offense which incorporates the actions of the juvenile would serve to provide more insight into the juvenile justice process. This is necessary due to the fact that juveniles may be presented to intake for the same offense even though they have committed very different offenses. For example, two youths may both be charged with petit larceny (a misdemeanor), when one has stolen merchandise from a store and the other has taken money from his sibling. While these actions suggest different

motivations they are both categorized as the same offense. Additionally, as with measurement of SES, examination of the duration and progression of delinquent behavior would strengthen future analyses.

Issues regarding multiple measures of SES and offense activity could both be addressed by using a two-phase research design (Creswell, 1994). This design would allow for examination of case outcomes while simultaneously investigating the juvenile justice process through in-depth qualitative analysis. This two-phase design is necessary because of the potentially controversial nature of the subject matter. Justice officials rely on "hard data". Therefore they would not likely be very receptive to qualitative results. However, qualitative research techniques such as in-depth interviews and field observations are vital in order to understand the processing of cases.

A longitudinal, two-phase design would address the measurement issues presented above and also strengthen the replicability and generalizability of such research through the use of pattern matching, using quantitative and qualitative analysis of a variety of data sources to determine patterns in the data and better understand the court process. This design would also allow for inclusion of such variables as level of family functioning, attitudes and demeanor of both the juvenile and family members, injury as a result of the offense, number and relationship of victims and co-defendants, all of which may impact case processing.

## Conclusion

Results of the present analysis indicate that legal factors had a greater impact on juvenile justice case processing in the system under study than did extra-legal factors. Socioeconomic status had the greatest effect of the extra-legal variables, with its effects being most evident at the intake and dispositional phases. The overwhelming majority of youths presented at intake were from families and communities with low socioeconomic status. As previously stated, the impact of SES appears to be largely due to the service needs of the juveniles involved in the system, coupled with a lack of resources for their family to secure services outside the court system.

The impact of race was most evident in the high percentage of minority youths referred to intake. Once presented to the system, the impact of race varied at each decision point. Minority youths were slightly more likely to be formally processed and receive more severe dispositions than their white counterparts, but were less likely to be adjudicated delinquent. Finally, the results of this study suggest that gender has no impact on either the intake, adjudication or dispositional phases of the system.

With socioeconomic status and race impacting case processing, the results of this research suggest that there is a need for continuous monitoring of the policies and procedures involved in case processing, coupled with training which would heighten awareness of and appreciation for cultural



and racial differences. The results also point to the need for further study on the processing of juvenile cases. Studies investigating the purpose of the system, those involving a more in-depth synthesis of quantitative and qualitative analysis, and those that further operationalize socioeconomic status, would greatly increase the understanding of how the myriad of legal and extra-legal variables impact juvenile justice case processing.

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## **APPENDIX A**

**Intake Date** \_\_\_\_\_ **Identifier** \_\_\_\_\_

<b>Jrace</b>	<b>Jgender</b>	<b>DOB</b> _____	<b>Family</b>
01 = white	01 = male		01 = foster care
02 = black	02 = female	<b>ZIP</b> _____	02 = other relative
03 = other _____		<b>FamInc</b> _____	03 = single parent
			04 = both parents

<b>Referral</b>	<b>Offense</b> _____	<b>Detention</b>	<b>dname</b> _____
01 = police	01 = status	01 = not	
02 = school	02 = CHINS	02 = time	<b>drace</b>
03 = agency	03 = violation of probation	03 = danger to self	01 = white
04 = victim	04 = misdemeanor - against property	04 = danger to others	02 = non-white
05 = family	05 = misdemeanor - drug offense	05 = failed to appear	
06 = other _____	06 = misdemeanor - against person	06 = failed to comply in pas	<b>dgender</b>
	07 = felony - against property	07 = absconded/threat to	01 = male
	08 = felony - drug offense	08 = fugitive from outside V	02 = female
	09 = felony - against person		

<b>Intake</b>	<b>irace</b>	<b>igender</b>	<b>iname</b> _____
01 = resolved	01 = white	01 = male	
02 = processed	02 = non-white	02 = female	

<b>#prioradj</b> _____	<b>lastdispo</b>	<b>rep</b>	<b>adjrac</b>
	01 = no sanctions	01 = ct. appointed	01 = white
	02 = suspended sentence	02 = private	02 = black
	03 = therapeutic, in-home		
	04 = therapeutic, out-of-home	<b>adj</b>	<b>adjgender</b>
	05 = committed to DYFS	01 = not delinquent	01 = male
	06 = other _____	02 = delinquent	02 = female

<b>dispo</b>	<b>disrac</b>	<b>adjsname</b> _____
01 = no sanctions	01 = white	
02 = suspended sentence	02 = black	
03 = therapeutic, in-home		
04 = therapeutic, out-of-home	<b>disgender</b>	
05 = committed to DYFS	01 = male	
06 = other _____	02 = female	<b>disname</b> _____

## **APPENDIX B**

The purpose of this study is to evaluate intake, adjudication and disposition of cases to determine the extent to which outcomes are influenced by race, socioeconomic status (SES) and gender of the referred youth. Data was collected regarding these variables as well as current offense, number of times adjudicated delinquent, last disposition, detention, type of legal representation, juvenile's age, family structure, and race/gender of the intake worker and judge. Below is a summary of findings from data collected by examination of intakes occurring during 1993. After reviewing the results of the data analysis, please answer the questions that follow. Your responses will be used to gain a better understanding of how various factors interact during the processing of cases in the juvenile justice system.

Data analysis results indicate that non-white youths were slightly more likely than white youths to be referred to intake. Lengthy history of court involvement had the strongest impact on being formally processed at intake; having low family SES had the strongest impact on being adjudicated delinquent; and seriousness of offense have the strongest impact on receiving a severe disposition. These relationships were slightly impacted in varying degrees at each of the three phases of processing by referral type, family structure, race, and being detained. Being referred by police or agency personnel, living in a non-traditional family (not with two parents), having a more severe prior disposition or a male intake worker increased the likelihood of formal processing and being adjudicated delinquent, as well as the severity of disposition. Having a white intake worker or private counsel decreased the severity of processing for some youths. A youth's gender had no effect on processing at either of the three stages, and the effect of age was specifically related to a youth's prior court history and last disposition.

- 1) From your experience in the Newport News juvenile justice system, do these findings seem reasonable? yes \_\_\_\_ no \_\_\_\_

Comment \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

- 2) Do you think that race, class or gender does, in fact, influence the decisions of some professionals in this system? yes \_\_\_\_ no \_\_\_\_  
Comment \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- 3) If race, class or gender does influence case processing, at what stages is it most likely? intake \_\_\_\_ adjudication \_\_\_\_ disposition \_\_\_\_  
Comment \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- 4) If race, class or gender does influence case processing, at what stages is it least likely? intake \_\_\_\_ adjudication \_\_\_\_ disposition \_\_\_\_  
Comment \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- 5) Have you ever witnessed any action by a juvenile justice professional that you believe was influenced by race, class or gender? yes \_\_\_\_ no \_\_\_\_  
If yes, please describe \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Thank you for your participation in this survey.  
Melanie W. Smith

## **APPENDIX C**

# Descriptive Statistics for the Variables Under Study

	Intake (n = 470)		Adjudication (n = 272)**		Disposition (n = 187)***								
	Resolved	Processed	Not Del.	Del.	1	2	3	4	5	6	7	8	9
X1 (Juv. Race)													
white	63	125	29	64	5	2	6	5	4	24	6	9	3
non-white	96	186	56	123	13	6	5	18	4	46	14	12	5
X2a (Comm. SES)													
< 10,000	0	0	0	0	0	0	0	0	0	0	0	0	0
10,000-19,999	53	76	22	51	6	1	2	10	0	21	2	6	3
20,000-29,999	45	61	16	44	4	1	2	3	2	15	5	7	5
30,000-39,999	87	140	47	87	8	5	7	10	6	31	12	8	0
40,000-49,999	3	5	0	5	0	1	0	0	0	3	1	0	0
50,000+	0	0	0	0	0	0	0	0	0	0	0	0	0
X2b (Fam. SES)													
< 10,000	25	23	4	18	2	0	3	3	0	8	0	1	1
10,000-19,999	14	24	8	15	0	1	0	2	1	7	2	2	0
20,000-29,999	10	15	5	9	1	2	0	2	0	1	1	0	2
30,000-39,999	6	5	3	2	1	0	0	0	0	0	1	0	0
40,000-49,999	2	1	0	1	0	0	1	0	0	0	0	0	0
50,000+	0	3	1	2	1	0	0	0	0	0	1	0	0
X3 (Fam. Structure)*													
foster care	4	10	2	8	1	1	0	1	0	1	2	1	1
guardian	4	5	2	3	1	0	0	0	0	2	0	0	0
relative	13	27	13	14	0	0	1	2	0	7	1	3	0
one parent	111	173	46	119	8	5	8	18	6	42	14	12	6
two parents	56	66	22	42	7	2	2	2	2	18	3	5	1
X4 (Age at Intake)													
7	0	3	2	1	0	0	0	0	0	0	0	1	0
8	3	2	1	1	1	0	0	0	0	0	0	0	0
9	2	0	0	0	0	0	0	0	0	0	0	0	0
10	4	4	1	3	0	0	1	1	1	0	0	0	0
11	4	13	3	10	1	0	0	1	0	7	1	0	0
12	14	9	4	5	0	1	0	1	1	1	1	0	0
13	13	26	7	19	1	1	0	3	0	10	2	2	0
14	28	46	15	30	1	2	1	4	1	15	4	1	1
15	36	54	16	33	4	0	2	4	2	11	1	6	3
16	36	58	14	43	4	3	4	7	1	10	6	5	3
17	44	64	22	39	4	1	3	2	1	16	5	6	1
18	4	3	0	3	2	0	0	0	1	0	0	0	0
X5 (Juv. Gender)													
male	132	190	58	127	13	5	9	17	5	46	15	12	5
female	56	92	27	60	5	3	2	6	3	24	5	9	3

# Descriptive Statistics for the Variables Under Study

		Intake (n = 470)		Adjudication (n = 272)**		Disposition (n = 187)***								
		Resolved	Processed	Not Del.	Del.	1	2	3	4	5	6	7	8	9
X6 (Referral Type)	police	81	126	44	78	11	3	7	12	6	19	5	8	7
	school	2	6	1	5	0	1	0	0	0	2	1	0	0
	agency	11	58	4	52	3	0	2	8	0	20	7	11	1
	victim	48	47	21	24	3	3	2	1	2	9	3	1	0
	family	45	43	15	27	1	1	0	2	0	18	4	1	0
	other	1	2	0	1	0	0	0	0	0	1	0	0	0
X7 (Offense)	status	77	36	11	25	2	3	1	1	0	12	4	2	0
	probation violation	6	50	4	43	2	0	1	7	0	18	6	9	0
	misdemeanor, property	53	67	24	41	7	1	7	3	4	12	3	4	0
	misdemeanor, drug	6	14	5	7	2	0	0	0	0	5	0	0	0
	misdemeanor, person	40	68	27	39	3	4	0	4	1	18	5	2	2
	felony, property	0	6	1	5	1	0	1	1	0	0	0	0	2
	felony, drug	1	26	8	18	1	0	0	3	3	5	0	3	3
	felony, person	5	15	5	9	0	0	1	4	0	0	2	1	1
X8 (# Prior Offenses)	0	168	143	58	78	11	5	6	8	2	36	7	2	1
	1	8	35	10	23	1	2	1	4	2	5	3	4	1
	2	4	21	3	18	1	1	1	1	3	7	2	1	1
	3	3	23	6	16	2	0	1	1	1	8	1	1	1
	4	2	15	3	12	1	0	1	1	0	3	1	4	1
	5	1	14	2	12	0	0	0	4	0	4	1	3	0
	6	0	8	1	7	0	0	0	2	0	2	0	1	2
	7	1	7	1	6	0	0	0	0	0	3	2	0	1
	8	1	6	0	6	0	0	0	1	0	1	2	2	0
	9	0	10	1	9	2	0	1	1	0	1	1	3	0
X9 (Last Disposition)	no prior dispositions	168	143	58	78	11	5	6	8	2	36	7	2	1
	suspended sentence	2	5	3	1	0	0	0	0	0	1	0	0	0
	community service	3	5	0	5	1	1	0	0	0	2	0	0	1
	restitution	1	10	2	3	0	0	0	0	0	2	0	1	0
	probation	2	72	4	6	0	1	1	2	0	0	0	2	0
	elect. monitor/outreach	5	7	9	61	4	1	2	8	2	21	8	10	5
	therapeutic, in-home	2	3	0	7	2	0	1	1	1	2	0	0	0
	therapeutic, out-of-home	3	31	8	23	0	0	1	4	3	6	5	4	0
	DYFS	0	1	0	1	0	0	0	0	0	0	0	1	0
	adult system	2	2	1	1	0	0	0	0	0	0	0	1	0



## Descriptive Statistics for the Variables Under Study

	Intake (n = 470)		Adjudication (n = 272)**		Disposition (n = 187)***								
	Resolved	Processed	Not Del.	Del.	1	2	3	4	5	6	7	8	9
X10 (Intake Worker's Race)													
white	124	187	56	123	11	5	5	13	7	50	12	15	5
non-white	64	95	29	64	7	3	6	10	1	20	8	6	3
X11 (Intake Worker's Gender)													
male	125	203	66	131	12	6	8	17	3	48	13	18	6
female	63	79	19	56	6	2	3	6	5	22	7	3	2
X13 (Detention)													
not detained	-	-	55	105	14	8	7	16	3	44	6	6	1
time of intake	-	-	0	2	0	0	1	0	0	1	0	0	0
parent/child refused	-	-	4	8	0	0	0	1	0	4	0	0	3
danger to self	-	-	3	0	0	0	0	0	0	0	0	0	0
danger to others	-	-	12	22	1	0	1	1	3	7	4	4	1
failed to appear	-	-	0	2	0	0	0	0	0	0	1	1	0
failed to comply in past	-	-	8	35	1	0	1	4	2	10	6	9	2
absconded/threat to abscond	-	-	3	13	2	0	1	1	0	4	3	1	1
X14 (Representation)													
waived	-	-	17	17	2	3	2	1	0	5	2	2	0
appointed	-	-	54	147	12	3	7	17	8	59	18	18	5
retained	-	-	14	23	4	2	2	5	0	6	0	1	3
X15 (Judge's race)													
white	-	-	57	115	7	4	7	19	6	39	10	16	7
non-white	-	-	28	72	11	4	4	4	2	31	10	5	1
X16 (Judge's gender)													
male	-	-	57	115	7	4	7	19	6	39	10	16	7
female	-	-	28	72	11	4	4	4	2	31	10	5	1

\*Family SES was available only when court had ordered a social history (at intake = 128, adjudication = 68; disposition = 47)

\*\*Adjudications missing values = 10; cases were transferred to juvenile courts in other localities

\*\*\*Disposition values are as follows

- |                                    |                              |
|------------------------------------|------------------------------|
| 1 - suspended sentence             | 6 - therapeutic, in-home     |
| 2 - community service              | 7 - therapeutic, out of home |
| 3 - restitution                    | 8 - DYFS                     |
| 4 - probation                      | 9 - adult system             |
| 5 - electronic monitoring/outreach |                              |

## Autobiographical Statement

Melanie Wynnell Smith was born in Weisbaden, West Germany on July 28, 1965. She attended Virginia Polytechnic Institute and State University, and received a Bachelors of Science degree in Business Administration and Management in 1988, and a Masters of Science degree in Administration of Justice in 1990 from Virginia Commonwealth University. Melanie is currently Planning Administrator with the Newport News Alliance for Youth.