
A Study of Pennsylvania Juveniles
Transferred to Criminal Court
in 1986

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A STUDY OF PENNSYLVANIA JUVENILES
TRANSFERRED TO CRIMINAL COURT
IN 1986

April, 1991

Prepared for

The Pennsylvania Juvenile Court
Judges' Commission

Harrisburg, PA 17105-3222

John H. Lemmon
Juvenile Court Consultant

Henry Sontheimer
Juvenile Court Consultant

Keith A. Saylor
Graduate Assistant

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HIGHLIGHTS OF THE STUDY FINDINGS

- * Less than one percent of all 1986 juvenile court dispositions resulted in transfer to criminal court.
- * Transferred juveniles were predominantly males (96%) and minorities (62%). The average age at transfer was 17.4 years. Philadelphia County accounted for 44% of the transfers.
- * Transferred juveniles averaged 4.4 prior dispositions, 2.7 adjudications and 1.4 placements. Thirteen percent had no prior dispositions and 38% had no prior placements.
- * Theft offenses, robbery and burglary comprised nearly 60% of all offenses resulting in criminal court convictions. Robbery was the modal conviction offense in Philadelphia while burglary predominated in the remainder of the state.
- * Most (89%) transferred offenders had at least one charge substantiated against them in criminal court. Substantiation rates were lower in Philadelphia (82%) than in the remainder of the state (94%). Substantiation rates did not vary by race.
- * Among offenders with charges substantiated against them, the overall incarceration rate was 89%. Incarceration rates for Philadelphia and the remainder of the state were comparable. Most (67%) sentences of incarceration were served in county jails rather than state prisons.
- * Among juveniles who received adult sentences of incarceration the average minimum term was 1.5 years and the average maximum term 3.5 years. Only one third of the minimum sentences exceeded one year; one fifth exceeded two years.
- * Among juveniles who received sentences of incarceration, Philadelphia juveniles received significantly longer sentences than juveniles from the remainder of the state. This difference may be related to the more serious crimes committed by Philadelphia juveniles.
- * The length of the minimum sentence imposed was related to both seriousness of the conviction offense and prior juvenile court history, but was not related to race or age.
- * The average time from the juvenile court transfer hearing to the criminal court sentencing date was over eight months.

I. INTRODUCTION AND BACKGROUND

1. INTRODUCTION

Although juvenile court philosophy was traditionally based on the concepts of *parens patriae* and "child-saving," all states nonetheless provide a mechanism whereby juveniles may be tried as adults in certain cases. This process is variously referred to as transfer, waiver, certification or bindover. Transfer to criminal court is an action that strips individuals of the protective status of "juvenile" and subjects them to the potentially more punitive forces of the adult criminal justice system. The juvenile court's ability to waive jurisdiction provides an alternative means of handling children who are judged to be beyond rehabilitation or whose crimes are deemed too serious to deserve the protections normally afforded juveniles.

Over the last two decades, the rehabilitative ideal of the juvenile justice system has come under increased scrutiny from various segments of society. Highly publicized and generally negative evaluations of delinquency treatment programs (Martinson, 1974; Lipton, Martinson and Wilks, 1975), combined with a shift in national juvenile justice priorities and a perception that juvenile crime was increasing, provoked reforms which advocated punishment and incapacitation as the solution to serious juvenile crime (Bishop et al., 1989).

As a result of these challenges, delinquency policy has begun to shift from a purely rehabilitative approach to a mixed rehabilitation and just deserts model premised upon treatment, punishment and individual responsibility. (Forst, et. al. 1989).

In the context of this shift, some states have increased the use of the transfer process as a means of "holding juveniles accountable" for serious crimes. The debate concerning whether juveniles should be prosecuted and punished as adults--and if so which juveniles should be treated thusly--reflects the conflict between the traditional treatment orientation of the juvenile justice system and the more recent just deserts or accountability approach (Bortner, 1986).

In 1984, the Juvenile Court Judges' Commission--in cooperation with the Pennsylvania Department of Public Welfare and Virginia Commonwealth University--initiated a study of juveniles transferred to criminal court in 1982 (JCJC, 1984). The present research was designed as a follow up to the 1984 study and was initiated in response to the need for additional information regarding trends within the Commonwealth's juvenile justice system in the handling of serious and habitual youth offenders.

This report provides a description and analysis of the data which were collected on all juveniles transferred to criminal court in Pennsylvania during 1986. The report considers a variety of issues including: statewide trends in the transfer process and variations among counties; certain demographic features; prior juvenile court histories including dispositions, adjudications, consent decrees, placements, and prior transfers; alleged offenses that triggered the transfer process; and the sentences imposed by the criminal courts.

2. PENNSYLVANIA'S TRANSFER STATUTE

Pennsylvania's Juvenile Act (42 PA C.S. Sec. 6301 et seq.) provides two mechanisms for the transfer of juveniles to criminal court: judicial waiver and statutory exclusion. Each method is briefly described in the following sections. Recent legislation dealing with the transfer process is also reviewed.

A. JUDICIAL WAIVER

This process is specified in section 6355 of the Act (Transfer to criminal proceedings) and complies with the standards set forth in Kent v. United States, 383 U.S. 541 (1966) mandating that a hearing be held on the merits of the transfer decision and that the juvenile and his parents be given advance, written notice as to the time, place, and purpose of the hearing. A number of objective criteria must first be applied to determine if the child may be considered for transfer. If these criteria are met, the court next considers the juvenile's "amenability to treatment."

As specified in section 6355, the objective criteria are as follows. First, a juvenile must be fourteen (14) years of age or older at the time of the alleged incident. Second, through a preliminary review of evidence the court must establish that there is a prima facie case that the juvenile committed the alleged act. Third, the alleged act must be considered a felony level offense; youths charged with only misdemeanors are not eligible for transfer.

Next, the court must determine that the juvenile is not "amenable to treatment, supervision or rehabilitation as a juvenile through available facilities." In making this determination, the court must consider specific factors including: the juvenile's age, mental capacity, level of maturity, degree of criminal sophistication and previous record; the nature and extent of prior delinquent involvement including the success or failure of prior court treatment programs; probation or institutional reports; whether the juvenile can be treated prior to the expiration of court jurisdiction; the nature and circumstances of the crime or crimes for which transfer is sought; and any other relevant factors.

The court must then determine that the child is not committable to a facility which serves the mentally retarded or mentally ill. In addition, the court must determine that the interests of the community require that the child be placed under legal restraint or discipline, or that the offense is one which would carry a sentence of more than three (3) years if committed as an adult. As a final note, section 6355 also allows the court to transfer the proceedings on the request of the juvenile.

B. STATUTORY EXCLUSION

This mechanism is outlined in sections 6302 (Definitions), section 6322 (Transfer from criminal proceedings) and 6355 (Transfer to criminal proceedings) of the Juvenile Act and pertains only to the crime of murder and to crimes committed by juveniles who have been found guilty in a criminal proceeding of a misdemeanor or felony. These offenses are excluded from the

definition of "Delinquent Act" in Section 6302 and are therefore initially subject to criminal court jurisdiction. However, in 1986, only murder was excluded. Section 6322 (Transfer from criminal proceedings) permits a certain degree of latitude on the part of the criminal courts in the handling of these cases. Under this section a youth charged with murder may be returned to the juvenile court for adjudication. In making this determination, the court considers the issue of amenability to treatment using the same factors found in section 6355; however, the burden of showing amenability rests with the child, rather than with the prosecution as is the case in transfers from juvenile to criminal proceedings. Section 6322 also provides that a child charged with murder who is convicted on a less serious charge "may be transferred for disposition" to the juvenile court, at the discretion of the court. Though not in effect in 1986, Section 6322 also provides that in criminal proceedings resulting in transfer of a felony case under Section 6355, the case may be transferred back to juvenile court for disposition if the juvenile is convicted of a lesser crime which is classified as a misdemeanor.

C. LEGISLATION AFFECTING THE TRANSFER PROCESS

There have been few changes to the transfer provisions of the Juvenile Act in recent years. The amendments under Act 41 of 1977 limited transferable cases to felony offenses and the amendments under Act 12 of 1980 clarified that a child may be found to be not amenable to treatment as a juvenile even though he or she has no prior adjudications of delinquency. Finally, Act 165 of 1986 excluded from the Juvenile Act definition of "delinquent

act" ... "a crime committed by a child who has been found guilty in a criminal proceeding for other than a summary offense." The latter change created a "permanent transfer" mechanism in that any juvenile transferred to criminal court and found guilty of at least a misdemeanor now automatically falls under criminal court jurisdiction for any subsequent criminal acts.

3. REVIEW OF THE LITERATURE

Much of the literature concerning the transfer process places it within the context of the "competing philosophies" debate that has existed within the juvenile justice system over the past twenty years. Thus, any review of the transfer process requires discussion of these philosophies and their implications. The genesis of the debate began in the mid-1960's with challenges to the traditional *parens patriae* model coming from due process advocates. As the result of increases in the reporting of delinquency in the later part of that decade and the early 1970's, advocates for retributive goals (Thomas & Bilchik, 1985) forged yet another reform to the system which is referred to today as the "just deserts" model.

There are those including Krisberg, et al. (1985), Bishop, et al. (1989), Champion (1989) and particularly Feld (1981, 1987, 1989) who suggest that increases in the number of criminal court transfers are one of the bellwether indicators of the transition of the juvenile justice philosophy from a treatment to a punishment oriented model. However, the court's prerogative to transfer those youths whom it considered serious or intractable has always existed. Moreover, according to Bortner (1986)

transfer remains one of the court's most important political weapons in maintaining the discretionary powers inherent in the parens patriae concept. Rather than being viewed as an admission of failure on the part of the juvenile justice system, transfer provides a degree of symbolic value representing the wise exercise of discretion as well as efficiency by reserving limited resources for those youths who are "most amenable to treatment." Thus, according to Bortner (1986) the underlying assumption of rehabilitation is preserved as is the integrity of the system.

Conversely, there are others such as Weisheit and Alexander (1986) who argue that there is nothing inherent in the parens patriae notion that inextricably ties it to rehabilitation. In this context, the competing philosophies are not separate and definitive. Rather, they include a number of interrelated dimensions such as discretion, accountability, and rehabilitation.

In Kent v. United States, 383 U.S. 541 (1966), the United States Supreme Court reviewed the transfer provisions contained within the District of Columbia's juvenile court statutes and decided that procedural due process requirements must be met when a determination to waive jurisdiction to criminal court is made (McCarthy, 1984). The procedural due process requirements set forth in Kent established that before transfer is ordered a juvenile must be afforded the right to legal counsel and is entitled to a hearing on the merits of the case. In addition, legal counsel is entitled to any records including medical and psychological evaluations, social histories, and delinquent background reports which could be used to provide the court with

an accurate picture of the juvenile's possible amenability to treatment (McCarthy, 1984). Finally, Kent stipulated that if transferred, a juvenile is entitled to a statement of reasons for that decision. This language was included because the juvenile court's decision on transfer is not subject to appeal.

The Kent decision was the first U.S. Supreme Court ruling on the constitutionality of juvenile court proceedings. Although the ruling was limited to a review of the District of Columbia statute, Kent has had a much broader impact because the decision questioned many traditional practices of the juvenile justice system. According to Feld (1987, 1989), Kent required that when the prosecution sought to transfer a juvenile to adult jurisdiction by means of judicial waiver, it bore the substantial burden of providing the evidence to a treatment-oriented juvenile court that the juvenile posed a serious danger to the community or was no longer amenable to treatment. Feld further argues that the clear intent of Kent was to sustain the rehabilitative ideal of the juvenile court.

The procedural standards established in the Kent decision have provided states with a model to facilitate criminal court prosecution of juvenile offenders. However, Feld contends that the standards have been used by punishment oriented reformers to effectively circumvent the Court's decision. In Bishop's Florida study (1989) she described three methods of juvenile court transfers. These included the exclusion of certain offense by means of legislative statute; a grand jury indictment process on serious felony offenses; and, prosecutorial waiver which was

found to be the most controversial method because it was vaguely defined and arbitrarily applied.

The problems of ambiguous definitions and arbitrary applications cited in Bishop's Florida study present the issue of whether objective and reliable criteria for determining a youth's suitability for transfer can actually be established. In 1980, Minnesota's state legislature revised its waiver statute in an attempt to limit judicial discretion while establishing an objective classification system based upon the juvenile's age, alleged offense, and record of prior felonies. Osbun and Rode (1984) conducted an evaluation of the revised waiver statute in Hennepin County (Minneapolis) by comparing cases at two time intervals, before and after adoption of the legislatively defined presumptive criteria. Their findings indicate that the defined criteria proved to be an inadequate method of juvenile transfer selection. Osbun and Rode conclude that the objective formulas are either too simplistic or too rigid to summarize behavioral data in a reliable and consistent manner. And despite the potential for abuse, Osbun and Rode argue that prosecutorial and judicial discretion provide better indicators of a juvenile's threat to the community or amenability to treatment than legislatively defined criteria.

Their findings contrast with an earlier study by Feld (1978) who argued that the problem was not a function of ambiguous judicial or legislative language per se; but rather resulted from a lack of valid clinical knowledge which renders prediction virtually impossible. Feld concluded that since there are no reliable empirical methods for diagnosing or treating juvenile

offenders, the principles of amenability and dangerousness should be abandoned as standards of presumptive criteria. Feld's solution entailed the use of actuarial tables which considered prior record and gravity of the offense, which he believes are a more reliable predictor of future criminality.

In a later review of Minnesota's juvenile court transfer process, Feld (1989) again cites discretionary practices as well as the lack of integration between juvenile transfer criteria and criminal sentencing practices as the major problems affecting the state's judicial waiver process. He again advocates the use of offense criteria in the development of two transfer alternatives. The first approach would involve the use of offense criteria in creating a presumption for waiver which shifts the burden of proof to the juvenile offender. The second approach involves a legislative waiver which excludes a limited category of serious offenses as well as chronic delinquency from the juvenile court's jurisdiction. By establishing explicit guidelines Feld believes that the use of judicial waiver can be limited. However, he later concedes that strategies placing the burden of proof on the accused, such as the presumption for waiver approach, may likely increase the number of transfers.

In categorizing the literature, it seems that the real issue in the transfer discussions of the late 1970's and early 1980's (Braithwaite & Shore, 1981), was whether the due process/treatment or the "just deserts" agenda would emerge as the preeminent reform movement that would direct the transfer process. Most of the studies completed since then have been

devoted to either a description or an analysis of the transfer process in the context of these reforms.

Other studies provide a description of the juvenile offenders and the process which they experienced. The most comprehensive of these studies is Hamparian's Youth in Adult Courts: Between Two Worlds (1982), which involved a state by state survey of juvenile transfers throughout the nation. Another study which involved a national sample was completed by Gragg (1986) who investigated juvenile transfers in twelve (12) metropolitan jurisdictions, including Philadelphia. In addition, the National Center for Juvenile Justice (Nimick, et al., 1986) reported on transfer decisions from over five hundred courts in nine states using their 1982 data base. Research has also been completed which involves regional data sets (Champion, 1989) while other studies considered specific states (Heuser, 1985; Singer & McDowall, 1988).

Some of the findings common to these studies include increased use of the transfer disposition even though evidence was lacking to suggest that delinquency was increasing (Champion, 1989; Bortner, 1986; Krisberg, et al. 1986; Hamparian, et al. 1982); property crimes being the most common transferred offenses (Nimick, et al. 1986; Gragg, 1986); and the factors of age, prior history, and alleged offense being the most important determinants in the transfer process (Nimick, et al. 1986; Heuser, 1985).

There is some evidence which suggests that the transfer of juveniles to criminal court does not automatically result in more serious punishments (Champion, 1985). This was support-

ed by Singer (1985, 1987, 1988), who concluded in an evaluation of New York's Juvenile Offender Law of 1978 that serious juvenile offenders have not been deterred by the increased certainty and severity of punishment provided by the statute.

Reviews of demographic features (Hamparian, et al., 1982, Gragg, 1986; JCJC, 1984) indicate that minorities tend to be over-represented in the transfer process. The issue of minority involvement has prompted further research to determine the impact of racial variables and has resulted in conflicting findings. Peterson (1988) conducted an analysis of over 6,000 cases in New York's Youth Offender Program, and found that the expected probability of a more favorable outcome was reduced for Black and Hispanic youths by 11.9% and 9.7% respectively when compared with Whites. Her findings underscore the discriminatory potential of legislative policies designed to place juveniles in the criminal justice system.

On the other hand, Fagan, Forst and Vivona (1987) examined racial differences for a sample of chronically violent offenders in four urban areas (Boston, Phoenix, Newark and Detroit) and though they found that minority youth were transferred more often, race was not predictive of transfer in each of their four multivariate models. Age and offense were the only consistent correlates of juvenile transfer across the four sites. These results are consistent with the results of Barnes and Franz' (1989) six year California study. The factors that determined the transfer decision in California were the seriousness of the offense and prior history of court involvement, particularly, previous commitments.

4. METHODOLOGY AND SAMPLE

The purpose of the study was to gather descriptive information on a specified population of juvenile offenders who were transferred to Pennsylvania's criminal courts during 1986. We collected information about the youths' involvement with the juvenile courts as well as their experiences in the criminal justice system.

The juveniles selected for this study included all youths transferred to the criminal court on at least one occasion during 1986. Two hundred and twenty-one (221) juveniles met this criterion. There was a total of two hundred and forty-six (246) transfer dispositions in the Commonwealth in 1986. In order to create a data base in which the units of analysis were the 221 juveniles rather than the 246 dispositions, a total of twenty-five (25) dispositions were deleted from portions of the study. These dispositions represented seventeen (17) juveniles who were transferred twice during the year, two (2) juveniles who were transferred three times, and two (2) juveniles who were transferred under aliases. In addition, one disposition was dropped when it was discovered that it was a duplicate in the Juvenile Court Judges Commission's data base while another was omitted due to a lack of information.

Our primary strategy for selecting the appropriate disposition for the juveniles with multiple transfers was to retain the transferred case on which the juvenile experienced the most serious consequence in the criminal justice system. In two cases, juveniles were transferred in two different counties. In

these situations, the transfer from the county of residence was used while the other was deleted. In regard to the juveniles who were transferred under aliases, we determined that the court was aware of this and discontinued proceedings on the false names at the time of sentencing.

The data collection activities included the development of two survey instruments, one designed to capture juvenile court histories and the other to capture information on criminal court convictions, dispositions, and sentences. The juvenile court survey was developed by the Juvenile Court Judges' Commission and entitled Survey of Selected Juvenile Offenders Data Collection Instrument. The survey was composed of four segments which included sections for demographic information, aggregate data on case histories, a description of the transfer charges, and background information on as many as four prior adjudications.

The adult court survey was developed by the Pennsylvania Commission on Sentencing and entitled Transfers of Juveniles to Adult Court. It was composed of six segments including sections for demographic information, the charges transferred from the Juvenile Court, the transferred charges that resulted in convictions, the disposition on the case (dismissal, guilty plea, guilty verdict at trial, etc.), the sentence that was imposed, and the amount of confinement and probation ordered and served. Copies of the surveys and manuals can be found in Appendix A.

The surveys provided details regarding the types and numbers of alleged and substantiated offenses. But, more importantly, the surveys provided a comprehensive picture of the court's response to the juveniles' delinquent activities as they moved through the

juvenile to the adult justice system. This picture is helpful when considering the policy implications inherent in the transfer process.

The surveys were completed by Probation Officers and District Attorneys in thirty-nine (39) of the participating counties. Follow-up contacts were made with various counties in order to verify information and complete missing data. Data were directly collected on the Philadelphia sub-sample through the assistance of the County District Attorneys' Habitual Offender's Unit. In order to verify data, a review of all Philadelphia County Juvenile Court records was facilitated in cooperation with the county's Juvenile Probation Department.

Because the data collection of the Philadelphia sub-sample was completed by the Commission's research team it is important to describe our method of interpretation and subsequent calculations of certain variables, particularly the aggregate data on juvenile court histories. Our treatment of the Philadelphia County Juvenile Court data base was designed to ensure compatibility with the data provided by the other counties. For the purpose of the study, a juvenile court disposition was defined as a decision made in regard to one or more criminal charges. Therefore, a single disposition could result from several arrests and/or petitions.

In our review of Philadelphia County's Juvenile Court records we found that multiple petitions were often filed on concurrent delinquent incidents which were disposed of during one court hearing. This was especially evident in cases of multiple property crimes. For example, if a juvenile was brought before

the court charged with a series of burglary offenses it would be likely that he/she would have a petition filed on each burglary as well as a specific disposition on each petition. The multiple petitions could result in a variety of different dispositions which if interpreted literally, would inflate the youth's history of involvement with the juvenile court relative to the court histories of juveniles from other counties. In order to provide a more consistent description of court histories and to ensure that dispositions, in particular, were counted in a reliable manner, the total number of dispositions was collapsed to reflect one decision per court hearing date. The disposition which was selected represented the most serious legal consequence for the youth.

Verification of adult court dispositions and sentences was accomplished in cooperation with the Philadelphia County Adult Probation Department and the Pennsylvania Department of Corrections. As a result of these efforts data were collected on over 99% of the cohort (221 of 222 transferred individuals).

The cohort was divided into two sub-samples: the juveniles who were transferred in Philadelphia (N=98) and those transferred in the remaining thirty-nine counties (N=123). The roughly equivalent sub-samples facilitated comparisons between the two groups. The two sub-sample grouping was also employed in order to replicate the design of the study of the 1982 cohort of transferred offenders.

II. RESULTS OF THE DESCRIPTIVE STUDY

1. TRENDS REGARDING THE USE OF TRANSFER IN PENNSYLVANIA

In 1986, two hundred forty-six (246) cases involving two hundred twenty-two (222) juveniles were transferred to criminal court in 40 of Pennsylvania's 67 counties. In that particular year the juvenile courts of the Commonwealth processed 31,649 dispositions on delinquent charges. Those cases which resulted in transfers to criminal court (N=246) comprised 0.78% of the total cases disposed by the Commonwealth's juvenile justice system.

The literature on the subject of the transfer of juvenile offenders (Hamparian, et al., 1982; Krisberg et al., 1986) suggests that this option is becoming an acceptable and widely used alternative for the juvenile court. However, this does not seem to be the case in Pennsylvania where the percentage of transfers to criminal court to total juvenile court dispositions has consistently remained at slightly less than one percent. Table 1 provides the total number of transfers and dispositions and the percentage of transfers to total dispositions for the period of 1985 through 1989.

TABLE 1

Transfers as a Percent of Total Dispositions: 1985-1989					
Year	1985	1986	1987	1988	1989
# of Transfers	227	246	284	241	339
# of Dispositions	29,137	31,649	29,602	32,173	33,336
% of Transfers to Dispositions	0.78%	0.78%	0.96%	0.75%	1.02%

Table 2 provides a listing of the number of transfers and dispositions, and the percentages of transfers to dispositions for the forty (40) counties that transferred juveniles in 1986. The data in Table 2 suggest that there was substantial variation in the use of the transfer disposition from county to county.

2. DEMOGRAPHIC FEATURES

A total of two hundred twenty-one (221) juveniles were represented in the cohort. Ninety-eight (98) of the juveniles were from Philadelphia, and one hundred twenty-three (123) from the remainder of the state.

Through the surveys we were able to collect information on the gender, age, and race of the juveniles in the cohort. Over 95% of the transferred juveniles were males, their average age at the time of the transfer hearing was slightly less than seventeen and one-half years and over 60% were from minority groups.

Juveniles transferred in Philadelphia County comprised approximately 44% of the sample. Cross-tabulations of Philadelphia County with the remainder of the state were made on two demographic variables, gender and race.

TABLE 2

Transfers as a Percent of Total Dispositions for 1986 by County

County	# of Transfers	# of Dispositions	Transfer %
Adams	2	97	2.06%
Allegheny	3	4,472	.06%
Armstrong	3	142	2.11%
Beaver	1	332	.30%
Berks	2	547	.36%
Blair	2	298	.67%
Bucks	4	746	.53%
Butler	9	310	2.90%
Cambria	4	323	1.23%
Carbon	1	101	.99%
Chester	1	515	.19%
Clarion	1	43	2.32%
Clinton	1	77	1.29%
Cumberland	1	365	.27%
Dauphin	14	705	1.98%
Delaware	10	1019	.98%
Erie	2	659	.30%
Forest	1	35	2.87%
Fulton	1	11	9.09%
Lackawanna	1	310	.32%
Lancaster	5	771	.64%
Lawrence	2	412	.90%
Lebanon	2	212	.94%
Lehigh	4	564	.70%
Luzerne	11	833	1.32%
Lycoming	1	359	.27%
McKean	1	86	1.16%
Mifflin	3	58	5.17%
Monroe	1	97	1.03%
Montgomery	6	1226	.48%
Northampton	13	611	2.13%
Northumberland	4	323	1.24%
Philadelphia	109	10,345	1.05%
Schuylkill	1	228	.43%
Somerset	2	231	.86%
Tioga	3	138	2.17%
Warren	7	100	7.00%
Washington	5	423	1.18%
Westmoreland	1	525	.19%
Wyoming	1	53	1.88%
Total	246	* 31,649	0.78%

* Represents the total number of state dispositions in 1986

A. GENDER

Males composed 96.4% of the cohort which is consistent with the results from the national studies on juvenile transfers (Hamparian, et al. 1982) as well as with the previous findings concerning the 1982 cohort (JCJC, 1984). Table 3 provides the frequency distribution on gender.

TABLE 3

	Gender		
	Philadelphia (N = 98 Juv)	Remainder of the State (N = 123 Juv)	Total (N = 221 Juv)
Male	96 (98.00%)	117 (95.12%)	213 (96.38%)
Female	2 (2.00%)	6 (4.88%)	8 (3.62%)

B. AGE AT TIME OF TRANSFER HEARING

The average age of the juveniles at the time of their transfer hearing was seventeen years and four months. Comparisons between the sub-samples indicate that the ages of the juveniles were roughly equivalent. Though the age ranged from fifteen to twenty-one years, approximately 80% of the cohort was between seventeen and eighteen years of age at the time of their hearing. Pennsylvania's Juvenile Act allows the court to maintain its jurisdiction over a youth between the ages of eighteen and twenty-one in cases where the delinquent act occurred prior to the juvenile's eighteenth birthday. Table 4 provides the frequency distribution on age at the time of the transfer hearing.

TABLE 4

Age at Time of Transfer Hearing			
	Philadelphia (N = 98 Juv)	Remainder of the State (N = 123 Juv)	Total (N = 221 Juv)
15	5 (5.10%)	1 (0.81%)	6 (2.71%)
16	15 (15.31%)	7 (5.69%)	22 (9.95%)
17	39 (39.80%)	61 (49.59%)	100 (45.25%)
18	28 (28.57%)	49 (39.84%)	77 (34.84%)
19	9 (9.18%)	4 (3.25%)	13 (5.88%)
20	1 (1.02%)	1 (0.81%)	2 (0.90%)
21	1 (1.02%)	0 (0.00%)	1 (0.45%)
Mean	= 17.29	Mean = 17.42	Mean = 17.36
Mode	= 17.00	Mode = 17.00	Mode = 17.00
Median	= 17.00	Median = 17.00	Median = 17.00
S.D.	= 1.09	S.D. = 0.72	S.D. = 0.91

C. RACE

Table 5 provides the frequency distribution on race. Minority youth composed 62.44% of the entire cohort of juveniles transferred in 1986 in which Blacks made up 50.23% and Hispanics 11.76%, respectively. Though it may appear that there was a substantial increase in the number of minority transfers when compared to the 1982 cohort, (in which minorities accounted for 44% of the transfers) the 1982 figures are underestimates because only one half of the Philadelphia sub-sample was used in the analysis. The variation between the sub-samples on racial composition may be explained as a function of the size (98) and over-representation of minority youths (94%) in the Philadelphia sub-sample. (Minorities comprised about 82% of all juvenile court dispositions in Philadelphia in 1986.)

The observation that minorities comprised 62% of all transferred offenders in 1986 should be viewed within the larger context of minority representation at other decision points in the juvenile justice system. For example, in 1986, minority youths comprised approximately 46% of all juvenile court dispositions, 48% of all probationary adjudications and 58% of all placements (JCJC, 1987). By comparison, minorities only make up about 12% of the at-risk (10 to 17 years old) population in Pennsylvania.

This study does not address the question of minority representation among juveniles transferred to criminal court because we lack a control group of similar juveniles who were not transferred. However, we did determine that race was not a factor in the criminal court outcomes for the juveniles transferred during 1986. In other words, once transferred, a defendant's race had no bearing on the outcome of his or her case in criminal court. The results of these analyses can be found in Section III of this report.

TABLE 5

	Race		
	Philadelphia (N = 98 Juv)	Remainder of the State (N = 123 Juv)	Total (N = 221 Juv)
White	6 (6.12%)	77 (62.60%)	83 (37.56%)
Black	79 (80.61%)	32 (26.02%)	111 (50.23%)
Hispanic	12 (12.25%)	14 (11.38%)	26 (11.76%)
Other	1 (1.02%)	0 (0.00%)	1 (0.45%)

3. JUVENILE COURT HISTORY INFORMATION

The following section provides an outline of the juvenile court histories of the youths transferred to criminal court in 1986. Information on their case histories includes the total number of prior dispositions, adjudications, consent decrees, placements, and transfers to criminal court. Information was also collected on the juveniles' dispositional status immediately prior to their transfer and an analysis was made of twenty-nine juveniles who were transferred with no prior record of juvenile court involvement.

As previously mentioned, the cohort was divided into two (2) sub-samples, Philadelphia and the remainder of the state, and analyzed in terms of the number of transfer dispositions which took place. In Philadelphia there were one hundred nine (109) transfer dispositions involving ninety-eight (98) juveniles and in the remainder of the state, one hundred thirty-six (136) dispositions involving one hundred twenty-three (123) juveniles. The following tables provide data on these groups as well as a summation of the entire cohort.

A. PRIOR JUVENILE COURT DISPOSITIONS

Table 6 is a frequency distribution of juvenile court dispositions prior to transfer. Dispositions are defined as decisions made by the juvenile probation departments and the courts and represent the extent to which they had previous involvement in the juvenile justice system. The average number of prior dispositions for the entire cohort was 4.42.

Though there was good deal of variation in the number of prior dispositions with a range from zero to twenty-two, the results indicate that the cohort had extensive contacts in the juvenile justice system prior to their transfer.

Comparisons of the mean number of prior dispositions of Philadelphia (4.97) with the remainder of the state (3.97) approach statistical significance ($t = 1.9$, $df = 219$, $p < .06$), suggesting that juveniles from Philadelphia had more extensive histories than their counterparts elsewhere in the state.

TABLE 6

Prior Juvenile Court Dispositions								
Philadelphia (N = 98 Juv)			Remainder of the State (N = 121 Juv)			Total (N = 219 Juv)		
0	14	(14.29%)	15	(12.39%)	29	(13.24%)		
1	4	(4.08%)	14	(11.57%)	18	(8.22%)		
2	9	(9.18%)	17	(14.05%)	26	(11.87%)		
3	19	(19.39%)	17	(14.05%)	36	(16.44%)		
4	14	(14.29%)	15	(12.39%)	29	(13.24%)		
5	5	(5.10%)	8	(6.61%)	13	(5.94%)		
6	9	(9.18%)	11	(9.10%)	20	(9.13%)		
7	4	(4.08%)	10	(8.26%)	14	(6.39%)		
8+	20	(20.41%)	14	(11.57%)	34	(15.53%)		
Missing Cases	0		2		2			
Mean	= 4.97		Mean	= 3.97	Mean	= 4.42		
Mode	= 3.00		Mode	= 2.00	Mode	= 3.00		
Median	= 4.00		Median	= 3.00	Median	= 4.00		
S.D.	= 4.55		S.D.	= 3.23	S.D.	= 3.90		

i. MOST RECENT JUVENILE COURT DISPOSITION PRIOR TO TRANSFER

Data were collected regarding the juveniles' most recent court involvement, if any, prior to transfer. Twenty-nine (29) of

the juveniles, or 13.3% had no previous court involvement. However, the majority of juveniles were either placed on probation (38 or 17.43%, including those continued on probation), committed to residential placement (92 or 42.2%, including continuations of placements), or transferred to criminal court (26 or 11.93%) as their most recent disposition preceding the transfer disposition which resulted in their inclusion in the current study. Table 7 provides these results.

ii. ANALYSIS OF JUVENILES WITH NO PRIOR DISPOSITIONS

The cohort included twenty nine (29) juveniles with no prior court involvement. This group made up slightly more than thirteen percent of the cohort. Fourteen (14) of the juveniles were from Philadelphia and fifteen (15) from other counties in the state.

A review and comparison of the sub-samples of "first-time offenders" was made which considered two variables; the most serious alleged charge in the transfer petition and age at the time of the transfer hearing. In Philadelphia, the first-time offenders were younger and charged with violent crimes while in the remainder of the state the first-time offenders were older and less violent.

a. Most Serious Alleged Offense for First-time Offenders

Sub-sample comparisons of the most serious alleged charge suggest that the first time offenders in Philadelphia were more violent. Twelve of the fourteen Philadelphia juveniles (86%) were charged with felony level personal crimes as compared to four of the fifteen offenders (27%) from the Remainder of the State sub-sample.

TABLE 7

 Most Recent Juvenile Court Disposition Prior to Transfer

	Philadelphia (N = 98 Juv)	State (N = 120 Juv)	Total (N = 218 Juv)
No Prior Court Involvement	14 (14.29%)	15 (12.50%)	29 (13.30%)
Transferred to Other Juvenile Court	1 (1.02%)	0 (0.00%)	1 (0.46%)
Complaint Withdrawn	11 (11.22%)	2 (1.67%)	13 (5.96%)
Warned, Counseled, Case Closed	0 (0.00%)	1 (0.83%)	1 (0.46%)
Informal Adjustment	1 (1.02%)	2 (1.67%)	3 (1.38%)
Fines/Costs Ordered	1 (1.02%)	0 (0.00%)	1 (0.46%)
Consent Decree	4 (4.08%)	6 (5.00%)	10 (4.59%)
Probation	19 (19.39%)	17 (14.17%)	36 (16.51%)
Continuation of Probation	0 (0.00%)	2 (1.67%)	2 (0.92%)
Transferred to Criminal Court	9 (9.18%)	17 (14.17%)	26 (11.93%)
Other	1 (1.02%)	3 (2.50%)	4 (1.83%)
Placement	29 (29.59%)	52 (43.33%)	81 (37.16%)
Continuation of Placement	8 (8.16%)	3 (2.50%)	11 (5.04%)
Missing Cases	0	3	3

In addition, a review of the total number of charges in the transfer petitions indicates that the Philadelphia juveniles were charged with over twice as many offenses. The average number of charges transferred in cases involving first time offenders in Philadelphia was 6.43 per juvenile, as compared to 2.93 for juveniles from the remainder of the state. Tables 8 through 10

provide frequency distributions of the most serious alleged charge for each of the first-time offenders with breakdowns on each sub-sample.

TABLE 8

**Most Serious Alleged Charge Per First-Time Offender:
Pennsylvania
(N = 29 Juveniles)**

Frequency of Charge	Charge Code	Charge Description	% Total Charges
7	3502	Burglary	24.14%
6	3701	Robbery	20.69%
4	3121	Rape	13.79%
3	0901/2501	Criminal Attempt/Homicide	10.34%
2	2702	Aggravated Assault	6.90%
2	3925	Theft Receiving Stolen Property	6.90%
2	9592	Drug Offenses: Generic (F)	6.90%
1	3123	Invol. Dev. Sexual Intercourse	3.45%
1	3301	Arson & Related Offenses	3.45%
1	3927	Theft Failure Deposit. of Funds	3.45%

Note: (F) denotes felony level drug offense

TABLE 9

**Most Serious Alleged Charge Per First-Time Offender:
Philadelphia
(N = 14 Juveniles)**

Frequency of Charge	Charge Code	Charge Description	% Total Charges
5	3701	Robbery	35.71%
4	3121	Rape	28.57%
2	0901/2501	Criminal Attempt/Homicide	14.29%
2	9592	Drug Offenses: Generic (F)	14.29%
1	2702	Aggravated Assault	7.14%

Note: (F) denotes felony level drug offense

TABLE 10

**Most Serious Alleged Charge Per First-Time Offender:
Remainder of the State
(N = 15 Juveniles)**

Frequency of Charge	Charge Code	Charge Description	% Total Charges
7	3502	Burglary	46.67%
2	3925	Theft Receiving Stolen Property	13.33%
1	0901/2501	Criminal Attempt/Homicide	6.67%
1	2702	Aggravated Assault	6.67%
1	3123	Invol. Dev. Sexual Intercourse	6.67%
1	3301	Arson & Related Offenses	6.67%
1	3701	Robbery	6.67%
1	3927	Theft Failure Deposit. of Funds	6.67%

b. Age at Time of Transfer Disposition for First-time Offenders

The results indicate that the first-time offenders who were transferred in the Philadelphia sample were almost a year younger, by 10.68 months, than the group of first-time offenders from the other jurisdictions at the time of their disposition hearing. The average age of these juveniles from Philadelphia was 16.71 years compared to an average of 17.6 years elsewhere in the state. Table 11 provides the frequency distribution and mean age of the subjects at the time of their transfer disposition.

TABLE 11

Age of Juveniles with No Prior Juvenile Court Involvement
at Time of Transfer

Philadelphia (N = 14 Juv)		Remainder of the State (N = 15 Juv)	
Age	Frequency	Age	Frequency
15	3	15	1
16	3	16	0
17	4	17	4
18	3	18	9
19	1	19	1
Mean = 16.71		Mean = 17.60	

B. PRIOR ADJUDICATIONS OF DELINQUENCY

The juveniles in the study were, on the average, adjudicated delinquent slightly less than three times prior to their transfer to criminal court. These findings are consistent with the results of past research (JCJC, 1984; Gragg, 1986). Even though the juveniles in Philadelphia averaged more dispositions, the average number of prior adjudications was roughly equivalent between the two sub-samples, as shown in Table 12.

C. PRIOR CONSENT DECREES

The provisions of Pennsylvania's Juvenile Act governing consent decrees are found in Section 6340. A consent decree is a suspension of delinquency proceedings prior to the court's entry of an adjudication. This suspension is contingent upon the child accepting court supervision and complying with terms and condi-

tions agreed upon by all affected parties. In essence, consent decree status entails court supervision without adjudication.

TABLE 12

Prior Adjudications of Delinquency			
	Philadelphia (N = 98 Juv)	Remainder of the State (N = 121 Juv)	Total (N = 219 Juv)
0	23 (23.47%)	24 (19.83%)	47 (21.46%)
1	21 (21.43%)	15 (12.40%)	36 (16.44%)
2	11 (11.22%)	29 (23.97%)	40 (18.26%)
3	13 (13.27%)	16 (13.22%)	29 (13.24%)
4	14 (14.29%)	10 (8.26%)	24 (10.96%)
5	4 (4.08%)	9 (7.44%)	13 (5.94%)
6+	12 (12.24%)	18 (14.88%)	30 (13.70%)
Missing Cases	0	2	2
Mean	= 2.54	Mean = 2.74	Mean = 2.65
Mode	= 0.00	Mode = 2.00	Mode = 0.00
Median	= 2.00	Median = 2.00	Median = 2.00
S.D.	= 2.45	S.D. = 2.35	S.D. = 2.40

The data indicate that consent decrees were used relatively infrequently with this cohort of transferred offenders. About 32% of the juveniles had been on consent decrees during their involvement with the juvenile court. However, consent decrees were more widely used in Philadelphia than in the remainder of the state. In the Philadelphia sub-sample, approximately 47% of the juveniles had been placed on a consent decree at some time during their involvement with the court compared to 21% in the Remainder of the State sub-sample. Table 13 provides the frequency distribution of prior consent decrees.

TABLE 13

Prior Consent Decrees			
	Philadelphia (N = 98 Juv)	Remainder of the State (N = 121 Juv)	Total (N = 219 Juv)
0	52 (53.06%)	97 (80.17%)	149 (68.04%)
1	41 (41.84%)	23 (19.01%)	64 (29.22%)
2	4 (4.08%)	2 (1.65%)	6 (2.74%)
3	1 (1.02%)	0 (0.00%)	1 (0.46%)
Missing Cases	0	2	2
Mean	= 0.53	Mean = 0.22	Mean = 0.36
Mode	= 0.00	Mode = 0.00	Mode = 0.00
Median	= 0.00	Median = 0.00	Median = 0.00
S.D.	= 0.63	S.D. = 0.46	S.D. = 0.56

D. PRIOR JUVENILE COURT PLACEMENTS

Eighty-five (85) juveniles, or roughly 39% of the cohort were never placed in a residential facility as a result of a delinquency adjudication prior to their transfer to criminal court. The majority (61%) of the juveniles had at least one placement experience. The percentage of subjects with previous placements approximates the findings of the 1982 cohort (JCJC, 1984).

However, a smaller percentage of juveniles in the 1986 cohort (38%) had experienced multiple placements (two or more) in comparison to the 1982 cohort in which multiple placements accounted for 44%.¹ On average, the juveniles in the cohort experienced less than one and a half (1.38) placements during their involvement with the court. Comparisons of the mean number

of prior placements of Philadelphia (1.13) with the remainder of the state (1.58) indicate a statistically significance difference (t = 2.14, df = 216, p < .04). Table 14 provides the frequency distribution of these results.

TABLE 14

Prior Juvenile Court Placements			
	Philadelphia (N = 98 Juv)	Remainder of the State (N = 120 Juv)	Total (N = 218 Juv)
0	44 (40.90%)	41 (34.17%)	85 (38.99%)
1	24 (24.49%)	26 (21.67%)	50 (22.94%)
2	14 (14.29%)	27 (22.50%)	41 (18.81%)
3	7 (7.14%)	7 (5.83%)	14 (6.42%)
4	7 (7.14%)	11 (9.17%)	18 (8.26%)
5	2 (2.04%)	4 (3.33%)	6 (2.75%)
6	0 (0.00%)	4 (3.33%)	4 (1.83%)
Missing Cases	0	3	3
Mean	= 1.13	Mean = 1.58	Mean = 1.38
Mode	= 0.00	Mode = 0.00	Mode = 0.00
Median	= 1.00	Median = 1.00	Median = 1.00
S.D.	= 1.36	S.D. = 1.64	S.D. = 1.53

E. PRIOR TRANSFERS TO CRIMINAL COURT

Approximately 13 percent of the juveniles transferred to criminal court in 1986 had experienced at least one prior transfer.² Most of them were in the criminal trial process when they were transferred on the charges covered in the present study. Three of the juveniles were already in adult correctional facilities at the time of their transfer hearing. Table 15 provides the frequency distribution of these results.

TABLE 15

Prior Transfers to Criminal Court			
	Philadelphia (N = 98 Juv)	Remainder of the State (N = 121 Juv)	Total (N = 219 Juv)
0	89 (90.82%)	102 (84.30%)	191 (87.21%)
1	8 (8.16%)	15 (12.40%)	23 (10.50%)
2	1 (1.02%)	2 (1.65%)	3 (1.37%)
3	0 (0.00%)	2 (1.65%)	2 (0.92%)
Missing Cases	0	2	2
Mean	= 0.10	Mean = 0.21	Mean = 0.16
Mode	= 0.00	Mode = 0.00	Mode = 0.00
Median	= 0.00	Median = 0.00	Median = 0.00
S.D.	= 0.34	S.D. = 0.55	S.D. = 0.47

4. TOTAL VOLUME OF ALLEGED OFFENSES

In order to categorize the alleged offenses, data were collected on all of the charges in the transfer petitions. A charge was defined as any criminal violation or delinquent act.³ In determining the volume of transferred offenses we considered a total of one thousand one hundred and one (N=1101) specific charges, but not the counts of the charges.⁴

The three most frequently transferred charges were theft by unlawful taking, theft by receiving stolen property, and burglary. By including the charges of criminal conspiracy and criminal attempt related to these particular offenses, our results show that theft and burglary comprised over 36% of all transferred charges. By including all other theft related charges the percentage increased to nearly 41%.

These results are strikingly similar to the findings reported in the Commonwealth's juvenile transfer study of 1982, (JCJC, 1984). In that study, the three most frequently transferred charges were also theft by unlawful taking, theft by receiving stolen property, and burglary. These charges comprised nearly 32% of the distribution.

The most common crimes against persons in the current study were aggravated assault, simple assault, and robbery. Using the same calculations which include charges of criminal conspiracy and criminal attempt related to assault and robbery, these particular offenses comprised nearly a quarter of all transferred charges.

Though property crimes were the most common offenses, crimes of serious violence were also evident. Serious sexual assault, kidnaping and attempted homicide comprised 3% of the distribution. Overall, roughly 22% of the charges involved felony level crimes against persons. Moreover, Philadelphia was over-represented in the number of violent and drug related offenses. The juveniles from Philadelphia were charged with roughly 58% of all of transferred offenses. However, in regard to specific crimes they were charged with 67% of all aggravated assaults, 74% of all robberies, 63% of all sex offenses, and 72% of all drug related offenses.

Comparison of the data on transferred charges between the Philadelphia and the Remainder of the State sub-samples indicates that although theft offenses were common to each, a significant number of the robbery offenses occurred in Philadelphia, whereas a significant number of the burglary offenses occurred elsewhere.

Comparison of the data related to the charges in the 1982 cohort with the current one indicates little variation in the composition of the offenses. For instance, there was a slight decrease in the percentages of two of the most common violent crimes, aggravated assault and robbery, though criminal attempt to commit homicide and sex offenses such as rape, involuntary deviate sexual intercourse, and indecent assault remained constant. Drug related offenses comprised nearly 4% of the total charges in the current study, compared to less than three tenths of one percent of the distribution in the 1982 cohort.

Tables 16 through 18, respectively, provide frequency distributions on the total number of alleged offenses which were transferred for the entire cohort, the Philadelphia, and the Remainder of the State sub-samples.

TABLE 16

**Rank by Frequency of Transferred Charges: Pennsylvania
(N = 1101 charges)**

Frequency of Charge	Charge Code	Charge Description	% Total Charges
130	3921	Theft By Unlawful Taking	11.80%
123	0903	Criminal Conspiracy	11.17%
(34)		Robbery	
(24)		Burglary	
(22)		Theft 3921	
(12)		Aggravated Assault	
(11)		Theft 3925	
(4)		Drug Offenses: Generic (F)	
(3)		Drug Sales Cocaine (F)	
(3)		Rape	
(2)		Simple Assault	
(2)		Criminal Trespass	
(2)		Escape	
(1)		Unauth. Use of a Motor Veh.	
(1)		Retail Theft	
(1)		Forgery	
(1)		Drug Sales Marijuana (F)	
115	3925	Theft Receiving Stolen Property	10.45%
85	3502	Burglary	7.72%
79	2702	Aggravated Assault	7.18%
70	3701	Robbery	6.36%
66	2701	Simple Assault	5.99%
54	2705	Reckless Endangerment	4.90%
45	2706	Terroristic Threats	4.09%
31	3503	Criminal Trespass	2.82%
31	3928	Unauthorized Use of a Motor Veh.	2.82%
30	0907	Poss. Instrument of Crime	2.72%
23	0901	Criminal Attempt	2.09%
(7)		Homicide	
(6)		Theft 3921	
(3)		Robbery	
(2)		Burglary	
(2)		Theft 3925	
(1)		Aggravated Assault	
(1)		Rape	
(1)		Forgery	
20	3304	Criminal Mischief	1.82%
16	3924	Theft of Property Lost/Mislaid	1.45%
15	0908	Prohibited Offensive Weapon	1.36%
14	9592	Drug Offenses: Generic (F)	1.27%
13	5121	Escape	1.18%
11	3121	Rape	1.00%
10	3123	Invol. Dev. Sexual Intercourse	0.91%
10	6106	Firearms Violation	0.91%

TABLE 16, Cont'd

Frequency of Charge	Charge Code	Charge Description	% Total Charges
9	3126	Indecent Assault	0.82%
8	5104	Resisting Arrest	0.73%
8	9591	Drug Offenses: Generic (M)	0.73%
7	5503	Disorderly Conduct	0.64%
6	2902	Unlawful Restraint	0.54%
5	3929	Retail Theft	0.45%
5	4101	Forgery	0.45%
4	0062	Probation Violation	0.36%
4	0902	Criminal Solicitation	0.36%
4	3127	Indecent Exposure	0.36%
3	2703	Assault By Prisoner	0.27%
3	2903	False Imprisonment	0.27%
3	3301	Arson & Related Offenses	0.27%
3	5501	Riot	0.27%
2	0033	Non-Payment of Fines	0.18%
2	2710	Ethnic Intimidation	0.18%
2	4904	Unsworn Falsification to Auth.	0.18%
2	4953	Retaliation Against Witnesses	0.18%
2	5101	Obstructing Admin. of Law	0.18%
2	9111	Drug Poss. Marijuana/Hashish (M)	0.18%
2	9112	Drug Poss. Marijuana/Hashish (F)	0.18%
2	9212	Drug Sales Marijuana/Hashish (F)	0.18%
1	0003	Failure to Adjust to Placement	0.09%
1	0041	DUI	0.09%
1	2707	Propulsion of Missile Road/Veh.	0.09%
1	2901	Kidnaping	0.09%
1	3122	Statutory Rape	0.09%
1	3302	Causing or Risking Catastrophe	0.09%
1	3307	Institutional Vandalism	0.09%
1	3927	Theft Failure Disposit. of Funds	0.09%
1	4101	Forgery	0.09%
1	4701	Bribery of an Official	0.09%
1	4952	Intimidation of Witnesses	0.09%
1	5104	Resisting Arrest	0.09%
1	5504	Harassment by Communication	0.09%
1	6103	Crimes Committed with a Firearm	0.09%
1	6108	Carrying Firearms (Phila.)	0.09%
1	6117	Altering Marks of Identification	0.09%
1	6301	Corruption of Minors	0.09%
1	6308	Purch., Cons. and Trans. Alc.Bev.	0.09%
1	9161	Drug Poss. Other Hallucinogens (M)	0.09%
1	9222	Drug Sales Heroin/Methadone (F)	0.09%
1	9232	Drug Sales Cocaine (F)	0.09%
1	9262	Drug Sales Other Hallucinogens (F)	0.09%

Note: (F) denotes felony level and (M) misdemeanor level drug offense

TABLE 17

**Rank by Frequency of Transferred Charges: Philadelphia
(N = 641 Charges)**

Frequency Of Charge	Charge Code	Charge Description	% Total Charges
73	0903	Criminal Conspiracy	11.39%
(24)		Robbery	
(14)		Theft 3921	
(9)		Aggravated Assault	
(8)		Burglary	
(6)		Theft 3925	
(4)		Drug Offenses: Generic (F)	
(3)		Rape	
(2)		Drug Sales Cocaine (F)	
(2)		Simple Assault	
(1)		Criminal Trespass	
71	3925	Theft Receiving Stolen Property	11.08%
62	3921	Theft by Unlawful Taking	9.67%
52	2702	Aggravated Assault	8.11%
52	3701	Robbery	8.11%
44	2701	Simple Assault	6.86%
40	2706	Terroristic Threats	6.24%
36	2705	Reckless Endangerment	5.62%
28	0907	Poss. of Instrument of Crime	4.37%
23	3502	Burglary	3.59%
20	3928	Unauthorized Use of a Motor Veh.	3.12%
19	3503	Criminal Trespass	2.96%
16	3924	Theft of Property Lost/Mislaid	2.50%
14	9592	Drug Offenses: Generic (F)	2.15%
13	0908	Prohibited Offensive Weapon	2.03%
8	0901	Criminal Attempt	1.25%
(3)		Homicide	
(2)		Theft 3921	
(2)		Theft 3925	
(1)		Robbery	
7	3121	Rape	1.10%
7	3123	Invol. Dev. Sexual Intercourse	1.10%
7	9591	Drug Offenses: Generic (M)	1.10%
6	3304	Criminal Mischief	0.94%
5	2902	Unlawful Restraint	0.79%
5	3126	Indecent Assault	0.79%
5	6106	Firearms Violation	0.79%
4	3127	Indecent Exposure	0.62%
4	5104	Resisting Arrest	0.62%
3	2903	False Imprisonment	0.47%
3	5121	Escape	0.47%
2	2710	Ethnic Intimidation	0.31%

TABLE 17, Cont'd

Frequency Of Charge	Charge Code	Charge Description	% Total Charges
1	0003	Failure to Adjust to Placement	0.16%
1	2707	Propulsion of Missile Road/Veh.	0.16%
1	2901	Kidnaping	0.16%
1	3122	Statutory Rape	0.16%
1	4701	Bribery of an Official	0.16%
1	4952	Intimidation of Witnesses	0.16%
1	4953	Retaliation Against Witnesses	0.16%
1	5503	Disorderly Conduct	0.16%
1	5504	Harassment by Communication	0.16%
1	6108	Carrying Firearms (Phila.)	0.16%
1	9112	Drug Poss. Marijuana/Hashish (F)	0.16%
1	9232	Drug Sales Cocaine (F)	0.16%

Note: (F) denotes felony level and (M) misdemeanor level drug offense

TABLE 18

Rank by Frequency of Transferred Charges: Remainder of the State
(N = 460 Charges)

Frequency of Charge	Charge Code	Charge Description	% Total Charges
68	3921	Theft By Unlawful Taking	14.78%
62	3502	Burglary	13.48%
50	0903	Criminal Conspiracy	10.87%
(16)		Burglary	
(10)		Robbery	
(8)		Theft 3921	
(5)		Theft 3925	
(3)		Aggravated Assault	
(2)		Escape	
(1)		Criminal Trespass	
(1)		Unauth Use of a Motor Veh.	
(1)		Retail Theft	
(1)		Forgery	
(1)		Drug Sales Marijuana (F)	
(1)		Drug Sales Cocaine (F)	
44	3925	Theft Receiving Stolen Property	9.57%
27	2702	Aggravated Assault	5.87%
22	2701	Simple Assault	4.78%
18	2705	Reckless Endangerment	3.91%
18	3701	Robbery	3.91%
15	0901	Criminal Attempt	3.26%
(4)		Homicide	
(4)		Theft 3921	
(2)		Robbery	
(2)		Burglary	
(1)		Aggravated Assault	
(1)		Rape	
(1)		Forgery	
14	3304	Criminal Mischief	3.04%
12	3503	Criminal Trespass	2.61%
11	3928	Unauthorized Use of a Motor Veh.	2.39%
10	5121	Escape	2.17%
6	5503	Disorderly Conduct	1.30%
5	2706	Terroristic Threats	1.09%
5	3929	Retail Theft	1.09%
5	4101	Forgery	1.09%
5	6106	Firearms Violation	1.09%
4	0062	Probation Violation	0.87%
4	0902	Criminal Solicitation	0.87%
4	3121	Rape	0.87%
4	3126	Indecent Assault	0.87%
4	5104	Resisting Arrest	0.87%

TABLE 18, Cont'd

Frequency of Charge	Charge Code	Charge Description	% Total Charges
3	2703	Assault By Prisoner	0.65%
3	3123	Invol. Dev. Sexual Intercourse	0.65%
3	3301	Arson & Related Offenses	0.65%
3	5501	Riot	0.65%
2	0033	Non-Payment of Fines	0.43%
2	0907	Poss. of Instrument of Crime	0.43%
2	0908	Prohibited Offensive Weapon	0.43%
2	4904	Unsworn Falsification to Auth.	0.43%
2	5101	Obstructing Admin. of Law	0.43%
2	9111	Drug Poss. Marijuana/Hashish (M)	0.43%
2	9212	Drug Sales Marijuana/Hashish (F)	0.43%
1	0041	DUI	0.22%
1	2902	Unlawful Restraint	0.22%
1	3302	Causing or Risking Catastrophe	0.22%
1	3307	Institutional Vandalism	0.22%
1	3927	Theft Failure Deposit. of Funds	0.22%
1	4101	Forgery	0.22%
1	4953	Retaliation Against Witnesses	0.22%
1	5101	Resisting Arrest	0.22%
1	6103	Crimes Commit. With Firearm	0.22%
1	6117	Altering Marks of Identification	0.22%
1	6301	Corruption of Minors	0.22%
1	6308	Purch., Cons. and Trans. Alc.Bev.	0.22%
1	9112	Drug Poss. Marijuana/Hashish (F)	0.22%
1	9161	Drug Poss. Other Hallucinogens (M)	0.22%
1	9222	Drug Sales Heroin/Methadone (F)	0.22%
1	9262	Drug Sales Other Hallucinogens (F)	0.22%
1	9591	Drug Offenses: Generic (M)	0.22%

Note: (F) denotes felony level and (M) misdemeanor level drug offense

5. TOTAL VOLUME OF SUBSTANTIATED OFFENSES

The crimes of burglary, robbery, theft by unlawful taking, theft by receiving stolen property, aggravated assault, and simple assault accounted for 60% of all transferred charges and 71% of all charges resulting in criminal court convictions.⁵

The sub-sample distributions reflect these percentages with one point of variation. Though findings of guilt on theft and assault were common to both groups, in Philadelphia robbery accounted for 22% of all substantiated charges whereas in the remainder of the state burglary accounted for 22% of all substantiated charges.

Tables 19 through 21, respectively, provide frequency distributions on the total number of transferred charges which were substantiated in criminal court for the entire cohort, as well as the Philadelphia and the Remainder of the State sub-samples.

TABLE 19

Rank by Frequency of Transferred Charges Which Were
Substantiated in Criminal Court: Pennsylvania
(N = 492 Charges)

Frequency of Charges	Charge Code	Charge Description	% Total Charges
77	0903	Criminal Conspiracy	15.65%
(28)		Robbery	
(11)		Theft 3921	
(5)		Aggravated Assault	
(4)		Theft 3925	
(2)		Simple Assault	
(2)		Rape	
(2)		Drug Offenses: Generic (F)	
(1)		Criminal Trespass	
(1)		Unauth Use of a Motor Veh.	
(1)		Retail Theft	
(1)		Forgery	
(1)		Escape	
(1)		Drug Sales Marijuana (F)	
68	3921	Theft By Unlawful Taking	13.82%
60	3502	Burglary	12.20%
48	3701	Robbery	9.76%
45	3925	Theft Receiving Stolen Property	9.15%
26	2702	Aggravated Assault	5.28%
23	2701	Simple Assault	4.67%
16	3503	Criminal Trespass	3.25%
11	0907	Poss. Instrument of Crime	2.24%
11	3928	Unauthorized Use of Motor Veh.	2.24%
10	0901	Criminal Attempt	2.03%
(5)		Theft 3921	
(3)		Aggravated Assault	
(2)		Burglary	
10	3304	Criminal Mischief	2.03%
10	5121	Escape	2.03%
8	2705	Reckless Endangerment	1.63%
8	9592	Drug Offenses: Generic (F)	1.63%
5	9591	Drug Offenses: Generic (M)	1.02%
4	0908	Prohibited Offensive Weapon	0.81%
4	3123	Invol. Dev. Sexual Intercourse	0.81%
4	3929	Retail Theft	0.81%
3	2703	Assault By Prisoner	0.61%
3	2706	Terroristic Threats	0.61%
3	3121	Rape	0.61%
3	4101	Forgery	0.61%
3	6106	Firearms Violation	0.61%

TABLE 19, Cont'd

Frequency of Charges	Charge Code	Charge Description	% Total Charges
2	3126	Indecent Assault	0.41%
2	3301	Arson & Related Offenses	0.41%
2	3922	Theft By Deception	0.41%
2	5501	Riot	0.41%
2	9112	Drug Poss. Marijuana/Hashish (F)	0.41%
2	9232	Drug Sales Cocaine (F)	0.41%
1	0902	Criminal Solicitation	0.20%
1	2503	Voluntary Manslaughter	0.20%
1	2902	Unlawful Restraint	0.20%
1	3122	Statutory Rape	0.20%
1	3307	Institutional Vandalism	0.20%
1	3924	Theft Property Lost/Mislaid	0.20%
1	3927	Theft Failure Disposit. of Funds	0.20%
1	4701	Bribery of an Official	0.20%
1	4904	Unsworn Falsification to Auth.	0.20%
1	5104	Resisting Arrest	0.20%
1	5107	Aiding Consummation of Crime	0.20%
1	6108	Carrying Firearms (Phila.)	0.20%
1	6301	Corruption of Minors	0.20%
1	9132	Drug Poss. Cocaine (F)	0.20%
1	9222	Drug Sales Heroin/Methadone (F)	0.20%
1	9262	Drug Sales Other Hallucinogens (F)	0.20%
1	9312	Drug Dist. Marijuana/Hashish (F)	0.20%

Note: (F) denotes felony level and (M) misdemeanor level drug offense

TABLE 20

Rank by Frequency of Transferred Charges Which Were
Substantiated in Criminal Court: Philadelphia
(N = 222 Charges)

Frequency Of Charges	Charge Code	Charge Description	% Total Charges
44	0903	Criminal Conspiracy	19.81%
(19)		Robbery	
(7)		Theft 3921	
(6)		Burglary	
(4)		Aggravated Assault	
(2)		Simple Assault	
(2)		Rape	
(2)		Drug Offenses: Generic (F)	
(1)		Criminal Trespass	
(1)		Theft 3925	
30	3701	Robbery	13.51%
30	3921	Theft By Unlawful Taking	13.51%
23	3925	Theft Receiving Stolen Property	10.36%
16	2701	Simple Assault	7.20%
14	3502	Burglary	6.31%
10	0907	Poss. Instrument Crime	4.50%
10	2702	Aggravated Assault	4.50%
8	9592	Drug Offenses: Generic (F)	3.60%
6	3503	Criminal Trespass	2.70%
5	3928	Unauthorized Use of a Motor Veh.	2.25%
5	9591	Drug Offenses: Generic (M)	2.25%
4	0908	Prohibited Offensive Weapon	1.80%
4	3123	Invol. Dev. Sexual Intercourse	1.80%
2	2706	Terroristic Threats	0.90%
2	3121	Rape	0.90%
2	6106	Firearms Violation	0.90%
1	0901	Criminal Attempt	0.45%
(1)		Theft 3921	
1	2503	Voluntary Manslaughter	0.45%
1	3924	Theft Property Lost/Mislaid	0.45%
1	4701	Bribery of an Official	0.45%
1	5121	Escape	0.45%
1	6108	Firearms Violation (Phila.)	0.45%
1	9112	Drug Poss. Marijuana/Hashish (F)	0.45%

Note: (F) denotes felony level and (M) misdemeanor level drug offense

TABLE 21

**Rank by Frequency of Transferred Charges Which Were
Substantiated in Criminal Court: Remainder of the State
(N = 270 Charges)**

Frequency Of Charges	Charge Code	Charge Description	% Total Charges
46	3502	Burglary	17.04%
38	3921	Theft By Unlawful Taking	14.07%
33	0903	Criminal Conspiracy	12.22%
(11)		Burglary	
(9)		Robbery	
(4)		Theft 3921	
(3)		Theft 3925	
(1)		Aggravated Assault	
(1)		Unauth Use of a Motor Veh.	
(1)		Retail Theft	
(1)		Forgery	
(1)		Escape	
(1)		Drug Sales Marijuana (F)	
22	3925	Theft Receiving Stolen Property	8.15%
18	3701	Robbery	6.67%
16	2702	Aggravated Assault	5.93%
10	3304	Criminal Mischief	3.70%
10	3503	Criminal Trespass	3.70%
9	0901	Criminal Attempt	3.33%
(4)		Theft 3921	
(3)		Aggravated Assault	
(2)		Burglary	
9	5121	Escape	3.33%
8	2705	Reckless Endangerment	2.96%
7	2701	Simple Assault	2.59%
6	3928	Unauthorized Use of a Motor Veh.	2.22%
4	3929	Retail Theft	1.48%
3	2703	Assault By Prisoner	1.11%
3	4101	Forgery	1.11%
3	6106	Firearms Violation	1.11%
2	3126	Indecent Assault	0.74%
2	3301	Arson & Related Offenses	0.74%
2	3922	Theft By Deception	0.74%
2	9232	Drug Sales Cocaine (F)	0.74%
1	0902	Criminal Solicitation	0.37%
1	0907	Poss. Instrument of Crime	0.37%
1	2706	Terroristic Threats	0.37%
1	2902	Unlawful Restraint	0.37%
1	3121	Rape	0.37%
1	3122	Statutory Rape	0.37%
1	3307	Institutional Vandalism	0.37%
1	3927	Theft Failure Disposit. of Funds	0.37%

TABLE 21, Cont'd

Frequency Of Charges	Charge Code	Charge Description	% Total Charges
1	4904	Unsworn Falsification To Auth.	0.37%
1	5104	Resisting Arrest	0.37%
1	5107	Aiding Consummation Crime	0.37%
1	6301	Corruption of Minors	0.37%
1	9112	Drug Poss. Marijuana/Hashish (F)	0.37%
1	9132	Drug Poss. Cocaine (F)	0.37%
1	9221	Drug Sales Heroin/Methadone (M)	0.37%
1	9262	Drug Sales Other Hallucinogens (F)	0.37%
1	9312	Drug Dist. Marijuana/Hashish (F)	0.37%

Note: (F) denotes felony level and (M) misdemeanor level drug offense

6. REVIEW OF THE MOST SERIOUS ALLEGED AND SUBSTANTIATED OFFENSES

Thus far in this report we have focused on the total volume of transferred offenses. In order to get a better understanding of the judicial process and to track each juvenile's case through the criminal court system, we now focus on the most serious alleged charge contained in each transfer petition. While the review of the total number of transferred charges provides a general idea about the nature of the delinquent acts, it was the most serious or "lead" charge which presumably triggered the transfer process. For cases in which there was a criminal court finding of guilt, we also concentrate in this section on the most serious substantiated offense per juvenile rather than all of his or her substantiated offenses.⁶

Of the entire cohort of youth offenders, one hundred and eighty-two (182) were convicted while three (3) others were placed on Accelerated Rehabilitative Disposition (ARD) status.⁷ This means that nearly 89% of the juveniles waived to the adult system had at least one charge substantiated in criminal court and were placed under some form of correctional supervision.

A review of the distribution of lead charges indicates that burglary and robbery accounted for over 57% of all alleged and 48% of all substantiated charges. The composition of charges varied by regions of the state. In Philadelphia, robbery accounted for nearly 42% of all alleged and 33% of all substantiated charges. Whereas, in the remainder of the state, burglary was the predominant (44% alleged and 35% substantiated) charge.

The number of robberies committed by juveniles from Philadelphia provides some indication of the violent content of their crimes in comparison with the juveniles from the remainder of the state. By combining robbery with other felony level personal crimes such as aggravated assault, attempted homicide, and sex offenses we found that over 64% of the alleged and 49% of the substantiated charges fell into this violent offense category in the Philadelphia sub-sample in contrast to 33% alleged and 29% substantiated in the remainder of the state.

Though drug offenses comprised a relatively small percentage of total charges, between group variation was observed here as well. In Philadelphia, drug offenses comprised 9% of all alleged and 8% of all substantiated charges. Whereas, in the remainder of the state, the respective percentages were roughly 4%.

Tables 22 through 27 provide the frequency distributions for the most serious alleged and substantiated charges for the entire cohort and for both sub-samples.

TABLE 22

**Most Serious Alleged Charge Per Juvenile:
Pennsylvania
(N = 221 Juveniles)**

Frequency Of Charge	Charge Code	Charge Description	% Total Charges
68	3502	Burglary	30.77%
59	3701	Robbery	26.70%
22	2702	Aggravated Assault	9.95%
22	3925	Theft Receiving Stolen Property	9.95%
11	3121	Rape	4.98%
8	9592	Drug Offenses: Generic (F)	3.62%
7	0901/2501	Criminal Attempt/Homicide	3.17%
3	4101	Forgery	1.36%
3	5121	Escape	1.36%
2	3123	Invol. Dev. Sexual Intercourse	0.90%
2	2703	Assault By Prisoner	0.90%
2	9112	Drug Poss. Marijuana/Hashish (F)	0.90%
1	3301	Arson & Related Offenses	0.45%
1	3302	Causing Or Risking Catastrophe	0.45%
1	3921	Theft By Unlawful Taking	0.45%
1	3927	Theft Failure Deposit. of Funds	0.45%
1	3929	Retail Theft	0.45%
1	4701	Bribery of an Official	0.45%
1	4953	Retaliation Against Witnesses	0.45%
1	5501	Riot	0.45%
1	9212	Drug Sales Marijuana/Hashish (F)	0.45%
1	9222	Drug Sales Heroin/Methadone (F)	0.45%
1	9232	Drug Sales Cocaine (F)	0.45%
1	9262	Drug Sales Other Hallucinogens (F)	0.45%

Note: (F) denotes felony level drug offense

TABLE 23

Most Serious Substantiated Charge Per Juvenile:
 Pennsylvania
 (N = 185 Juveniles)

Frequency Of Charge	Charge Code	Charge Description	% Total Charges
46	3502	Burglary	24.86%
43	3701	Robbery	23.24%
17	2702	Aggravated Assault	9.19%
15	3925	Theft Receiving Stolen Property	8.11%
11	3921	Theft By Unlawful Taking	5.95%
9	2701	Simple Assault	4.86%
6	3503	Criminal Trespass	3.24%
5	9592	Drug Offenses: Generic (F)	2.70%
4	4101	Forgery	2.16%
4	5121	Escape	2.16%
2	2706	Terroristic Threats	1.08%
2	3121	Rape	1.08%
2	3123	Invol. Dev. Sexual Intercourse	1.08%
2	3929	Retail Theft	1.08%
1	2503	Voluntary Manslaughter	0.54%
1	2703	Assault By Prisoner	0.54%
1	2705	Reckless Endangerment	0.54%
1	3122	Statutory Rape	0.54%
1	3301	Arson & Related Offenses	0.54%
1	3304	Criminal Mischief	0.54%
1	3307	Institutional Vandalism	0.54%
1	3922	Theft By Deception	0.54%
1	3927	Theft Failure Deposit. of Funds	0.54%
1	4701	Bribery of an Official	0.54%
1	6106	Firearms Violation	0.54%
1	9112	Drug Poss. Marijuana/Hashish (F)	0.54%
1	9132	Drug Poss. Cocaine (F)	0.54%
1	9212	Drug Sales Marijuana/Hashish (F)	0.54%
1	9222	Drug Sales Heroin/Methadone (F)	0.54%
1	9232	Drug Sales Cocaine	0.54%
1	9262	Drug Sales Other Hallucinogens (F)	0.54%

Note: (F) denotes felony level drug offense

TABLE 24

**Most Serious Alleged Charge Per Juvenile:
Philadelphia
(N = 98 Juveniles)**

Frequency Of Charge	Charge Code	Charge Description	% Total Charges
41	3701	Robbery	41.84%
14	3502	Burglary	14.29%
11	2702	Aggravated Assault	11.22%
11	3925	Theft Receiving Stolen Property	11.22%
8	9592	Drug Offenses: Generic (F)	8.16%
7	3121	Rape	7.14%
3	0901/2501	Criminal Attempt/Homicide	3.06%
1	3123	Invol. Dev. Sexual Intercourse	1.02%
1	4701	Bribery of an Official	1.02%
1	9112	Drug Poss. Marijuana/Hashish (F)	1.02%

TABLE 25

**Most Serious Substantiated Charge Per Juvenile:
Philadelphia
(N = 72 Juveniles)**

Frequency Of Charge	Charge Code	Charge Description	% Total Charges
24	3701	Robbery	33.33%
8	3925	Theft Receiving Stolen Property	11.11%
7	3502	Burglary	9.72%
7	3921	Theft By Unlawful Taking	9.72%
6	2701	Simple Assault	8.33%
6	2702	Aggravated Assault	8.33%
5	9592	Drug Offenses: Generic (F)	6.94%
2	3121	Rape	2.77%
2	3123	Invol. Dev. Sexual Intercourse	2.77%
1	2503	Voluntary Manslaughter	1.93%
1	2706	Terroristic Threats	1.39%
1	3503	Criminal Trespass	1.39%
1	4701	Bribery of an Official	1.39%
1	9112	Drug Poss. Marijuana/Hashish (F)	1.39%

Note: (F) denotes felony level drug offense

TABLE 26

Most Serious Alleged Charge Per Juvenile:
Remainder of the State
(N = 123 Juveniles)

Frequency Of Charge	Charge Code	Charge Description	% Total Charges
54	3502	Burglary	43.90%
18	3701	Robbery	14.63%
11	2702	Aggravated Assault	8.94%
11	3925	Theft Receiving Stolen Property	8.94%
4	0901/2501	Criminal Attempt/Homicide	3.25%
4	3121	Rape	3.25%
3	4101	Forgery	2.44%
3	5121	Escape	2.44%
2	2703	Assault By Prisoner	1.63%
1	3123	Invol. Dev. Sexual Intercourse	0.81%
1	3301	Arson & Related Offenses	0.81%
1	3302	Causing Or Risking Catastrophe	0.81%
1	3921	Theft By Unlawful Taking	0.81%
1	3927	Theft Failure Deposit. of Funds	0.81%
1	3929	Retail Theft	0.81%
1	4953	Retaliation Against Witnesses	0.81%
1	5501	Riot	0.81%
1	9112	Drug Poss. Marijuana/Hashish (F)	0.81%
1	9212	Drug Sales Marijuana/Hashish (F)	0.81%
1	9222	Drug Sales Heroin/Methadone (F)	0.81%
1	9232	Drug Sales Cocaine (F)	0.81%
1	9262	Drug Sales Other Hallucinogens (F)	0.81%

Note: (F) denotes felony level drug offense

TABLE 27

**Most Serious Substantiated Charge Per Juvenile:
Remainder of the State
(N = 113 Juveniles)**

Frequency Of Charge	Charge Code	Charge Description	% Total Charges
39	3502	Burglary	34.51%
19	3701	Robbery	16.81%
11	2702	Aggravated Assault	9.73%
7	3925	Theft Receiving Stolen Property	6.19%
5	3503	Criminal Trespass	4.42%
4	3921	Theft By Unlawful Taking	3.54%
4	4101	Forgery	3.54%
4	5121	Escape	3.54%
3	2701	Simple Assault	2.65%
2	3929	Retail Theft	1.77%
1	2703	Assault By Prisoner	0.88%
1	2705	Reckless Endangerment	0.88%
1	2706	Terroristic Threats	0.88%
1	3122	Statutory Rape	0.88%
1	3301	Arson & Related Offenses	0.88%
1	3304	Criminal Mischief	0.88%
1	3307	Institutional Vandalism	0.88%
1	3922	Theft By Deception	0.88%
1	3927	Theft Failure Deposit. of Funds	0.88%
1	6106	Firearms Violation	0.88%
1	9132	Drug Poss. Cocaine (F)	0.88%
1	9212	Drug Sales Marijuana/Hashish (F)	0.88%
1	9222	Drug Sales Heroin/Methadone (F)	0.88%
1	9232	Drug Sales Cocaine (F)	0.88%
1	9262	Drug Sales Other Hallucinogens (F)	0.88%

Note: (F) denotes felony level drug offense

7. DISPOSITION OF CRIMINAL COURT CASES

As mentioned in the previous section, the majority of juveniles were convicted in criminal court on at least one of the alleged charges or on a reduced charge. One hundred eighty-two (182) of the juveniles in the cohort either pled or were found guilty on at least one charge. Another three (3) were placed on ARD, and are considered "substantiated cases" in the context of this report. By considering only those cases with known outcomes ($N = 208$),⁸ the substantiation rate was approximately 89%. Philadelphia's 82% substantiation rate was significantly lower than the 94% substantiation rate for the remainder of the state ($t = -2.85$, $df = 206$, $p < .01$).

The majority of the convictions resulted from pleas of guilt or nolo contendere. Criminal cases involving ninety-nine (99) of the juveniles were disposed of in this manner suggesting that plea bargaining arrangements were fairly prevalent. Another indication of possible plea bargaining was the extent of charge reduction during the criminal court process. We defined charge reduction as the lead conviction charge being less serious than the lead alleged charge. In Philadelphia, the level of offense severity was reduced in over one-third of the proceedings compared to approximately twenty percent of the cases in the remainder of the state. Though this suggests that charge reduction was more common in Philadelphia, bear in mind that juveniles from Philadelphia were charged with significantly more offenses.

The majority of the cases were disposed of in some fashion during the initial stages of the criminal court process. Approximately 71% of the disposed cases never completed the trial process as a result of guilty or no contest pleas, or as a result of charges being dropped, dismissed, or nolle prosequi. Of the twenty-two (22) juveniles who were not convicted, fifteen (15) had their cases dropped, dismissed or nolle prosequi prior to trial.

Cases that were actually heard were more commonly handled as non-jury trials. A total of fifty-one (51) juveniles went to trial; twenty-three (23) receiving jury and twenty-eight (28) receiving non-jury trials. Forty-four (44) of the juveniles who went to trial were convicted on at least one charge, yielding a conviction rate of 86%. Comparisons of conviction rates of jury and non-jury trials shows that the likelihood of conviction was higher in the latter case. Eighty-three percent of the jury trials resulted in convictions compared to eighty-nine percent of the non-jury trials. Only three (3) of the juveniles in the cohort received ARD, indicating that most of the cases resulted in findings of guilt leading to sentences of formal probation or incarceration. Tables 28 through 30 provide the total distribution and sub-sample breakdowns of criminal court outcomes for the cohort.

TABLE 28

**Criminal Court Disposition of Transferred Charges:
Pennsylvania (N = 218 Juveniles)**

Type of Disposition	Number of Juveniles	% Total Juveniles
Pled Guilty or Nolo Contendere on at least One (1) Charge	138	63.30%
Found Guilty (Jury Trial) on at least One (1) Charge	19	8.72%
Found Guilty (Non-Jury Trial) on at least One (1) Charge	25	11.47%
Given ARD on at least One (1) Charge	3	1.38%
Found Not Guilty (Jury Trial) on All Charges	4	1.83%
Found Not Guilty (Non-Jury Trial) on All Charges	3	1.38%
Charges Dropped, Dismissed or Nolle Prosed Prior to Trial	15	6.88%
Offender is a Fugitive	1	0.46%
Other		
Charges Pending	8	3.67%
Transferred to Juvenile Court	2	0.92%
<hr/>		
Missing Cases	3	

TABLE 29

**Criminal Court Disposition of Transferred Charges:
Philadelphia (N = 96 Juveniles)**

Type of Disposition	Number of Juveniles	% Total Juveniles
Pled Guilty or Nolo Contendere on at least One (1) Charge	44	45.83%
Found Guilty (Jury Trial) on at least One (1) Charge	6	6.25%
Found Guilty (Non-Jury Trial) on at least One (1) Charge	22	22.91%
Given ARD on at least One (1) Charge	0	0.00%
Found Not Guilty (Jury Trial) on All Charges	2	2.04%
Found Not Guilty (Non-Jury Trial) on All Charges	2	2.04%
Charges Dropped, Dismissed or Nolle Prosed Prior to Trial	11	11.22%
Offender is a Fugitive	0	0.00%
Other		
Charges Pending	8	8.33%
Transferred to Juvenile Court	1	1.04%

Missing Cases 2

TABLE 30

**Criminal Court Disposition of Transferred Charges:
Remainder of the State (N = 122 Juveniles)**

Type of Disposition	Number of Juveniles	% Total Juveniles
Pled Guilty or Nolo Contendere on at least One (1) Charge	94	77.05%
Found Guilty (Jury Trial) on at least One (1) Charge	13	10.65%
Found Guilty (Non-Jury Trial) on at least One (1) Charge	3	2.46%
Given ARD on at least One (1) Charge	3	2.46%
Found Not Guilty (Jury Trial) on All Charges	2	1.64%
Found Not Guilty (Non-Jury Trial) on All Charges	1	0.82%
Charges Dropped, Dismissed or Nolle Prosed Prior to Trial	4	3.28%
Offender is a Fugitive	1	0.82%
Other Transferred to Juvenile Court	1	0.82%
Missing Cases	1	

8. SENTENCES IMPOSED BY THE CRIMINAL COURT

The following section outlines the types of sentences which were imposed upon the one hundred eighty-five (185) juveniles who were either convicted (182) or placed on ARD (3). Approximately 89% of those juveniles who pled or were found guilty in criminal court were sentenced to incarceration in either state prison or county jail facilities. This includes one hundred ten (110) in county jails, and fifty-five (55) in state prison.

Many of the sentences involved multiple consequences for the offenders including probation, imposition of fines, the payment of court costs, and restitution in addition to their incarceration and parole. Probation was included as part of the sentence in 35% of the convictions. Fines and or court costs were imposed in 22% of the sentences. Restitution was ordered as part of 21% of the sentences.

Comparisons between Philadelphia and the remainder of the state show similarities in terms of the percentage of convicted offenders who received sentences of incarceration: 87.5% in Philadelphia and 90.3% in the remainder of the state. The percentage of convicted juveniles sentenced to state prison facilities was higher in Philadelphia (33.3%) than in the remainder of the state (27.4%) and partially explains the increased mean length of sentences in Philadelphia which will be covered in the next section.

The data also indicate that the actions taken by the criminal court involved stringent consequences. Only three of the sentences involved ARD and there were no suspended sentences or

findings of guilt without further judicial action. It appears that the predominant response of the criminal courts toward convicted youth offenders entailed incarceration followed by parole as well as other court related services. These percentages are higher than the results of the 1984 study. In that study, 69.6% of the total dispositions resulted in incarceration compared to 79.3% in the current study (JCJC, 1984).

Tables 31 through 33 provide the frequency distributions of the most serious sentence imposed upon the juveniles who were convicted or placed on ARD. In creating the following tables, incarceration in state prison was rated as the most serious imposed sentence followed by incarceration in county jail. This was followed by convictions which resulted in probation with conditions, probation without conditions, fines, and restitution. Since defendants placed on ARD are not formally convicted, this method of disposition was rated as the least serious imposed sentence. It should be noted, however, that ARD status typically involves supervision by probation authorities.

A. CASE PROCESSING TIME

Noting the fact that over eighty percent of the juveniles in the cohort either pled guilty, were convicted, or given ARD, we thought it useful to consider the amount of time spent in the judicial process. This was determined by calculating the length of time from the date of the transfer hearing to the date of the criminal court sentencing. Information was collected on 177 of the 185 offenders placed under correctional supervision

TABLE 31

**Most Serious Imposed Sentence:
Pennsylvania (N = 185)**

Type of Sentence	Number of Juveniles	% Total Juveniles
State Prison Confinement	55	29.73%
County Jail Confinement	110	59.46%
Probation With Conditions	3	1.62%
Probation Without Conditions	13	7.03%
Restitution	1	0.54%
ARD	3	1.62%

TABLE 32

**Most Serious Imposed Sentence:
Philadelphia (N = 72)**

Type of Sentence	Number of Juveniles	% Total Juveniles
State Prison Confinement	24	33.33%
County Jail Confinement	39	54.16%
Probation Without Conditions	9	12.50%

TABLE 33

**Most Serious Imposed Sentence:
Remainder of the State (N = 113)**

Type of Sentence	Number of Juveniles	% Total Juveniles
State Prison Confinement	31	27.43%
County Jail Confinement	71	62.83%
Probation With Conditions	3	2.66%
Probation Without Conditions	4	3.54%
Restitution	1	0.88%
ARD	3	2.66%

(convicted or placed on ARD). Only one county failed to provide these data which explains the eight missing cases.

For the entire cohort the time from transfer to sentencing ranged from zero to thirty-two months with an average of slightly over eight and one-half and a median of seven months. Comparisons between the sub-samples indicate that the length of time between transfer and sentencing was significantly longer in Philadelphia than in the remainder of the state.

In Philadelphia, the average time between transfer and sentencing was approximately one year with a median time of ten months. Moreover, criminal proceedings were still pending on seven (7) additional cases when our data collection activities were completed. Thus, the results from the Philadelphia sub-sample are underestimated.

The average length of time from transfer to sentencing in the remainder of the state was approximately six and one-half months, with a median of five months. However, there was significant variation in the amount of time taken to process cases among the counties which comprised the sub-sample. These results are suggestive of the differences among the various counties in their administration of cases as well as a variety of other factors including plea negotiations, or defendants failing to appear for their hearings. Table 34 provides the mean and median length of time from the date of transfer to the date of sentencing, in months.

TABLE 34

Mean and Median Length of Time from Date of Transfer
to Date of Sentence, in Months

Pennsylvania (N = 177)	Mean	8.69
	Median	7.06
Philadelphia (N = 72)	Mean	11.87
	Median	10.09
Remainder of the State (N = 105)	Mean	6.51
	Median	5.00

Missing Cases 8

9. LENGTH OF ORDERED INCARCERATION

This section provides information on the length of confinement ordered in cases resulting in incarceration. As previously mentioned, a total of one hundred sixty-five (165) juveniles were sentenced to terms of imprisonment in county jails or state correctional facilities.

Table 35 provides the mean and median sentences (both minimum and maximum) for all incarcerated juveniles. Sub-sample comparisons indicate that the average length of ordered incarceration (minimum and maximum terms) was significantly longer in Philadelphia (26.2 to 58.0 months) than in the remainder of the state (15.8 to 41.3 months).⁹

TABLE 35

Mean and Median Length of Ordered Incarceration, in Months

	Minimum	Maximum
Pennsylvania (N = 165)		
Mean	19.8	47.7
Median	11.5	23.5
Philadelphia (N = 63)		
Mean	26.2	58.0
Median	11.5	23.5
Remainder of the State (N = 102)		
Mean	15.8	41.3
Median	11.5	23.5

We also reviewed the mean length of ordered incarceration for juveniles whose most serious convicted offense was either robbery (N=43) or burglary (N=46). Imposed sentences were greater for robbery convictions which entailed minimum to maximum terms of from 27.1 to 60.1 months, on average. Sentences for burglary convictions entailed minimum to maximum terms of from 19.7 to 49.5 months, on average. The great majority of these juveniles were incarcerated. However, two juveniles with "lead" conviction charges of robbery, and two with burglary were not incarcerated. Their lengths of incarceration were coded as zero in our calculations of the means.

In regard to robbery convictions the imposed sentences within the two sub-samples were roughly equivalent. Sub-sample comparisons of imposed sentences for burglary convictions are not reliable because of the small size of the Philadelphia sub-sample. Tables 36 and 37 provide the average length of the minimum and maximum ordered sentences of incarceration on robbery and burglary convictions respectively.

TABLE 36

Mean Length of Ordered Incarceration for Robbery Conviction, in Months		
	Minimum	Maximum
Pennsylvania (N = 43)	27.1	60.1
Philadelphia (N = 24)	28.5	62.1
Remainder of the State (N = 19)	25.4	59.6

TABLE 37

Mean Length of Ordered Incarceration for Burglary Conviction, in Months		
	Minimum	Maximum
Pennsylvania (N = 46)	19.7	49.5
Philadelphia (N = 7)	36.7	87.4
Remainder of the State (N = 39)	16.6	42.7

III. ANALYSIS OF CRIMINAL COURT OUTCOMES

This section further examines the criminal court outcomes of juveniles transferred in 1986. The sample is limited to the 208 juveniles for whom outcomes were documented. Criminal court outcomes are conceptualized in terms of substantiation rates, incarceration rates, and length of imposed sentences of incarceration. We consider whether differences in outcomes are present along the following dimensions: geographical area (Philadelphia vs. remainder of the state), prior juvenile court history (first offenders vs. recidivists) and race (White, Black, and Hispanic).¹⁰

1. SUBSTANTIATION RATES

As stated earlier, the overall criminal court substantiation rate was 89% (185 of 208 juveniles with known outcomes). The substantiation rate was significantly lower in Philadelphia (82%) than in the remainder of the state (94%). When only first offenders were considered, no difference between geographical areas was noted. Nor was there any difference in the likelihood of a finding of guilt for first offenders compared to recidivists (those with at least one prior juvenile arrest).

Considering the entire cohort, substantiation rates did not vary by race. Within Philadelphia, substantiation rates were significantly lower for Whites (33%) than for either Blacks (87%) or Hispanics (73%). However, this difference should be interpreted with caution since the Philadelphia sub-sample includes only 6 Whites and 11 Hispanics. Put another way, if the cases of

just another 2 of the 6 Whites from Philadelphia had resulted in a finding of guilt, the apparent difference in substantiation rates would no longer exist. Within the remainder of the state sub-sample, substantiation rates did not differ by race.

2. INCARCERATION RATES

Of the 208 transferred juveniles with known criminal court outcomes, 185 had at least one charge substantiated and were therefore exposed to the possibility of incarceration.¹¹ "Incarceration rate" refers therefore to the percentage of incarcerated juveniles among all individuals who were placed under some form of correctional supervision. The overall incarceration rate for the 1986 cohort was 89% (165 of 185 offenders). The remaining 20 offenders placed under correctional supervision received sentences which included some combination of probation (or ARD), fines and restitution.

Incarceration rates did not vary by geographical area. Thus, while juveniles transferred in Philadelphia were less likely to be convicted than those transferred in other counties, there was no geographical difference in the likelihood of incarceration once guilt was determined.

The incarceration rate for first offenders (70%) was significantly lower than for repeat offenders or recidivists (93%). This difference may reflect the impact of prior juvenile court history on offenders' "prior record score" under the Pennsylvania Sentencing Guidelines. Certain juvenile court adjudications can increase one's prior record score, thus making incarceration more likely under the guidelines. Finally, among

first offenders, incarceration rates did not vary by geographical area.

Incarceration rates were comparable for all three racial categories across the statewide cohort and within the geographical sub-samples.

3. LENGTH OF SENTENCE IMPOSED

In Pennsylvania, most criminal court sentences of incarceration are of the indeterminate, minimum/maximum variety. Sentences with maximum terms of less than two years are generally served in county jails and longer sentences are served in a state correctional institution.¹² Offenders serving state prison or county jail terms must serve their minimum sentence before being considered for parole.¹³ Because the majority of offenders are paroled at or near the completion of their minimum terms, the minimum sentence and actual time served are highly correlated. A strong correlation also exists between the ordered minimum and maximum sentences; minimum terms usually are equal to half of the maximum term. In the following discussion, only the minimum sentences are considered. However, for all of the comparisons presented the results are similar for the maximum sentences.

In the 1986 cohort, minimum sentences for offenders placed under correctional supervision ranged from 0 years (for those placed on probation or ARD, for example) to 14 years. Longer sentences were relatively rare: only 20 of the 185 offenders received minimum sentences longer than three years. Minimum terms of between six and twelve months were the most typical (72 of 185 offenders). This distribution is consistent with the

observation that county jail sentences were twice as frequent as state prison sentences (110 to 55).

Considering only the 165 juveniles who received criminal court sentences of incarceration,¹⁴ the average minimum term was 1.65 years. The average minimum term for the Philadelphia sub-sample (2.19 years) was significantly longer than for the Remainder of the State sub-sample (1.32 years). Possible explanations for this difference are explored in the next section.

The minimum sentences imposed for cases involving first offenders (1.96 years) were slightly longer than for repeat offenders (1.62 years). It was noted in the previous section that the incarceration rate for first offenders was significantly lower than for recidivists. Together, these observations indicate that while the incarceration "threshold" is higher for first offenders, once the decision to incarcerate is made first offenders receive minimum sentences at least as long as those given to offenders with prior juvenile records.

Notably, among the 16 first-time offenders who were sentenced by the criminal court to a period of incarceration, Philadelphia juveniles received significantly longer average minimum sentences (3.48 years) than did juveniles from other counties (0.78 years). This sharp difference may reflect the crimes committed by first offenders transferred in each geographical area. In Philadelphia, first offenders were generally transferred for very serious crimes, while elsewhere in the state first offenders transferred to criminal court were typically juveniles close to age 18 charged with a felony level property offense (see Tables 9 and 10 for specific offenses).

No significant differences in minimum sentences ordered by the criminal court were noted along the dimension of race, either in the statewide sample or within geographical areas. More variation was noted in the Philadelphia sub-sample, in which Whites received the shortest (1.48 years) and Hispanics the longest (2.40 years) average terms. Although this difference may appear large, it is based on a very small number of White and Hispanic cases and is statistically insignificant. Within the rest of state sub-sample, the average minimum sentences received by all three racial categories varied by only about one month.

4. PREDICTORS OF IMPOSED SENTENCE LENGTH

We noted in the previous section that the average minimum sentences imposed on juveniles transferred to criminal court varied along the dimensions of geographical area, prior juvenile court history and race, although the differences were not always statistically significant. In this section we attempt to quantitatively assess the independent contribution of each of these factors on the length of the minimum sentence imposed.

For these analyses, the sample is limited to the 185 offenders placed under correctional supervision (165 who were incarcerated and 20 who received community-based sanctions). For the 20 offenders who did not receive sentences of incarceration, we coded the minimum sentence received as zero years. We begin by presenting the bivariate correlations¹⁵ between the length of minimum sentence imposed and several other variables, broken out by geographical area. This information is presented in Table 38.

TABLE 38

**Correlations between Minimum Sentence Imposed and
Offense Seriousness, Prior Juvenile Court History and Age**

I. Pennsylvania (N = 185)

Offense Seriousness ^a	Prior Referrals	Prior Adjudications	Prior Placements	Age at Transfer
.31 **	.08	.03	.08	.04

II. Philadelphia (N = 72)

Offense Seriousness ^a	Prior Referrals	Prior Adjudications	Prior Placements	Age at Transfer
.45 **	-.02	-.10	.04	-.07 ^b

III. Remainder of the State (N = 113)

Offense Seriousness ^a	Prior Referrals	Prior Adjudications	Prior Placements	Age at Transfer
.12 **	.14 *	.16 **	.16 **	.05

a. The measure of offense seriousness is the Offense Gravity Score or OGS. See note 16 for an explanation of this score.

* Significant at $p < .05$, one-tailed.

** Significant at $p < .01$, one-tailed.

Looking first at the statewide figures in Panel I of Table 38, we observe a moderately strong and statistically significant relationship ($r=.31$) between sentence length and offense seriousness.¹⁶ In other words, more serious offenses are associated with longer minimum sentences. The relationships between sentence length and the different measures of prior juvenile court record are weak, as is the relationship between sentence length and age.

To elaborate on these relationships, we next examine them within each sub-sample. As show in Panel II of Table 38, within Philadelphia County the relationship between offense seriousness and sentence length is strong ($r=.45$) and statistically significant. The effects of prior juvenile court record and age on sentence length are negligible. Lastly, we examine the Remainder of the State sub-sample in Panel III. For this group, offense seriousness has a much smaller effect on sentence length ($r=.12$). However, we observe moderate and significant correlations between sentence length and two measures of prior record (adjudications and placements). Juveniles with more prior placements (or adjudications) tend to receive longer sentences. The correlation between age and sentence length is again insignificant.

Together, the data in Table 38 indicate that offense seriousness is the strongest predictor of imposed sentence length in Philadelphia, while in other counties prior juvenile record is the most important factor. The limitation of the simple correlation statistic is that it cannot estimate the independent effects of all these variables. To answer questions such as "what is the effect of offense seriousness on sentence length controlling for prior record," we utilized a multiple regression approach. Our primary interest was to examine the possible effect of race on sentence length, while controlling for other factors which were expected to be related to criminal court outcomes (for example offense seriousness and prior record). A complete description of the multiple regression analyses is presented in Appendix C. However, the findings are summarized in the next section.

5. SUMMARY

Based on our regression analyses, most of the variation in the length of minimum sentence imposed is attributable to offense seriousness. More serious offenses are associated with longer sentences. This is especially true in the case of juveniles certified in Philadelphia. A history of prior delinquent placements was also associated with longer sentences; this relationship was stronger within the rest of state sub-sample. The relationship between age at the time of transfer and criminal court outcome was weak and inconsistent. Finally, there was no apparent relationship between race and sentence length once the factors listed above were accounted for.

The longer average minimum sentences imposed in Philadelphia compared to the remainder of the state are consistent with our conclusion that offense seriousness is the strongest predictor of sentence length. For example, robbery was the most serious substantiated offense for 33% of the Philadelphia cases compared to only 17% of the cases in the Remainder of the State sub-sample. Within the entire cohort, the average minimum sentence received by juveniles found guilty of robbery was 2.3 years. By comparison, juveniles found guilty of burglary (the most common substantiated offense in the Remainder of the State sub-sample) received minimum sentences averaging 1.6 years. Finally, we note that the Philadelphia sub-sample included two juveniles convicted of rape, two convicted of involuntary deviate sexual intercourse and one convicted of voluntary manslaughter. These five juveniles received minimum sentences averaging 5 years--well

above the sample-wide average minimum sentence of 1.6 years. No juveniles from the remaining counties were found guilty of these very serious charges.

IV. DISCUSSION

This project was designed to provide a complete description of all juveniles transferred to criminal court in Pennsylvania in 1986. The study replicates an earlier piece of research completed by the Juvenile Court Judges' Commission in cooperation with the Department of Public Welfare and Virginia Commonwealth University on a cohort of youth offenders transferred to criminal court in 1982. Throughout this report, similarities and differences between the 1982 and 1986 studies were noted.

1. PENNSYLVANIA'S TRANSFER RATES REMAIN LOW

The literature on the subject of juvenile court transfer suggests that it is becoming an acceptable and widely practiced dispositional alternative throughout the nation. In this regard Pennsylvania can be considered an anomaly. In the Commonwealth the ratio of transfers to total dispositions in 1986 was less than one percent. Furthermore, this trend of limited use has remained constant over the last five years. However, the relative frequency of transfers varied substantially among the counties which were represented in the study and may provide a possible explanation for the overall low incidence of transfers. The variation in the transfer to total disposition ratio is indicative of a wide range of judicial attitudes concerning its merits. Pennsylvania maintains a history of strong locally controlled judicial and probationary systems. As a result, centralized initiatives which have been successfully implemented in other states are not feasible in the Commonwealth. In essence,

Pennsylvania's juvenile justice system may represent all of the competing philosophies on the treatment of juvenile delinquency.

2. TRANSFER RATES VARY BETWEEN COUNTIES

It appears that juvenile courts in different counties may have different policies concerning the use of the transfer option. The Juvenile Act defines the conditions under which waiver to adult court is an option (based on age, offense and mental competence, for example). Once cases are filtered through this screen of objective standards, the much more subjective question of amenability to treatment must be addressed. One might argue that at this stage of the process, Pennsylvania lacks statewide guidelines concerning which cases should be transferred. Instead, each county is free to exercise discretion at this stage, based on local judicial philosophy, community standards, or other criteria.

The extent to which local judicial philosophy can influence the use of the transfer mechanism is well illustrated by considering Pennsylvania's second largest county. From 1986 to 1989 Allegheny County (Pittsburgh) averaged only about five (5) transfers per year while processing almost 5,000 cases annually. This ratio is only one tenth of the statewide transfer to disposition ratio. The Allegheny County Juvenile Court Administrative Judge during that period explained that juvenile court processing could guarantee both accountability and treatment (Yeager, 1987). Accountability was achieved by committing serious juvenile offenders to long (two to three year) initial terms of placement in secure juvenile facilities. And because the court had access

to a wide range of rehabilitative options, a suitable program could be located for most offenders.¹⁷ Other counties may have made more liberal use of the transfer mechanism because they lacked the financial resources required to commit juveniles for long periods or because they did not have similar access to programs designed for serious offenders.

3. JUDICIAL AUTONOMY AND THE TRANSFER PROCESS

The absence of statewide standards governing the use of the transfer provision is in part, a function of the broad judicial discretion allowed for in the traditional *parens patriae* concept of Pennsylvania's juvenile justice system. One can make an argument that due to the strength of local judicial autonomy and the subsequent diversity which resulted, Pennsylvania does not have a juvenile justice "system" in the same sense as other states with a centralized Youth Authority. However, the diversity and local autonomy inherent in Pennsylvania's juvenile courts may well be considered a source of the system's strength. People have placed a great deal of credibility in our juvenile court because it works. After all, over ninety-nine percent of Pennsylvania juvenile court dispositions in recent years were not transferred to criminal court. The majority of these cases resulted in community-based interventions such as probation and a minority (about 12%) resulted in residential placements ranging from group homes to secure institutions. The strength of the system is its ability to meet the identified needs of the juveniles coming before the court.

4. THE CONSEQUENCES OF TRANSFER

Being removed from the juvenile justice system resulted in serious consequences for most of the youths who were transferred. Overall, the substantiation rate for the cohort was eighty-nine percent. Most of the convictions were the result of guilty pleas. In reviewing the most serious charge for each of the dispositions we observed a reduction in the severity of the charges in approximately one-quarter of the cases. From these results we can speculate that plea bargaining was evident although not extensive. Most (79%) of the transferred juveniles had prior adjudications of delinquency, which may under certain circumstances increase an adult offender's "prior record score" under the Pennsylvania Sentencing Guidelines, thus making incarceration more likely. While our regression analyses confirmed that prior juvenile record has some impact on the length of imposed sentence among those incarcerated, offense seriousness is at least as important.

A. NATURE OF THE OFFENSES

The most frequently substantiated crimes were robbery, burglary and theft by unlawful taking. Only one quarter of the substantiated offenses were felony level crimes against persons. This finding suggests that although the juveniles in the cohort may have been chronic offenders (based on their extensive prior records) they were not necessarily violent ones. The violent crimes that were evident were concentrated in Philadelphia. Most of the rhetoric concerning transferred juveniles tends to portray them all as habitual and violent offenders; these findings

suggest otherwise. Thus, it would be prudent to clearly distinguish the violent offenders from the chronic ones when considering youths' suitability for transfer.

B. SUBSTANTIATION AND INCARCERATION RATES

In comparing the two sub-samples on substantiated offenses we found the same trends which were noted in our analysis of charges transferred to criminal court. The most common substantiated offenses in the Philadelphia sub-sample were robbery and theft whereas in the remainder of the state the predominant offenses were burglary and theft. The substantiation rate in the sub-sample from the remainder of the state (94%) was significantly higher than in Philadelphia (82%). In addition, the length of time from transfer to sentencing was considerably shorter in counties other than Philadelphia. For the entire cohort, the average length of time from the date of transfer to the date of sentencing was eight and one half months. In Philadelphia it was nearly one year. These average case processing times are considerably longer than typical juvenile court processing times. In 1986, for example, the median time from referral to disposition for all Pennsylvania juvenile cases was less than two months (JCJC 1986). The increased length of time to prosecute cases is an inevitable consequence of the adversarial nature of the criminal court process. Decision makers should take this into account when considering the efficacy of the transfer disposition.

Once a finding of guilt occurred the vast majority of the youths were sentenced to a period of incarceration. Over 79% of the entire cohort and 89% of all offenders with at least one

charge substantiated against them spent some period of time in confinement. Most of the incarcerations involved confinements within the county jail system; the longer sentences were carried out in state correctional facilities. The length of confinement ordered by the criminal court averaged (a minimum of) nineteen to (a maximum of) forty-five months. However, there was substantial variation between the two sub-samples with significantly longer sentences imposed in Philadelphia. Approximately three quarters of the incarcerated offenders had completed the confinement phase of their sentence at the time of the study. The actual length of incarceration for these juveniles averaged fourteen months.

5. POLICY CONSIDERATIONS

The use of incarceration as a disposition for juveniles who were transferred to and convicted in criminal court may appear to be a logical response of the combined juvenile/criminal justice system. If these juveniles are deemed "not amenable" to juvenile court intervention--when the juvenile court has dispositional options which include secure institutional commitments--does this not imply that a serious criminal court sanction is called for? The problem with this argument is that almost forty percent of the transferred youths had never been in placement and for those that were, less than fifteen percent had ever been in secure programs.

It is possible that extra-legal factors such as financial considerations were taken into account by the courts in deciding to send these youths into the adult correctional system. For example, counties incur considerable costs for open or secure

juvenile placements in the Commonwealth's Youth Development Centers. These costs are significantly higher than those associated with a commitment to the local county jail. Counties incur no direct costs for state prison commitments. The lack of available bed space in appropriate juvenile institutions may also be a factor which influences the decision to transfer a juvenile. In recent years, overcrowding in the state-run Youth Development Center (YDC) system has created periodic "backlogs" in juvenile detention centers involving adjudicated juveniles awaiting beds in the YDC system.

This brings us to a final and important point. Transfer to criminal court may result in less overall accountability than might have been achieved by "retaining" the case in the juvenile justice system. All juvenile transfer hearings include a fact-finding phase at which probable cause and lack of amenability to treatment through juvenile court resources must be established. We may then assume that if transferred cases were retained within juvenile court jurisdiction virtually all of them would have received some sanction and most would have resulted in placement. Furthermore, juvenile court proceedings are timely; two months from referral to disposition is typical. But instead of the certainty and severity of sanctions which the juvenile court offers, ten percent of the youths transferred to adult court in 1986 received no sanction while another ten percent received non-incarcerative dispositions. And instead of the speedy processing of cases typical in juvenile court, these cases required over eight months on average to reach a disposition in criminal court. Another consideration relative to the lack of consistent account-

ability in criminal court is that an additional three percent of the cases were still pending four years after their transfer.

Despite the problems with overall accountability for cases transferred to criminal court, there is no doubt that only the criminal justice system offers the probability of long sentences of confinement as a proportionate response to serious crimes. While long sentences were relatively rare in the 1986 cohort we note that as of March, 1990, thirty-eight youths were still serving prison sentences on their convictions. Most of the juveniles who were incarcerated, however, received relatively short sentences which were comparable in duration to typical juvenile court placements. Specifically, 67% of the adult ordered minimum sentences were one year or less in duration, about the same as a typical juvenile secure placement. Only 12% of the adult minimums were longer than three years, the statutory limit on the initial length of juvenile court commitments which could have been ordered by a juvenile court judge in 1986.

On balance, the argument that the criminal justice system can ensure greater accountability for the majority of transferred youths is questionable if accountability is measured in terms of the certainty, severity and swiftness of imposed sanctions. However, by "putting the juvenile on notice" that his or her behavior has been labeled criminal, rather than delinquent, and by creating a permanent adult criminal record, transfer may indeed contribute to greater accountability in some cases. These processes may have symbolic value to the system in that they establish limits regarding what behavior will be afforded the protections of the juvenile court.

ENDNOTES

(1) The units of count in the present study were the juveniles, (N=221), whereas in the 1982 cohort transfers were employed as the units of count. Since the time period of both studies was prior to the enactment of Act 165 a certain number of the juvenile histories would have been counted more than once as a consequence of multiple transfers. By employing juveniles as our unit of count we avoided this problem though this was probably not the case in the previous study. In addition, the previous study considered only one-half of the transfer dispositions in Philadelphia.

Secondly, in our review of the data on the number of placements, consideration was given to the type of disposition made by the court when there was a change of placement facility. If a juvenile was moved to another program as the result of a placement review this was considered a second placement. If a juvenile was moved to a more restrictive environment within a facility as the result of additional charges this was also treated as a second placement. Finally, the open and secure facilities at the Commonwealth's Youth Development Centers were treated as separate placements. However, when a juvenile was moved to a lesser restrictive environment within the same program, such as from group home to supervised independent living, this was treated as a continuation of the same placement. Our information considers only the number of placements and not the length of time in care which would have some bearing on our interpretation of the results.

(2) Act 165 of 1986 amended the Juvenile Act and stipulated that once transferred and convicted on at least a misdemeanor level offense, all future charges would automatically be subject to criminal court jurisdiction. Since this amendment did not take effect until February, 1987, a small percentage of cases in the 1986 cohort had experienced multiple transfer proceedings.

(3) Criminal violations are defined by the Crimes Code of Pennsylvania. The "charge descriptions" and four digit "charge code" numbers which appear in the tables of this report are taken from the Crimes Code. Delinquent acts include any Crimes Code violations committed by a juvenile (except Murder), as well as a few specialized acts defined by The Juvenile Act. Examples of the latter include violations of probation and failure to adjust to placement.

(4) Many of the charges included multiple counts. Hence, this is not an estimate of the actual volume of alleged incidents. However, a calculation of alleged charges provides a fairly reliable estimate of the types and numbers of transferred offenses.

(5) Charges of criminal conspiracy and criminal attempt relating to these six crimes were included in the calculation of these percentages.

(6) The most serious alleged and most serious substantiated charge (if any) for each juvenile were determined by applying an offense severity scale developed by the Juvenile Court Judges' Commission. A copy of this scale may be found in Appendix B.

(7) Accelerated Rehabilitative Disposition, or ARD, is an alternative to formal conviction which may be offered to first offenders. Defendants placed on ARD are handled like probation clients in most jurisdictions. They are subject to supervision by a probation officer for up to two years and must comply with any conditions which are part of the agreement. Successful completion of the ARD program offers the defendant a means of earning a dismissal of the charges. A defendant who fails to successfully complete the program may be prosecuted on the original charges.

(8) At the conclusion of our data collection activities thirteen cases had not been disposed of in the criminal courts. Eleven cases were either missing or still pending, one case was continued because the juvenile was on fugitive status, and one case was returned to juvenile court for adjudication and disposition.

(9) Ordered minimum sentence: $t = 2.83$, $df = 163$, $p < .01$.
Ordered maximum sentence: $t = 2.09$, $df = 163$, $p < .04$.

(10) The cohort included one Asian juvenile. For the analyses in this section, this juvenile is included in the Hispanic category.

(11) The 185 "substantiated" cases include 3 juveniles who received ARD. While it is true that a disposition of ARD precludes incarceration, these 3 cases are retained in these analyses to maintain compatibility with the rest of this report.

(12) Under certain conditions offenders with minimum terms between two and five years may be allowed to serve their sentences in the county jail.

(13) For county jail terms the sentencing judge is the paroling authority, but actual parole practices vary by county. Parole may be granted before the minimum term is served; some counties award good time, for example. As with state prison terms, however, the minimum sentence is a good indicator of actual time served.

(14) The analyses of ordered minimum sentences in this section consider only the 165 offenders sentenced to incarceration. Eliminating the 20 offenders who were not incarcerated presents a clearer picture of average sentence lengths and does not affect the findings. Although not presented here, the same patterns regarding imposed sentences described in this section were also noted when the sample included all 185 offenders placed under correctional supervision and the 20 individuals not incarcerated were coded as having minimum sentences of zero years.

(15) The Pearson product-moment correlation is a measure of the "strength of association" between two variables. Correlations close to zero indicate little or no relationship between the two variables, while correlations close to 1.0 or -1.0 indicate a strong relationship.

(16) In order to create an independent variable which "captured" offense seriousness we used information on the most serious conviction offense to approximate each juvenile's "offense gravity score" (OGS). The Pennsylvania Sentencing Guidelines specify an OGS for every offense in the state Crimes Code. As our data base contained nearly complete information on specific offenses and grading, it was a relatively easy matter to "recreate" the OGS for each case in the sample. The OGS scale

ranges from 1 to 10, with higher scores corresponding to more serious crimes. The statewide average OGS for the study sample was 5.6.

(17) The Allegheny County policy regarding the transfer of juvenile offenders was explained by Judge R. Stanton Wettick during the course of a televised panel discussion on the Pennsylvania juvenile justice system.

A good example of an innovative program available to the local juvenile court is the long term, secure treatment facility for juvenile sex offenders which the court helped develop. This facility, which accepts only youths adjudicated in Allegheny County, offers far more intensive treatment than could be provided within the state correctional system.

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APPENDIX A

SURVEY INSTRUMENTS AND MANUALS

SURVEY OF SELECTED JUVENILE OFFENDERS DATA COLLECTION INSTRUMENT	97
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TRANSFERS OF JUVENILES TO ADULT COURT	113
TRANSFERS OF JUVENILES TO ADULT COURT (INSTRUCTIONS FOR COMPLETING FORM)	117

Return completed form to:
C.J.J.T. & R.
P. O. Box 154
Shippensburg, Pa. 17257

Rev. Jan. 1988

DATE: ___/___/___/
Mo. Day Yr.

SURVEY OF SELECTED JUVENILE OFFENDERS
DATA COLLECTION INSTRUMENT

=====

SECTION A: IDENTIFYING INFORMATION

NAME: Last _____ / First _____ / Mi. ___ /
DATE OF BIRTH: ___/___/___/ SOCIAL SECURITY #: ___/___/___/
Mo. Day Yr.
SEX: 1=Male 2=Female (Place Response Here) ___/
RACE: 1=White 2=Black 3=Other (Place Response Here) ___/
COUNTY: _____ / OTN NUMBER _____ /
(If Applicable)
NAME OF PERSON COMPLETING FORM: _____ / _____ /
(Please Print) (Last) (First)
TELEPHONE NUMBER: (____) ____ / ____ /

=====

SECTION B: SUMMARY OF CASE HISTORY

NUMBER OF DISPOSITIONS: ___/ NUMBER OF CONSENT DECREES: ___/
NUMBER OF ADJUDICATIONS: ___/ NUMBER OF PLACEMENTS: ___/
NUMBER OF CASES TRANSFERRED TO CRIMINAL COURT: ___/

=====

=====

SECTION C: ALLEGED CHARGES & COUNTS MOST RECENT TRANSFER

	TITLE	SECTION	GRADE	COUNTS	OFFENSE DESCRIPTION
1.	_____	_____	_____	_____	_____
2.	_____	_____	_____	_____	_____
3.	_____	_____	_____	_____	_____
4.	_____	_____	_____	_____	_____
5.	_____	_____	_____	_____	_____
6.	_____	_____	_____	_____	_____
7.	_____	_____	_____	_____	_____
8.	_____	_____	_____	_____	_____

9. DAYS IN SECURE DETENTION PRIOR TO TRANSFER HEARING: . . .

10. DATE OF REFERRAL: / / /
Mo. Day Yr.

11. DATE OF TRANSFER HEARING: / / /
Mo. Day Yr.

=====

SECTION D: MOST RECENT ADJUDICATION

1. DATE OF REFERRAL: / / / 2. DATE OF HEARING: / / / /
Mo. Day Yr. Mo. Day Yr.

3. DATE OF DISPOSITION: / / /
Mo. Day Yr.

4. SECURE DETENTION STATUS:

- a. Number of Days Prior to Adjudication _____/
- b. Number of Days from Adjudication to Disposition _____/
- c. Number of Days from Disposition to Placement _____/

5. SUBSTANTIATED CHARGES

	TITLE	SECTION	GRADE	COUNTS	OFFENSE DESCRIPTION
a.	_____	_____	_____	_____	_____
b.	_____	_____	_____	_____	_____
c.	_____	_____	_____	_____	_____

SECTION D CONT.

- d. _____
- e. _____
- f. _____
- g. _____
- h. _____

5. DISPOSITION INFORMATION

A. Disposition (choose option & place number here) _____/

- 1=Transfer to other Juvenile Court
- 2=Complaint Withdrawn
- 3=Warned, Counseled, Case Closed
- 4=Informal Adjustment
- 5=Fines and/or Costs ordered
- 6=Dismissed Not Substantiated
- 7=Referred to Another Agency/Individual
- 8=Consent Decree
- 9=Probation
- 10=Continue Previous Disposition
- 11=Certified to Criminal Court
- 12=Other (Specify) _____/
- 13=Placement ** (See Items b. c. & d. below)

b. If Placement Provide Agency Name _____/

c. Provide Type of Placement Service _____/
(e.g. Day Treatment, Group Home, Foster Care, Security, Institution, Outward Bound, D&A, MH, MR, etc.)

d. Duration of Placement From ____/____/____/ To ____/____/____/
Mo. Day Yr. Mo. Day Yr.

SECTION E: SECOND MOST RECENT ADJUDICATION

- 1. DATE OF REFERRAL: ____/____/____/ 2. DATE OF HEARING: ____/____/____/
Mo. Day Yr. Mo. Day Yr.
- 3. DATE OF DISPOSITION: ____/____/____/
Mo. Day Yr.
- 4. SECURE DETENTION STATUS:

a. Number of Days Prior to Adjudication _____/

SECTION E CONT.

- b. Number of Days from Adjudication to Disposition _____/
- c. Number of Days from Disposition to Placement _____/

5. SUBSTANTIATED CHARGES

	TITLE	SECTION	GRADE	COUNTS	OFFENSE DESCRIPTION
a.	_____	_____	_____	_____	_____
b.	_____	_____	_____	_____	_____
c.	_____	_____	_____	_____	_____
d.	_____	_____	_____	_____	_____
e.	_____	_____	_____	_____	_____
f.	_____	_____	_____	_____	_____
g.	_____	_____	_____	_____	_____
h.	_____	_____	_____	_____	_____

5. DISPOSITION INFORMATION

A. Disposition (choose option & place number here) _____/

- 1=Transfer to other Juvenile Court
- 2=Complaint Withdrawn
- 3=Warned, Counseled, Case Closed
- 4=Informal Adjustment
- 5=Fines and/or Costs ordered
- 6=Dismissed Not Substantiated
- 7=Referred to Another Agency/Individual
- 8=Consent Decree
- 9=Probation
- 10=Continue Previous Disposition
- 11=Certified to Criminal Court
- 12=Other (Specify) _____/
- 13=Placement ** (See Items b. c. & d. below)

b. If Placement Provide Agency Name _____/

c. Provide Type of Placement Service _____/
(e.g. Day Treatment, Group Home, Foster Care, Security, Institution, Outward Bound, D&A, MH, MR, etc.)

SECTION E CONT.

d. Duration of Placement From / / To / /
 Mo. Day Yr. Mo. Day Yr.

SECTION F: THIRD MOST RECENT ADJUDICATION

1. DATE OF REFERRAL: / / 2. DATE OF HEARING: / /
 Mo. Day Yr. Mo. Day Yr.

3. DATE OF DISPOSITION: / /
 Mo. Day Yr.

4. SECURE DETENTION STATUS:

- a. Number of Days Prior to Adjudication /
- b. Number of Days from Adjudication to Disposition /
- c. Number of Days from Disposition to Placement /

5. SUBSTANTIATED CHARGES

	TITLE	SECTION	GRADE	COUNTS	OFFENSE DESCRIPTION
a.	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
b.	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
c.	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
d.	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
e.	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
f.	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
g.	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
h.	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>

5. DISPOSITION INFORMATION

A. Disposition (choose option & place number here) /

- 1=Transfer to other Juvenile Court
- 2=Complaint Withdrawn
- 3=Warned, Counseled, Case Closed
- 4=Informal Adjustment
- 8=Consent Decree
- 9=Probation
- 10=Continue Previous Disposition
- 11=Certified to Criminal Court

SECTION F CONT.

5=Fines and/or Costs ordered

12=Other (Specify) _____/

6=Dismissed Not Substantiated

13=Placement ** (See Items b. c. & d. below)

7=Referred to Another Agency/Individual

b. If Placement Provide Agency Name _____/

c. Provide Type of Placement Service _____/
(e.g. Day Treatment, Group Home, Foster Care, Security, Institution, Outward Bound, D&A, MH, MR, etc.)

d. Duration of Placement From ___/___/___/ To ___/___/___/
Mo. Day Yr. Mo. Day Yr.

SECTION G. FOURTH MOST RECENT ADJUDICATION

1. DATE OF REFERRAL: ___/___/___/ 2. DATE OF HEARING: ___/___/___/
Mo. Day Yr. Mo. Day Yr.

3. DATE OF DISPOSITION: ___/___/___/
Mo. Day Yr.

4. SECURE DETENTION STATUS:

a. Number of Days Prior to Adjudication _____/

b. Number of Days from Adjudication to Disposition _____/

c. Number of Days from Disposition to Placement _____/

5. SUBSTANTIATED CHARGES

Table with 5 columns: TITLE, SECTION, GRADE, COUNTS, OFFENSE DESCRIPTION. Rows a-f.

SECTION G CONT.

g. _____
h. _____

5. DISPOSITION INFORMATION

A. Disposition (choose option & place number here) _____/

- 1=Transfer to other Juvenile Court
- 2=Complaint Withdrawn
- 3=Warned, Counseled, Case Closed
- 4=Informal Adjustment
- 5=Fines and/or Costs ordered
- 6=Dismissed Not Substantiated
- 7=Referred to Another Agency/Individual
- 8=Consent Decree
- 9=Probation
- 10=Continue Previous Disposition
- 11=Certified to Criminal Court
- 12=Other (Specify) _____/
- 13=Placement ** (See Items b. c. & d. below)

b. If Placement Provide Agency Name _____/

c. Provide Type of Placement Service _____/
(e.g. Day Treatment, Group Home, Foster Care, Security, Institution, Outward Bound, D&A, MH, MR, etc.)

d. Duration of Placement From ____/____/____ To ____/____/____
Mo. Day Yr. Mo. Day Yr.

INSTRUCTIONS RE: JCJC TRANSFER STUDY - April 24, 1988

The following information is provided to facilitate the completion of the "Survey of Selected Juvenile Offenders". The data collection instrument will be used to obtain information regarding those cases that were transferred to criminal court during 1985 and 86, and in addition, the instrument will be used to collect data on a control group.

You will note that some of the information on each case has already been provided. Please check this information to insure that the information is correct. It is very important that we have accurate information so that the outcomes of the study are based upon reliable information.

WHEN COMPLETING THE FORM PLEASE DO NOT LEAVE AN ITEM BLANK. IF THE INFORMATION IS UNKNOWN OR NOT APPLICABLE, PLEASE DRAW A LINE IN THE SPACE PROVIDED FOR A RESPONSE SO THAT WE KNOW THAT YOU DID NOT JUST MISS AN ITEM. IN ADDITION, WHEN YOU HAVE PROVIDED ALL THE INFORMATION AVAILABLE ON A CASE, PLEASE INDICATE THAT YOU HAVE NO FURTHER INFORMATION TO REPORT BY PRINTING " END OF CASE INFORMATION" SO THAT YOU DO NOT NEED TO DRAW LINES THROUGH ALL ITEMS IN THE REMAINING BLANK SECTIONS.

SECTION A: IDENTIFYING INFORMATION

1. NAME: - Please check the last name, first name and middle initial to insure that they are correct. If a nick name and/or short form of a first name is listed, please provide the legal, (name that would appear on a birth certificate), form of the name.

2. COUNTY CASE IDENTIFIER: - This is the number that a county uses to file and/or identify cases. If the information has been provided on the form, please check it to insure that it is correct. If the number is not provided, please provide this information.
3. DATE OF BIRTH: - Please check this date to insure that the correct month, day and year are listed on the form.
4. SOCIAL SECURITY NUMBER: - If a social security number is listed on the form, please check to insure it is correct. If a number is not listed on the form, but there is a number on file with your agency, please provide that number.
5. SEX: - Check response to insure that it is correct. If item is not completed, please enter the correct response.
6. RACE: - Check response to insure that it is correct. If item is not completed, please enter the correct response.
7. COUNTY: - Please print in the name of your county.
8. OTN NUMBER: This is the number assigned to fingerprints and photographs that are forwarded to the state police. If applicable, please provide this number.
9. NAME OF PERSON COMPLETING FORM: - If we have any questions or need additional information, the completion of this item will help us to contact the appropriate person. Please print the name rather than using a signature.

10. TELEPHONE NUMBER: - Please provide the phone number of the person completing the form.

11. DATE SURVEY COMPLETED: - Please provide the date that the survey was completed.

SECTION B: SUMMARY OF CASE HISTORY

1. NUMBER OF DISPOSITIONS: - Please provide the total number of dispositions associated with this youth prior to the transfer to criminal court designated in this survey. A disposition is a decision made in regard to a criminal charge (s) and a single disposition can result from several incidents and/or petitions.

NOTE: Please do not include placement reviews; however, you should include formal reviews of prior dispositions, i.e. violations of probation, consent decrees, etc.

2. NUMBER OF CONSENT DECREES: - Provide the total number of dispositions that resulted in a consent decree prior to the transfer to criminal court designated in this survey.

3. NUMBER OF ADJUDICATIONS: - Provide the total number of dispositions where the youth was adjudicated as a delinquent youth (in need of treatment, supervision and/or rehabilitation) which occurred prior to the transfer to criminal court designated in this survey.

4. NUMBER OF PLACEMENTS: - Provide the total number of dispositions where the youth was adjudicated delinquent and was placed in an out of home placement such as foster care, group home, and residential facility, etc., prior to the transfer to

criminal court which is designated in this survey. DO NOT count day treatment placements and DO NOT count placement transfers that result from a placement review where there are no new charges against the youth.

5. NUMBER OF CASES TRANSFERRED TO CRIMINAL COURT. Provide the total number of dispositions where a youth was certified to criminal court prior to the transfer to criminal court designated in this survey.

SECTION C: ALLEGED CHARGES AND COUNTS MOST RECENT TRANSFER

1. TITLE - The Title 18 Code, J.C.J.C. drug code or a code from the J.C.J.C. Statistical Card will appear in this column. Please check to insure that this information is correct and complete. Please note that you might have to correct the charge information due to the information requested regarding SECTION and GRADE, i.e., two counts of the same charge but with differing section and/or grading would be listed separately.

2. SECTION - This information will NOT BE already provided. Please provide the section designations for the Title 18 codes. You do not need to provide this information for drug charges or those charge codes contained on the J.C.J.C. Statistical Card.

3. GRADE - Please indicate the grading of the reported offense, i.e. felony 1, 2 or 3; misdemeanor 1, 2 or 3; or a summary. Please note that any change in section designation or grading will necessitate a separate reporting of that offense. For

example, two or more charges of aggravated assault (2702) that are of differing grades would be reported separately rather than being combined as several counts of 2702.

4. COUNTS - Please indicate the total counts related to a charge. Remember the section and grade must be identical.

5. OFFENSE DESCRIPTION - Please provide a specific narrative description of the charge. This information will help those coding to insure that the charge is correctly utilized in the study.

6. DAYS IN SECURE DETENTION PRIOR TO TRANSFER HEARING: - Please check to insure that the number of days indicated on the form are correct. If the information on the form is not correct, please provide the correct information. Note that in-home detention, shelter care and/or a diagnostic placement are not defined as secure detention.

7. DATE OF REFERRAL: - Please check the date of referral which appears on the form. If the date is not correct please provide the correct information.

8. DATE OF TRANSFER HEARING: - Please check the date which appears on the form. If the date is not correct please provide the correct information.

SECTION D: MOST RECENT PRIOR ADJUDICATION

This section and the following sections are geared to collect information about referrals to a probation department/juvenile court where a formal adjudication hearing was

held by a judge and/or master and a youth was found to be delinquent, i.e. in need of treatment, supervision or rehabilitation. Referrals that did not result in a finding of delinquency should not be reported in these sections. Remember that we are interested in adjudications that occurred prior to the transfer case designed in this survey.

1. DATE OF REFERRAL: - If a date is provided, please check it to insure that the date is correct. If no date is provided, please provide the date.

2. DATE OF HEARING: - Follow the same directions provided in item number one.

3. DATE OF DISPOSITION: - Again, follow the same directions provided in item number one. Note that it is possible for the date of hearing and the date of disposition to be identical.

4. SECURE DETENTION STATUS: Please note that shelter care, and in-home detention are not secure detention. If the data are provided on the form, please check it for accuracy. If detention was used, but is not list on the form; please provide this information.

5. SUBSTANTIATED CHARGES: The directions for this item are the same as those listed in Section C. If there are no substantiated charges because this is a review of a prior disposition, please indicate this situation by writing "this is a review of a prior disposition" in the column labeled "OFFENSE DESCRIPTION".

1. TITLE - The Title 18 Code, J.C.J.C. drug code or a code from

the J.C.J.C. Statistical Card will appear in this column. Please check to insure that this information is correct and complete. Please note that you might have to correct the charge information due to the information requested regarding SECTION and GRADE, i.e. two counts of the same charge but with differing section and/or grading would be listed separately.

2. SECTION - This information will NOT BE already provided. Please provide the section designations for the Title 18 codes. You do not need to provide this information for drug charges or those charge codes contained on the J.C.J.C. Statistical Card.

3. GRADE - Please indicate the grading of the reported offense, i.e. felony 1, 2 or 3; misdemeanor 1, 2 or 3; or a summary. Please note that any change in section designation or grading will necessitate a separate reporting of that offense. For example, two or more charges of aggravated assault (2702) that are of differing grades would be reported separately rather than being combined as several counts of 2702.

4. COUNTS - Please indicate the total counts related to a charge. Remember the section and grade must be identical.

5. OFFENSE DESCRIPTION - Please provide a specific narrative description of the charge. This information will help those coding to insure that the charge is correctly utilized in the study.

6. DISPOSITION INFORMATION: - The dispositions listed on the survey form are taken directly from the statistical card. If a

response is provided, please check to insure it is correct. Again, if there is no response, please provide the correct response.

If the disposition was 13=placement, please provide the agency name, the type of service provided and the beginning and ending dates of the placements. If a youth was transferred from one placement to another without new charges, please provide the same information. i.e. each agency name, each type of service and the duration of each placement. (See Sample Survey)

Please note that the duration of the placement should cover the total uninterrupted time period that the youth spent in placement. For example, if a youth was placed into a secure unit for 9 months then transferred to a group home for 6 months the dates for duration of placement should equal 15 months. Use the space provided between the end of section D and the beginning of Section E to indicate any additional information regarding placement information.

SECTION E AND ON:

The instructions for completing the remaining sections are the same as those for SECTION D. If an individual had more than four adjudications, please make a photocopy of a blank adjudication section and re-label as Section H, I, J, etc. (See Sample Survey)

TRANSFERS OF JUVENILES TO ADULT COURT

I. DESCRIPTIVE INFORMATION

NAME: Last _____ / First _____ / M.I. _____

DATE OF BIRTH: Month _____ / Day _____ / Year _____

SEX: Male _____ / Female _____

RACE: White _____ / Black _____ / Hispanic _____ / Other _____

COUNTY: _____ / JUVENILE COURT IDENTIFIER _____

DATE OF TRANSFER: Month _____ / Day _____ / Year _____

II. CHARGES TRANSFERRED TO ADULT COURT

LIST OF CHARGES TRANSFERRED:

	TITLE/SECTION/COUNTS/GRADE/	OFFENSE DESCRIPTION
1.	____/____/____/____/	_____
2.	____/____/____/____/	_____
3.	____/____/____/____/	_____
4.	____/____/____/____/	_____
5.	____/____/____/____/	_____
6.	____/____/____/____/	_____
7.	____/____/____/____/	_____
8.	____/____/____/____/	_____

III. CHARGES RESULTING IN CONVICTIONS, ARD OR PWV¹ DISPOSITIONS

LIST OF CHARGES RESULTING IN CONVICTIONS ARD OR PWV¹:

	TITLE/SECTION/COUNTS/GRADE/	OFFENSE DESCRIPTION/	CHECK DISPOSITION
			ARD/PWV ¹ /CONVICTION
1.	____/____/____/____/	_____	____/____/____
2.	____/____/____/____/	_____	____/____/____
3.	____/____/____/____/	_____	____/____/____
4.	____/____/____/____/	_____	____/____/____
5.	____/____/____/____/	_____	____/____/____
6.	____/____/____/____/	_____	____/____/____
7.	____/____/____/____/	_____	____/____/____
8.	____/____/____/____/	_____	____/____/____

ARE THERE ANY TRANSFERRED CHARGES STILL PENDING? YES _____ / NO _____

1. Probation Without Verdict

IV. CASE DISPOSITION INFORMATION

DISPOSITON OF CHARGES (Check all that apply):

- ___ Pleased Guilty or Nolo Contendere to at least one charge
___ Found Guilty on at least one charge after a Jury Trial
___ Found Guilty on at least one charge after a Non-Jury Trial
___ Given ARD or PWV1 on at least one charge
___ Found Not Guilty on all charges after a Jury Trial
___ Found Not Guilty on all charges after a Non-Jury Trial
___ All charges dropped, dismissed, or nolle prosed prior to trial
___ Offender is a Fugitive
___ Other (Please specify _____)

V. TOTAL SENTENCE IMPOSED ON ALL CHARGES

SENTENCE IMPOSED (Check all that apply):

- ___ State Prison Confinement (Complete A below)
___ County Jail Confinement (Complete A below)
___ Probation With Conditions (Complete B below)
___ Probation Without Conditions (Complete B below)
___ Fines
___ Restitution
___ ARD or PWV.1 (Complete C below)
___ Guilty without further penalty
___ Suspended Sentence
___ Other (specify _____)
___ Not Applicable (No convictions, ARD, or PWOV)

A. Total Confinement Ordered (Add all Consecutive Incarceration Sentences)

Minimum Confinement: Years ___/ Months ___/ Days ___/
Maximum Confinement: Years ___/ Months ___/ Days ___/

Total Confinement Served (if known):

Minimum Confinement: Years ___/ Months ___/ Days ___/
Maximum Confinement: Years ___/ Months ___/ Days ___/

B. Total Period of Probation (Add all Consecutive Probation Sentences):

Years ___/ Months ___/ days ___/

Conditions of Probation (if applicable):

C. Total Period of ARD or PWV1 (Probation Without Verdict):

Years ___/ Months ___/ days ___/

=====

VI. PROCESSING INFORMATION

DATE OF GUILTY PLEA, VERDICT, OR OTHER FINAL DETERMINATION:

Month ____ / Day ____ / Year ____

DATE OF SENTENCE (if applicable):

Month ____ / Day ____ / Year ____

TOTAL TIME IN PRETRIAL DETENTION Years ____ / Months ____ / Days ____
(After transfer to adult court)

PLACE OF DETENTION: ____ Adult Facility
(check all that apply) ____ Juvenile Facility
 ____ Other (specify _____)
 ____ Unknown
 ____ No pretrial detention

=====

VII. VERIFICATION

NAME OF PERSON COMPLETING FORM: _____

TELEPHONE NUMBER: - - _____

DATE: _____

TRANSFERS OF JUVENILES TO ADULT COURT

INSTRUCTIONS FOR COMPLETING FORM

This information is being collected as part of a cooperative study by the Pennsylvania Commission on Sentencing, the Juvenile Court Judges' Commission, and the Administrative Office of Pennsylvania Courts. The study is being conducted in two phases. The first phase was designed to identify what types of juveniles are transferred to adult court and the second phase was designed to determine what happens to juveniles after they are transferred. The first phase of the study has now been completed and we are requesting your assistance in completing the second phase. This second phase requires the collection of information on selected juveniles who were transferred to adult court during 1986. For each juvenile listed on the accompanying form(s) we are requesting the following information:

SECTION I: DESCRIPTIVE INFORMATION:

Note: This section will already be completed when you receive the form.

This section provides descriptive information on the transferred juvenile to enable you to identify that individual in the adult court records. Please check this information against your records. If there are any inconsistencies between your information and the information on the form, please mark the differences directly on the form using red ink.

SECTION II: CHARGES TRANSFERRED TO ADULT COURT:

Note: This section will already be completed when you receive the form.

This section lists the juvenile charges which were transferred to adult court. Shown are the offense title and section, the number of counts (providing they have the same title section and grade), the statutory grade (if known), and a brief description of the offense. If there are any inconsistencies between your information and the information on the form, please mark the difference directly on the form using red ink.

SECTION III: CHARGES RESULTING IN CONVICTIONS, ARD, OR PROBATION WITHOUT VERDICT DISPOSITIONS:

In this section please list all the transferred charges which resulted in a conviction, ARD (Accelerated Rehabilitative Disposition), or PWV (Probation Without Verdict). For each such offense, please indicate the title, section, the number of counts (providing they have the same title, section and grade), the statutory grade and a brief description of the offense. The offenses listed in this section do not necessarily have to match the list of transferred charges shown in Section II but must be charges which originated as allegations of delinquency and which were transferred for criminal prosecution under the Juvenile Act. It is possible, however, that the offender could be convicted in adult court of a different

offense than that for which he was originally charged in juvenile court. For example, an offender may have been charged with burglary in juvenile court (the transferred charge) but only convicted of criminal trespass in adult court. In such an instance only the criminal trespass conviction should be listed in Section III.

Do not list in this section any charges which were dropped, nol-prossed, dismissed or resulted in not guilty verdicts. However, if there are any charges still pending, please indicate "yes" at the bottom of Section III. Otherwise mark "no".

SECTION IV: CASE DISPOSITION INFORMATION:

In this section, please indicate the disposition of the charges. Please check all dispositions which apply to the offenses listed in Section III.

SECTION V: TOTAL SENTENCE IMPOSED ON ALL CHARGES:

In this section, please indicate the sentence which was imposed. Please check all categories which apply. If no sentence was imposed, please check the appropriate category.

If a state prison or county jail sentence was imposed, please indicate in Section A the total length of confinement which was ordered. If consecutive sentences were imposed add them all together and show the total amount in Section A. If concurrent sentences were imposed please indicate the longest sentence imposed in Section A. If you know the actual time served (assuming the offender has finished his incarceration sentence), please indicate the actual time served in Section A.

For Probation sentences please indicate the term of probation in Section B and specify any conditions of probation ordered by the judge.

If the offense resulted in ARD (Accelerated Rehabilitative Disposition) or in PWV (Probation Without Verdict) please indicate the total length of the sentence in Section C.

SECTION VI: PROCESSING INFORMATION:

In this section please indicate the date of the guilty plea, verdict, or any ARD or PWV disposition. If more than one date applies list the most recent date. If none of the above dates apply, please list the date on which all charges were dropped, dismissed, or nol-prossed (if known). If the case is still pending or if the offender is a fugitive, leave the date blank.

If the offender was convicted and sentenced on any of the charges, please indicate the date of sentence.

From the adult court records, please calculate, to the best of your ability, the total time the offender was held in pre-trial detention after being transferred to the adult court. Include any time awaiting trial in adult or juvenile facilities but exclude any time the offender was out on bail or not under custody of the court. If known, please also indicate the type of facility in which the offender was detained.

SECTION VII: VERIFICATION:

In this section please indicate that all the requested information has been entered and verified. Please indicate the name of the person completing the form, his or her telephone number, and the date on which the form was completed.

Note: If you have any questions completing the form, please call Robin Lubitz of the Pennsylvania Commission on Sentencing at 814-863-2797

THANK YOU FOR YOUR ASSISTANCE

APPENDIX B

OFFENSE SERIOUSNESS RANKINGS

CRIMES CODE #	NARRATIVE OFFENSE DESCRIPTION	SERIOUSNESS RANK
2502	MURDER	1
3121	RAPE	2
2901	KIDNAPING	3
3123	INVOLUNTARY DEVIATE SEXUAL INTERCOURSE	4
6312	SEXUAL ABUSE OF CHILDREN	5
2702	AGGRAVATED ASSAULT	6
3701	ROBBERY	7
3502	BURGLARY	8
0911	CORRUPT ORGANIZATIONS	9
3302	CAUSING OR RISKING CATASTROPHE	10
2503	VOLUNTARY MANSLAUGHTER	11
3122	STATUTORY RAPE	12
3128	SPOUSAL SEXUAL ASSAULT	13
2704	ASSAULT BY LIFE PRISONER	14
2703	ASSAULT BY PRISONER	15
3301	ARSON AND RELATED OFFENSES	16
5511	CRUELTY TO ANIMALS	17
3212	INFANTICIDE	18
0048	HOMICIDE BY VEHICLE WHILE DUI	19
3216	FETAL EXPERIMENTATION	20
5501	RIOT	21
3210	ABORTION AFTER VIABILITY	22
2907	DISPOSITION OF RANSOM	23
5705	POSSESSION, SALE, ETC. OF INTERCEPTING DEVICES	24
3930	THEFT OF TRADE SECRETS	25
4701	BRIBERY IN OFFICIAL AND POLITICAL MATTERS	26
5703	INTERCEPTION, DISCLOSURE OR USE OF ORAL COMMUNIC	27
4103	FRAUDULENT DESTRUCTION ETC. OF INSTRUMENTS	29
4902	PERJURY	30
4909	WITNESS OR INFORMANT TAKING BRIBE	31
5124	DEFAULT IN REQUIRED APPEARANCE	32
5107	AIDING CONSUMMATION OF CRIME	33
6121	CERTAIN BULLETS PROHIBITED	34
9112	DRUG-POSSESSION/USE-MARIJUANA/HASHISH	35
9122	DRUG-POSSESSION/USE-HEROIN/METHADONE	36
9132	DRUG-POSSESSION/USE-COCAINE	37
9142	DRUG-POSSESSION/USE-AMPHETAMINES	38
9152	DRUG-POSSESSION/USE-BARBITURATES	39
9162	DRUG-POSSESSION/USE-OTHER HALLUCINOGENS	40
9172	DRUG-POSSESSION/USE-"LOOK ALIKE DRUGS"	41
9182	DRUG-POSSESSION/USE-ALL OTHER PROHIBITIVE DRUGS	42
9212	DRUG-SELLING-MARIJUANA/HASHISH	43
9222	DRUG-SELLING-HEROIN/METHADONE	44
9232	DRUG-SELLING-COCAINE	45
9242	DRUG-SELLING-AMPHETAMINES	46
9252	DRUG-SELLING-BARBITURATES	47
9262	DRUG-SELLING-OTHER HALLUCINOGENS	48
9272	DRUG-SELLING-"LOOK ALIKE DRUGS"	49

9282	DRUG-SELLING-ALL OTHER PROHIBITIVE DRUGS	50
9312	DRUG-DISTRIBUTION-MARIJUANA/HASHISH	51
9322	DRUG-DISTRIBUTION-HEROIN/METHADONE	52
9332	DRUG-DISTRIBUTION-COCAINE	53
9342	DRUG-DISTRIBUTION-AMPHETAMINES	54
9352	DRUG-DISTRIBUTION-BARBITURATES	55
9362	DRUG-DISTRIBUTION-OTHER HALLUCINOGENS	56
9372	DRUG-DISTRIBUTION-"LOOK ALIKE DRUGS"	57
9382	DRUG-DISTRIBUTION-ALL OTHER PROHIBITIVE DRUGS	58
9412	DRUG-OTHER-MARIJUANA/HASHISH	59
9422	DRUG-OTHER-HEROIN/METHADONE	60
9432	DRUG-OTHER-COCAINE	61
9442	DRUG-OTHER-AMPHETAMINES	62
9452	DRUG-OTHER-BARBITURATES	63
9462	DRUG-OTHER-OTHER HALLUCINOGENS	64
9472	DRUG-OTHER-"LOOK ALIKE DRUGS"	65
9482	DRUG-OTHER-OTHER PROHIBITIVE DRUGS	66
9592	DRUG-GENERIC	67
9191	DRUG-PARAPHANALIA	68
4953	RETALIATION AGAINST WITNESS OR VICTIM	69
3923	THEFT BY EXTORTION	70
4952	INTIMIDATION OF WITNESSES OR VICTIMS	71
2505	CAUSING OR AIDING SUICIDE	72
2904	INTERFERENCE WITH CUSTODY OF CHILDREN	73
5708	ORDER AUTHORIZING INTERCEPTION OF WIRES ETC.	74
3901	THEFT	75
3925	RECEIVING STOLEN PROPERTY	76
3932	THEFT OF LEASED PROPERTY	77
4101	FORGERY	78
3503	CRIMINAL TRESPASS	79
3307	INSTITUTIONAL VANDALISM	80
3922	THEFT BY DECEPTION	81
3921	THEFT BY UNLAWFUL TAKING OR DISPOSITION	82
4911	TAMPERING WITH PUBLIC RECORDS OR INFORMATION	83
3304	CRIMINAL MISCHIEF	84
3927	THEFT BY FAILURE TO MAKE REQUIRED DISPOSITION	85
4105	BAD CHECKS	86
3924	THEFT OF PROPERTY LOST MISLAID ETC.	87
4702	THREATS ETC. IN OFFICIAL AND POLITICAL MATTERS	88
3926	THEFT OF SERVICES	89
3933	UNLAWFUL USE OF COMPUTERS	90
5121	ESCAPE	91
5105	HINDERING APPREHENSION OR PROSECUTION	92
5903	OBSCENE AND OTHER SEXUAL MATERIALS	93
5902	PROSTITUTION AND RELATED OFFENSES	94
3931	THEFT OF UNPUBLISHED DRAMAS AND MUSICALS	95
2504	INVOLUNTARY MANSLAUGHTER	96
0047	HOMICIDE BY VEHICLE	97
2706	TERRORISTIC THREATS	98
4302	INCEST	99
2902	UNLAWFUL RESTRAINT	100
4305	DEALING IN INFANT CHILDREN	101
6301	CORRUPTION OF MINORS	102
7309	UNLAWFUL COERCION IN CONTRACTING INSURANCE	103
2708	USE OF TEAR OR NOXIOUS GAS IN LABOR DISPUTES	104
2701	SIMPLE ASSAULT	105

2906	CRIMINAL COERCION	106
0909	MANUFACTURE ETC. MASTER KEYS FOR MOTOR VEHICLES	107
6302	SALE OR LEASE OF WEAPONS OR EXPLOSIVES	108
4104	TAMPERING WITH RECORDS OR IDENTIFICATION	109
4116	COPYING; RECORDING DEVICES	110
4109	RIGGING PUBLICLY EXHIBITED CONTEST	111
4102	SIMULATING OBJECTS OF ANTIQUITY, RARITY, ETC.	112
0908	PROHIBITED OFFENSIVE WEAPONS	113
6110	PERSONS TO WHOM DELIVERY CANNOT BE MADE (FIREARM)	114
6117	ALTERING MARKS OF IDENTIFICATION (FIREARM)	115
6113	LICENSING OF DEALERS	116
6105	FORMER CONVICT NOT TO OWN FIREARM, ETC.	117
6107	PROHIBITED CONDUCT DURING EMERGENCY (FIREARM)	118
6115	LOANS OR LENDING RE FIREARMS PROHIBITED	119
6108	CARRYING FIREARMS RE PHILA.	120
6111	SALE OF FIREARMS	121
6112	DEALER REQUIRED TO BE LICENSED	122
6103	CRIMES COMMITTED WITH FIREARMS	123
6116	FALSE EVIDENCE OF IDENTITY (FIREARM)	124
0912	POSSESSION OF WEAPON ON SCHOOL PROPERTY	125
6106	FIREARMS NOT TO BE CARRIED WITHOUT A LICENSE	126
3214	REPORTING	127
0907	POSSESSING INSTRUMENTS OF CRIME	128
4905	FALSE ALARMS TO AGENCIES OF PUBLIC AGENCIES	129
7102	ADMINISTERING DRUGS TO RACE HORSES	130
5515	PROHIBITING OF PARAMILITARY TRAINING	131
5512	LOTTERIES	132
6119	VIOLATION PENALTY	133
5513	GAMBLING DEVICES, GAMBLING, ETC.	134
6303	SALE OF STARTER PISTOLS	135
7306	INCENDIARY DEVICES	136
3929	RETAIL THEFT	137
5123	CONTRABAND	138
0910	MANUFACTURE ETC. DEVICES FOR TELECOMMUNICATION	139
2707	PROPULSION OF MISSILE ON A VEHICLE OR ROADWAY	140
5122	WEAPONS OR IMPLEMENTS FOR ESCAPE	141
4113	MISAPPLICATION OF ENTRUSTED GOVERNMENT PROPERTY	142
4904	UNSWORN FALSIFICATION TO AUTHORITIES	143
7302	SALE AND LABELING OF SOLIDIFIED ALCOHOL	144
5514	POOL SELLING AND BOOKMAKING	145
0825	KILLING - SHOOTING IN MISTAKE OF GAME	146
4304	ENDANGERING WELFARE OF CHILDREN	147
3126	INDECENT ASSAULT	148
2903	FALSE IMPRISONMENT	149
3124	VOLUNTARY DEVIATE SEXUAL INTERCOURSE	150
3127	INDECENT EXPOSURE	151
5104	RESISTING ARREST OR OTHER LAW ENFORCEMENT	152
2705	RECKLESSLY ENDANGERING ANOTHER PERSON	153
5904	PUBLIC EXHIBITION OR INSANE OR DEFORMED PERSONS	154
4301	BIGAMY	155
7323	DISCRIMINATION ON ACCOUNT OF UNIFORM	156
2905	INTERFERENCE WITH CUSTODY OF COMMITTED PERSONS	157
5510	ABUSE OF CORPSE	158
4114	SECURING EXECUTION OF DOCUMENTS BY DECEPTION	159
3928	UNAUTHORIZED USE OF AUTOMOBILE AND OTHER VEHICLE	160
4112	RECEIVING DEPOSITS IN A FAILING FINANCIAL INSTIT	161

4111	FRAUD IN INSOLVENCY	162
4110	DEFAUDING SECURED CREDITORS	163
5509	DESECRATION OF VENERATED OBJECTS	164
5719	UNLAWFUL USE OR DISCLOSURE OF INTERCEPTED COMMUN	165
4906	FALSE REPORTS TO LAW ENFORCEMENT AUTHORITIES	166
4903	FALSE SWEARING	167
4703	RETALIATION FOR PAST OFFICIAL ACTION	168
3303	FAILURE TO PREVENT CATASTROPHE	169
6161	CARRYING EXPLOSIVE ON CONVEYANCES	170
4912	IMPERSONATING A PUBLIC SERVANT	171
4115	FALSELY IMPERSONATING PERSONS PRIVATELY EMPLOYED	172
4910	TAMPERING WITH OR FABRICATING PHYSICAL EVIDENCE	173
2103	INSULTS TO NATIONAL OR COMMONWEALTH FLAG	174
5502	FAILURE TO DISPERSE UPON OFFICIAL ORDER	175
5101	OBSTRUCTING ADMINISTRATION OF LAW	176
4107	DECEPTIVE BUSINESS PRACTICES	177
3213	PROHIBITED ACTS	178
5301	OFFICIAL OPPRESSION	179
5102	OBSTRUCTING THE JUSTICE BY PICKETING ETC.	180
5108	COMPOUNDING	181
7307	OUT-OF-STATE CONVICT MADE GOODS	182
5302	SPECULATING WAGERING ON OFFICIAL ACTION OR INFO	183
7308	UNLAWFUL ADVERTISING OF INSURANCE BUSINESS	184
6504	PUBLIC NUISANCES	185
7321	LIE DETECTOR TESTS	186
4108	COMMERCIAL BRIBERY AND DUTY TO ACT DISINTERESTED	187
3211	VIABILITY	188
9111	DRUG-POSSESSION/USE-MARIJUANA/HASHISH	189
9121	DRUG-POSSESSION/USE-HERION/METHADONE	190
9131	DRUG-POSSESSION/USE-COCAINE	191
9141	DRUG-POSSESSION/USE-AMPHETAMINES	192
9151	DRUG-POSSESSION/USE-BARBITURATES	193
9161	DRUG-POSSESSION/USE-OTHER HALLUCINOGENS	194
9171	DRUG-POSSESSION/USE-"LOOK ALIKE DRUGS'	195
9181	DRUG-POSSESSION/USE-ALL OTHER PROHIBITIVE DRUGS	196
9211	DRUG-SELLING-MARIJUANA/HASHISH	197
9221	DRUG-SELLING-HEROIN/METHADONE	198
9231	DRUG-SELLING-COCAINE	199
9241	DRUG-SELLING-AMPHETAMINES	200
9251	DRUG-SELLING-BARBITURATES	201
9261	DRUG-SELLING-OTHER HALLUCINOGENS	202
9271	DRUG-SELLING-"LOOK ALIKE DRUGS"	203
9281	DRUG-SELLING-ALL OTHER PROHIBITIVE DRUGS	204
9311	DRUG-DISTRIBUTION-MARIJUANA/HASHISH	205
9321	DRUG-DISTRIBUTION-HEROIN/METHADONE	206
9331	DRUG-DISTRIBUTION-COCAINE	207
9341	DRUG-DISTRIBUTION-AMPHETAMINES	208
9351	DRUG-DISTRIBUTION-BARBITURATES	209
9361	DRUG-DISTRIBUTION-OTHER HALLUCINOGENS	210
9371	DRUG-DISTRIBUTION-"LOOK ALIKE DRUGS"	211
9381	DRUG-DISTRIBUTION-ALL OTHER PROHIBITIVE DRUGS	212
9411	DRUG-OTHER-MARIJUANA/HASHISH	213
9421	DRUG-OTHER-HEROIN/METHADONE	214
9431	DRUG-OTHER-COCAINE	215
9441	DRUG-OTHER-AMPHETAMINES	216
9451	DRUG-OTHER-BARBITURATES	217

9461	DRUG-OTHER-OTHER HALLUCINOGENS	218
9471	DRUG-OTHER-"LOOK ALIKE DRUGS"	219
9481	DRUG-OTHER-ALL OTHER PROHIBITIVE DRUGS	220
9591	DRUG-GENERIC	221
9192	DRUG-PARAPHANALIA	222
0042	HIT & RUN (INJURY OR DEATH)	223
5504	HARASSMENT BY COMMUNICATION OR ADDRESS	224
0041	DUI	225
4303	CONCEALING DEATH OF A CHILD BORN OUT OF WEDLOCK	226
3305	INJURING OR TAMPERING WITH FIRE APPARATUS	227
7313	BUYING OR EXCHANGING FEDERAL FOOD ORDER STAMPS	228
7311	UNLAWFUL COLLECTION AGENCY PRACTICES	229
7322	DEMANDING PROPERTY TO SECURE EMPLOYMENT	230
4106	CREDIT CARDS	231
5507	OBSTRUCTING HIGHWAYS AND OTHER PUBLIC PASSAGES	232
4321	WILLFUL SEPARATION OR NONSUPPORT	233
3205	INFORMED CONSENT	234
7319	BUCKET SHOP CONTRACTS	235
7316	KEEPING BUCKET SHOP	236
6709	USE OF UNION LABELS	237
7317	ACCESSORIES IN CONDUCT OF BUCKET SHOP	238
7318	MAINTAIN PREMISES WHERE BUCKET SHOP OPERATED	239
7324	UNLAWFUL SALE DISSERTATION, THESIS, TERM PAPERS	241
7312	DEBT POOLING	242
7310	FREE INSURANCE AS INDUCEMENT TO BUY	243
7303	SALE OR ILLEGAL USE OF CERTAIN SOLVENT	244
2102	DESECRATION OF FLAG	245
6703	DEALING IN MILITARY DECORATIONS	246
6306	FURNISHING CIGARETTES OR CIGARETTE PAPERS	247
5506	LOITERING AND PROWLING AT NIGHT TIME	248
6707	FALSE REGISTRATION OF DOMESTIC ANIMALS	249
6307	MISREPRESENTATION OF AGE TO SECURE LIQUOR	250
5109	BARRATRY	251
5125	ABSCONDING WITNESSES	252
7103	HORSE RACING	253
5503	DISORDERLY CONDUCT	254
6304	SALE & USE OF AIR RIFLES	255
6910	UNAUTHORIZED SALE OR TRANSFER OF TICKETS	256
6309	REPRESENTING TO LIQUOR DEALER MINOR IS OF AGE	257
5103	UNLAWFULLY LISTENING INTO DELIBERATIONS OF JURY	258
5110	CONTEMPT OF GENERAL ASSEMBLY	259
6162	SHIPPING EXPLOSIVES	260
6901	EXTENSION OF WATER LINE	261
6310	INDUCEMENT OF MINORS TO BUY LIQUOR	262
7104	FORTUNE TELLING	263
5901	OPEN LEWDNESS	264
5508	DISRUPTING MEETING AND PROCESSIONS	265
6311	TATTOOING	266
0033	NON-PAYMENT OF FINES	267
0062	PROBATION VIOLATION	268
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APPENDIX C

MULTIPLE REGRESSION ANALYSES

We conducted several multiple regression analyses with minimum sentence as the dependent variable, using the following factors as main effects: race, geographical area, number of prior delinquent placements, age at transfer and offense seriousness. The sample was limited to the 185 offenders who had at least one charge substantiated against them in criminal court. For the 165 juveniles who received sentences of incarceration, we used the length of the minimum sentence in years as the dependent variable. For the 20 juveniles who received community-based sanctions, we coded the dependent variable as zero years.

Race was dummy coded with Blacks as the reference group and separate variables for White and Hispanic. Geographical area was dummy coded with remainder of the state as the reference group and a separate variable representing Philadelphia. The measure of offense seriousness was an approximation each juvenile's "Offense Gravity Score" (OGS). (See note 16 in the report for an explanation of the OGS).

The results of the regressions for Pennsylvania, Philadelphia and the remainder of the state are presented in the accompanying tables. In each case we first tested the model without the race variables. As noted in Section III (4) of the full report, offense seriousness was the strongest predictor of the minimum sentence imposed within the Philadelphia sub-sample, while the number of prior juvenile placements was the strongest predictor within the remainder of the state.

Next, the indicator or dummy variables for White and Hispanic were added to each model to test whether race had an independent impact on criminal court outcome, controlling for the factors already in the model. The results indicated that race had no significant effect on the length of sentence received in either of the two sub-samples, once the other factors were accounted for.

REGRESSION OF OFFENSE SERIOUSNESS, JUVENILE PLACEMENTS, AGE,
GEOGRAPHICAL AREA, AND RACE ON LENGTH OF MINIMUM SENTENCE,
PENNSYLVANIA (N=185)

VARIABLE	B	SE b	T	sig. T
OGS	.35	.08	4.26	.01
PLACEMENTS	.16	.09	1.78	.08
AGE	-.06	.17	-0.34	.73
PHILADELPHIA	.57	.36	1.59	.11
WHITE	-.08	.38	-0.22	.83
HISPANIC	-.31	.46	-0.67	.51
R^2	.14			

REGRESSION OF OFFENSE SERIOUSNESS, JUVENILE PLACEMENTS
AGE AND RACE ON LENGTH OF MINIMUM SENTENCE,
PHILADELPHIA (N=72)

VARIABLE	b	SE b	T	sig. T
OGS	.56	.13	4.22	.01
PLACEMENTS	.12	.18	0.65	.52
AGE	-.23	.24	-0.97	.34
WHITE	-.25	1.53	-0.17	.87
HISPANIC	-.40	.84	-0.47	.64
R^2	.22			

REGRESSION OF OFFENSE SERIOUSNESS, JUVENILE PLACEMENTS
AGE AND RACE ON LENGTH OF MINIMUM SENTENCE,
REMAINDER OF THE STATE (N=113)

VARIABLE	b	SE b	T	sig. T
OGS	.15	.10	1.45	.15
PLACEMENTS	.18	.10	1.86	.07
AGE	.22	.26	0.86	.39
WHITE	-.14	.37	-0.38	.71
HISPANIC	-.25	.54	-0.46	.64
R^2	.05			