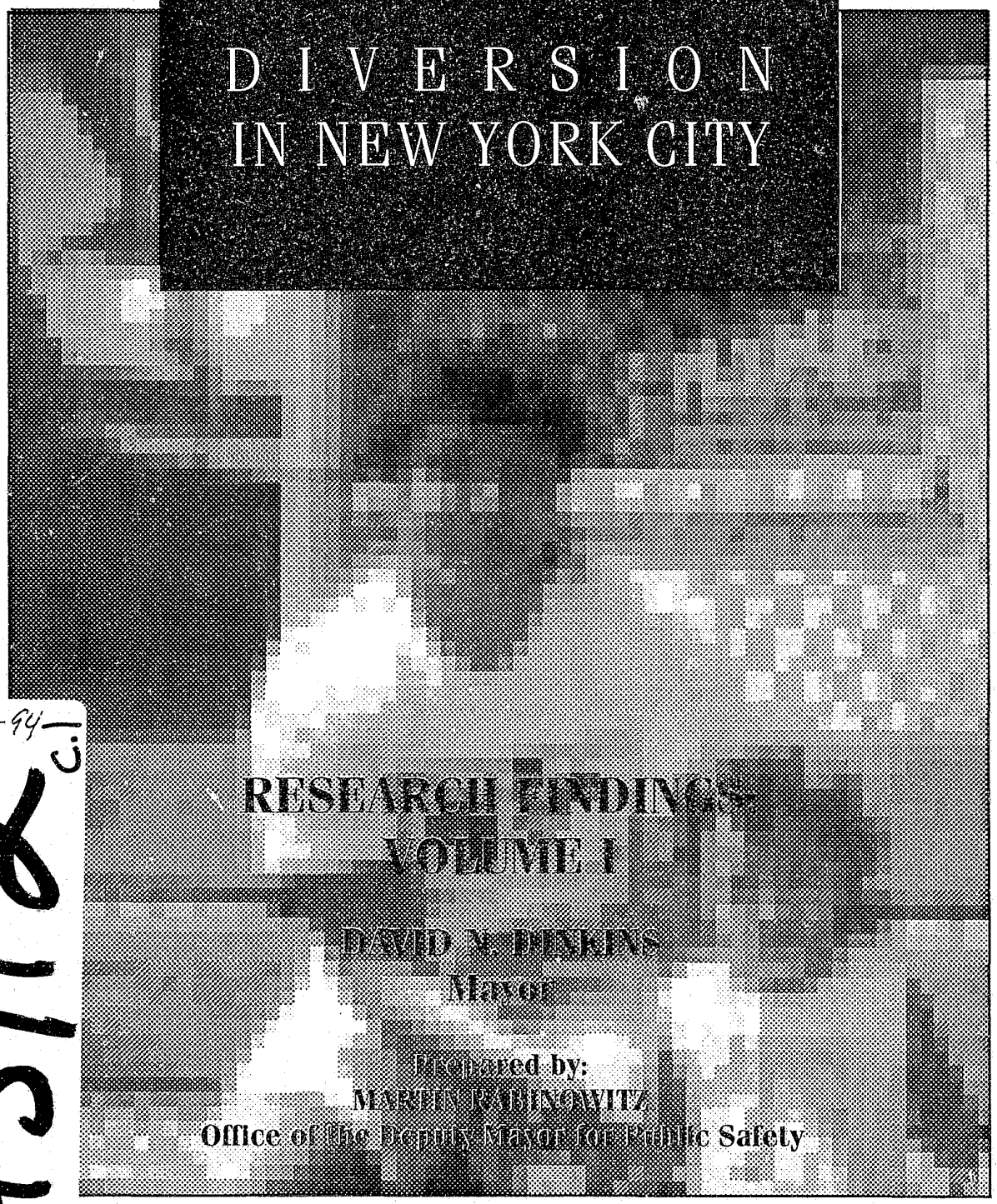
PINS

DIVERSION IN NEW YORK CITY



RESEARCH FINDINGS VOLUME I

DAVID N. DINKINS
Mayor

Prepared by:
MARTIN RABINOWITZ
Office of the Deputy Mayor for Public Safety

PINS

DIVERSION IN NEW YORK CITY

RESEARCH FINDINGS: VOLUME I

DAVID N. DINKINS
Mayor

Prepared by:
MARTIN RABINOWITZ
Office of the Deputy Mayor for Public Safety

ACKNOWLEDGEMENTS

There have been numerous individuals and agencies who have contributed their indispensable support and services to this project.

Essential information was provided by staff of the Family Court Division of the New York City Department of Probation, the Designated Assessment Services (DAS), and New York City's Juvenile Justice Information Services (JJIS).

Special thanks to Priscilla Rodriguez for her expert assistance.

Table of Contents

List of Figures

List of Tables

EXECUTIVE SUMMARY

In February 1987, after completing a comprehensive planning process, New York City instituted its formal PINS diversion program, a direct product of the approval of Chapter 813 of the Laws of New York State of 1985, also known as the PINS Adjustment Services Act. The legislation authorized dramatic changes in the way the Family Court system handled PINS cases. The major goals of the legislation included reducing inappropriate use of Family Court and reducing out of home placements through the increased utilization of community based services.

In accordance with the legislation, New York City's diversion program included an extensive system of assessment, planning, and service delivery. New York City also committed itself to conduct a research project which would formally examine the diversion program's implementation in New York City. The research project examined data collected throughout New York City from the case records of PINS cases initiated prior and subsequent to the diversion program's implementation, 1986 and 1988 respectively. This report details the research project's findings.

The research clearly illustrates the diversity of the PINS population, their families, and the issues that serve as the basis for PINS complaints. Moreover, the research conclusively demonstrates that the program successfully reduced the number of PINS cases proceeding to Family Court, the number of PINS cases resulting in dispositions of placement, and substantially curtailed the use of court mandated services. These reductions by saving valuable judicial time, placement expenses, and costly court resources can be directly translated into cost savings.

Summary of Findings

- There was a substantial reduction in the number of PINS cases progressing to higher levels of the Family Court system subsequent to the diversion programs implementation, as evidenced by:

  - a **-43.1%** change in the number of PINS cases processed at the arraignment level

  - a **-52.3%** change in the number of PINS cases processed at the post-arraignment level

  - a **-56.0%** change in the number of PINS cases processed at the formal sanction level.

- The odds of a PINS case progressing beyond the intake level were considerably lower in the post diversion period, **4:10**, compared to **7:10** for the pre-diversion period.

- The percentage of cases at intake that received formal sanctions was reduced from **10%** to **4%**. The placement rate decreased from **6.8%** to **4.1%**.

- Subsequent to the diversion program's implementation, there was a substantial reduction in the utilization of court mandated services by PINS cases as evidenced by:

  - a **45.1%** reduction in the number of residential diagnostic evaluations
  - a **53.4%** reduction in the number of mental health studies
  - a **53.0%** reduction in the number of Investigation and Reports ordered from the Department of Probation
  - a **32.0%** reduction in the number of Explorations of Placement ordered from the Department of Probation

- There were notable differences between the boroughs based on the allegations at intake.

- By means of factor analysis, the allegations presented at intake were found to occur in statistically meaningful groups that could be logically associated with "typical PINS behaviors." Some of the dimensions in these groups included violent behavior at home, violent behavior in school, involvement with undesirable companions, and substance abuse.

- The analysis of the descriptive and demographic data found that there were often tangible differences between and among the boroughs. Citywide the analysis determined that:

  - 85% of the youth were 13-15 years old, and the mean age was 14.4 years
  - the sample was evenly divided between the sexes, 51.9% male and 48.1% female
  - 75% of the youth were in grades 7-9

- nearly 85% of the youth were of African American or Hispanic descent
- the youth's mother was the most frequent head of the household, nearly 50.0% of the sample
- full or part time employment was the largest single source of income for the household
- more than 95% of the youth were New York City Public School students.

- More than 55% of the respondents and nearly 50% of the households excluding the respondent had a history of participation with service providers.
- Outpatient mental health services were most often included in the service histories.
- Prior service participation included inpatient mental health services, diagnostic reception center services, substance abuse treatment services, placement services, Special Services for Children (CWA), and other social service agencies.

INTRODUCTION

In February 1987, after completing a comprehensive planning process, New York City instituted its formal PINS diversion program. The program was a direct product of the Legislature and the Governor approving Chapter 813 of the Laws of New York State of 1985, which established the foundation for formal PINS diversion throughout New York State. New York City had the foresight to realize that the implementation of PINS diversion provided a unique research opportunity.[1] This volume presents part one of New York City's formal examination of PINS diversion.

Due to an overwhelming need to disseminate the research findings, the findings contained herein present the first part of a research effort whose planning began in August of 1988. Several considerations spearheaded this effort. First, there was a dearth of detailed information concerning PINS cases. New York City's Juvenile Justice Information System (JJIS) contained only the most general of information regarding PINS cases. Moreover, a program of this magnitude necessitated a systematic examination in order to properly assess the program's functioning and impact.

---

[1] Chapter 813, also known as the PINS Adjustment Services Act, included a provision for an independent evaluation which was conducted by the Center for Governmental Research. However, New York State's budget crisis forced the premature termination of the project in the spring of 1990. New York City's inclusion in this project was extremely limited, thus underscoring the importance of New York City's own research effort.

The findings presented in this volume include detailed demographic data, details of the initial presentation of PINS cases, the program's effect on the processing of PINS cases through the Family Court system, and the program's effect on placement rates. Also included are a detailed summary of the study's methodology and brief overview of PINS diversion in New York City. Part II of this study will include an investigation of recidivism and net widening, as well as a detailed examination of clients' experience with the diversion program.

Data collection for this study began in last quarter of 1989 and continued through the second quarter of 1990. Data was collected from the case records of PINS cases initiated in 1986 and 1988. The 1986 cases were used to provide baseline data, since they were initiated during the last full year prior to diversion's implementation. The 1988 cases represented cases initiated following diversion's implementation. Information collected included data concerning the Probation Intake process, the Family Court process, the youth and their families, and the diversion process. Information about the youth and their families included demographics, prior and subsequent involvement with the Family and Criminal Courts, prior involvement with other service providers, and various other types of background data.

Those interested in the details concerning the development, planning and implementation of PINS diversion, the logic underlying PINS diversion, the subjective experiences of the agencies charged with providing PINS diversion, the legislation

relevant to PINS diversion, or synopses of actual PINS cases should read The Voices of PINS Diversion[2] which was published as a companion piece in conjunction with this volume.

There was one additional goal driving this research project, to communicate the research findings in clear, non-technical language wherever possible. In any instance where technical terms and concepts are used, every effort was made to provide plain language explanations to make these terms and concepts understandable.

The Logic of PINS Diversion[3]

In August 1985, Governor Cuomo signed into law Chapter 813, designed to prevent inappropriate or unnecessary court intervention on behalf of Persons alleged to be in Need of Supervision (PINS). This was based on the belief that throughout New York State, there existed a broad range of community-based social, mental health, health and other services available to respond to children and families experiencing problems. However, parents, school officials, and probation officers frequently unaware of existing services and/or how to access them were frustrated by the lack of coordination among human service agencies in their community. As a result, families

---

[2] PINS Policy Committee. (1992). The Voices of PINS Diversion. New York, NY: Office of the Deputy Mayor for Public Safety.

[3] This section and the next section reproduce materials contained in The Voices of PINS Diversion.

and others looking for critical services and help felt they had no recourse but to file a Person In Need of Supervision (PINS) petition with the Family Court. This Act put in place the mechanisms to divert these youth and their families to non-judicial preventive community services.

The Act created an interagency planning process which encouraged collaboration among and between relevant local and state agencies. Additionally, by establishing an enhanced capacity for multidisciplinary case assessments and service provision, this Act ensured that the full range of service needs of the youth and family would be addressed.

The presumption from which many of the program designers started when considering the diversion of PINS cases from traditional court processing was that the Family Court is ineffective for many status offense cases, and that processing most of these PINS cases through the full court system is an inappropriate use of an already scarce resource. It was believed by many of the designers that most PINS behavior is a result of deep, long-term problems within the family constellation, rather than specific misbehavior on the part of the child. These planners believed that the Family Court is unable to deal effectively with behavior of the entire family constellation within the formal PINS proceedings.

The court was viewed by these people as ineffective for several reasons. First, because court procedures are generally adversarial and are aimed at establishing the

culpability of either the child or the parent, it was seen as a process that is divisive by nature rather than supportive and unifying. Additionally when the culpability of the child is established, the child was believed often to become intractable and the family fragmented. Secondly, it was believed that the court does not have an adequate range of dispositional measures available to it, and it relies too frequently on dispositions that take the child out of the home such as remands and long-term placements. Further, some planners believed that even when the court attempts to mandate some disposition other than placement, such as counseling in concert with probation supervision, the coercive nature of the participation renders the service ineffective. Thus, in the views of many of the program planners the adversarial nature of the process, the coercive nature of the non-custodial sanctions, and the lack of a full spectrum of dispositions other than placement renders the processing of PINS cases by the Family Court inefficient in its use of both court and placement resources.

The PINS Diversion Program in NYC

Given the perspective of the planners that most PINS children and their families could be more efficiently and effectively served in the community, specific procedural changes were made in the way PINS cases were to be processed after they were received by Probation Intake. Prior to PINS diversion, the decision as to whether a PINS petition should be filed lay ultimately with the potential petitioner. Probation Intake could not prevent a potential petitioner from filing a petition, even if it appeared that the potential respondent and his or her family could be provided with sufficient

services in the community to resolve the complaint. With the implementation of the PINS Adjustment Services Act, the potential respondent's eligibility and suitability for the provision of adjustment services alone determines whether a petition can be filed at the time an initial complaint is made. Such a determination is based on specific criteria detailed in the legislation and in the rules of the State Division of Probation and Correctional Alternatives.

The aim of the legislation is diversion from the court through the provision of services in the community. To ensure that services are provided to address the needs of the potential respondent and his/her family, the legislation provides for a designated assessment service (DAS) to be established in each jurisdiction.

These programs have existed since 1983 on a small scale voluntary basis: Children's Aid Society in Manhattan and Brooklyn, Pius XII Youth and Family Services in the Bronx, Community Mediation Services in Queens and Probation in Staten Island. These same agencies continued to provide diversion services when the law was implemented. Their staff consist of social workers with general casework skills as well as staff capable of performing specialized functions crucial to a thorough assessment.

The designated assessment service (DAS) is required to assess the service needs of the parties and develop a service plan. These assessments include identification of mental health, social service and educational needs of both PINS youth and their

families. Upon completion of the assessment, families are referred to programs in the community for services.

Probation Intake has the responsibility to approve the assessment and service plan and to monitor the delivery of services to the potential respondent and his family. In order to evaluate the effectiveness of such services, a PINS case may remain open for 90 days and be extended for an additional 90 days with permission of the court. The case can be closed during the process through an "adjustment" (a successful termination); a "termination without an adjustment, no petition" (problems not resolved, but further consideration unnecessary); or with a petition being filed (diversion failed, formal court processing required).

Chapter 2

SYSTEM PROCESSING

The data collected included detailed case processing information describing the path followed by the case through the Family Court system from its initiation at Probation Intake to its completion, defined as the point in the system at which no further action is warranted.

Probation Intake Processing Overview

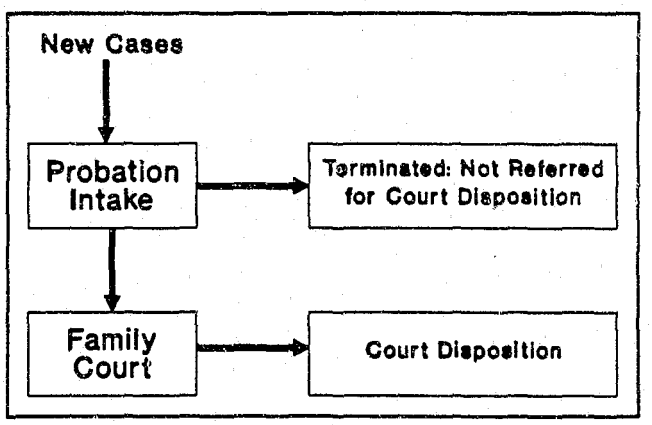
All PINS cases begin at Probation Intake with an interview between the petitioner, the respondent if present, and a Probation Officer who reviews the allegations, circumstances, and details of the case. This interview is referred to as the preliminary intake review (PIR). Occasionally, cases are completed at this interview. Some are resolved and these cases are classified "adjusted." Others are not resolved, but the petitioner has decided not to pursue the case. These cases are classified "terminated without adjustment." Most cases are <u>not</u> completed at the initial intake interview and proceed further into the system.

Prior to the diversion program's implementation, petitioners who insisted on access to court were immediately granted a referral to court. These cases were classified "referred for petition." As an alternative to immediate court referral, with the consent of the parties involved, cases were held open at intake for a period of up to

sixty days and the Probation Officer attempted to effect a resolution by monitoring the case and referring the parties to service agencies. Cases that were resolved were completed and classified "adjusted" (an informal sort of diversion). Cases that were not resolved were granted access to court at the petitioner's request. These cases were classified "referred for petition." If the petitioner did not request access to court the case was completed and classified "terminated without adjustment."

In all instances where the case was adjusted or terminated without adjustment, the case was completed without formal Family Court involvement. Once a case was granted access to Family Court, referred for petition, Probation Intake terminated its involvement and the case remained with the court until a court disposition was realized (Figure 2.1).

Figure 2.1 PINS Case Processing for the Pre-Diversion Period



The implementation of the diversion program dramatically altered the processing of PINS cases, particularly those that were not completed at the initial intake interview. The PINS Adjustment Services Act required that all eligible and suitable cases[4] be referred for diversion services. Petitioners who insisted on access to court

[4] New York State Family Court Act, Article 7, Section 735.

were no longer automatically referred for petition. Only the cases that were not eligible or not suitable were referred for petition at the initial intake interview. In addition, the Act no longer permitted Probation to hold open and attempt to resolve/adjust cases.

The diversion program was responsible for assessing the needs of the respondent and his/her family and for making referrals to the appropriate long term service providers. Once the diversion program finished with the case, it was required to return the case to Probation Intake. Cases that were resolved were completed and classified "adjusted." Cases that were not resolved through the diversion process were granted access to court, "referred for petition." If the petitioner chose to drop the case, it was considered completed and classified "terminated without adjustment."

For cases referred to court, the Act gave the judiciary the option to request that diversion services be provided. However, the judiciary did not refer cases to the diversion program directly. The cases had to be returned to Probation Intake for a supplemental intake review.[5] Probation either referred the cases for diversion services, referred them back to court, or terminated them without adjustment. Cases referred to the diversion program after a supplemental intake review followed the same course as cases referred after a preliminary intake review. This scheme allowed for

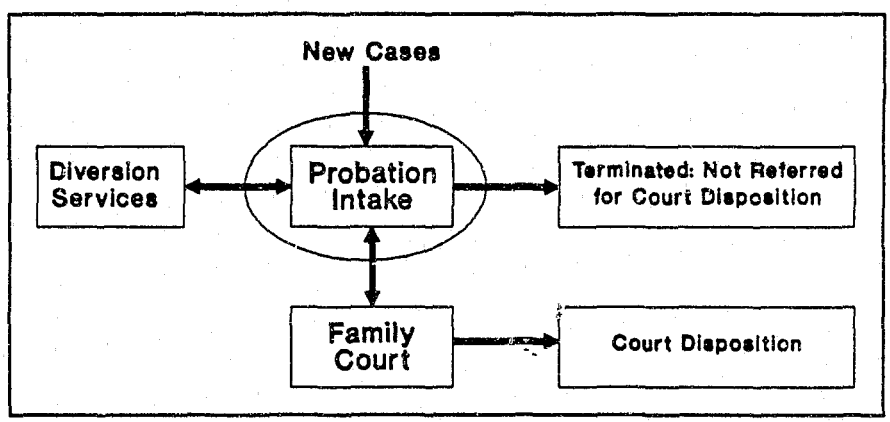
[5] The SIR, supplemental intake review, is essentially similar to the preliminary intake interview (PIR). The principal difference is that the PIR is pre-court and the SIR is post-court.

multiple intakes by Probation, the initial intake and each time returned to intake by the court, as well as multiple referrals to the diversion program.

On the other hand, many cases referred to court remained with the court until a court outcome was realized, requiring no further involvement by Probation Intake.

All cases in the post-diversion period that were adjusted or terminated without adjustment were considered completed without a referral for a court disposition (Figure 2.2). Similarly, cases that were completed through formal Family Court proceedings were considered completed via a court disposition. As illustrated in Figure 2.2, Probation Intake clearly became the center point of the diversion process, and was in fact the only true diversion point in the system.

Figure 2.2 PINS Case Processing for the Post-diversion Period



Family Court Processing Overview

The path followed by cases referred to court for the initiation of formal court proceedings is similar for the pre-diversion and post-diversion periods, with the exception of the cases returned to intake in the post-diversion period noted above.

Technically speaking, when PINS cases were referred to court for petition by Probation, the petitioners were actually directed to the "petition room" where the case was reviewed by the Family Court's petition clerk, who drafted the actual petition. The petition is the formal written accusatory instrument that specifies the allegations and requests judicial action. Only after a petition is drafted can formal Family Court proceedings begin. On rare occasions, the petition clerks refused to draw a petition, thus completing the case prior to any formal Family Court proceedings.

Once the petition was filed, the respondent and petitioner were required to make an initial appearance before the court,[6] and the court decided whether or not the case should proceed beyond this initial stage. Occasionally, a number of appearances before the court were required to make this decision. The most frequent reason for continuing a case beyond the initial appearance/arraignment was for the commencement of a fact-finding hearing wherein the court determined whether the respondent committed the acts alleged in the petition. If the allegations were established, a subsequent dispositional hearing was commenced and a determination made as to whether the respondent required treatment or supervision. The formal sanctions given included probation supervision, and placement with the Commissioner of Social Services or the Division for Youth.

---

[6] If the respondent was alleged to have run away or otherwise refused to appear in court a warrant or summons was issued. The court proceedings do not continue until the respondent is returned on the warrant or summons.

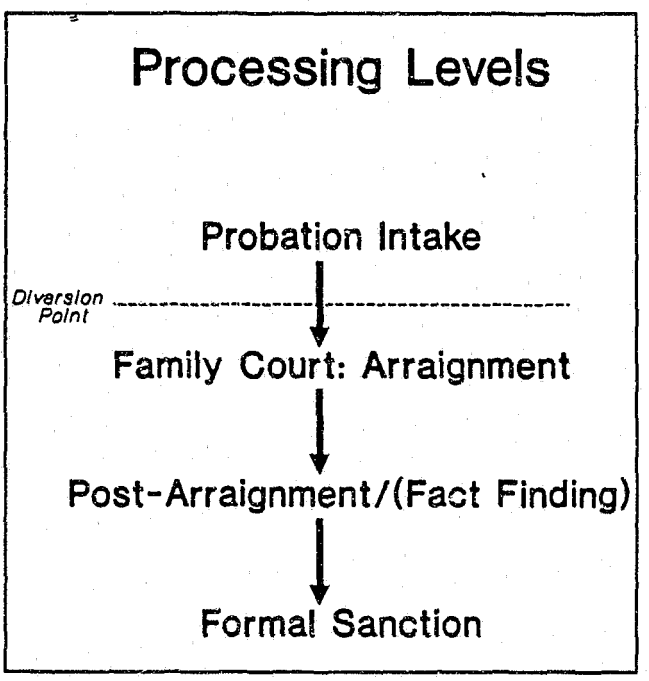
During all phases of the formal court proceedings, from initial arraignment through the dispositional hearing, the judges dismissed cases and adjourned cases in contemplation of dismissal (ACD). ACD'd cases which were restored continued with formal Family Court proceedings through disposition as appropriate until completed.

In many instances, the petitioner withdrew the petition after the initiation of formal Family Court proceedings thereby completing the case.

System Processing Levels

Based on the path followed by PINS cases, the Family Court system was broken down into four distinct levels of processing: Probation Intake, Family Court Arraignment, Family Court Post-Arraignment, and Formal Sanctions (Figure 2.3). The levels are ordered in terms of increasing involvement with the system, and are applicable to both the pre-diversion and post-diversion periods.

Figure 2.3 Processing Levels



Diversion and System Processing

An effective juvenile diversion program will reduce the number[7] of cases processed at court levels beyond the diversion point. One way to examine a diversion program's effectiveness is to analyze and compare the system processing rates, the numerical flow of cases through the court system, before and after the program's implementation. For an effective diversion program, such an analysis will reveal that proportionately fewer cases were processed at the formal court levels and even fewer cases received formal sanctions. The youth entering an effective diversion program will be those youth who would be destined for formal court system processing in the absence of the program.[8]

Another way to examine a diversion program's effectiveness is to compare the transitional probabilities,[9] the probability of continued processing at each level in the system, for the pre- and post-diversion periods.[10] At the diversion point, the transitional probability should be lower in the post-diversion period. Once cases pass

---

[7] A comparison of the number of youth across time is meaningful only if the number of youth entering the system remains constant. Comparisons of the proportion of youth are preferred when there are unequal numbers of subjects because proportions control for size differences. For example, if the number of youth entering the system doubled (i.e. from 1000 to 2000) after the diversion program was implemented and the number of youth processed at a particular level remained the same (i.e. 500), one might infer, incorrectly, that there was no difference. However, examining the proportion of cases processed that at that level shows a decrease from 0.50 to 0.25, indicating a substantial difference.

[8] This particular issue will be addressed in Volume 2 of this report.

[9] Esbensen, F. A. (1984). Net Widening? Yes and No: Diversion Impact Assessed Through a Systems Processing Rates Analysis. In S. H. Decker (Ed.), Juvenile Justice Policy: Analyzing Trends and Outcomes (pp.115-128). Sage Publications.

[10] Transitional probabilities illustrate the likelihood of advancing from one level in a system to the next level of a system. The transitional probability concept is similar to the concept of conditional probability, the likelihood of an event *A* occurring, given the occurrence of some other event *B*.

the diversion point, the transitional probabilities should be the same, although they may be higher. That is, beyond the diversion point, the probability of continued processing should remain at least the same.

Secondary effects should be observed, if cases are being diverted from court. A substantial decrease in the number of cases referred to court should result in a concomitant decrease in the use of related court services such as court mandated diagnostic placements, investigation and reports, explorations of placement, and mental health studies. The extent to which the provision of these services changed was also examined.

If the NYC PINS diversion program is actually diverting youth from court, examination of the system processing will reveal a decrease in:

(1) the transitional probability at the diversion point,

(2) the number of cases processed at higher court levels,

(3) the number of cases receiving formal sanctions and the formal sanction rate,

(4) the use of related court services.

Analysis of System Processing

Two measures were used to analyze the data: (1) levels of processing, reflecting the number of cases processed at each level of the Family Court system;[11] and

---

[11] A case that was returned to intake by the court and subsequently completed at intake was counted only at the intake level.

(2) transitional probabilities, reflecting the likelihood of progressing from one level in the system to the next level. Table 2.1 indicates, for each period, the number of cases processed at a particular level and the transitional probability between levels for the citywide samples. (The methodology section details the sample selection procedures.)

Table 2.1 System Processing Levels & Transitional Probabilities (TP): NYC Samples

Processing Level	1986 *(Pre-diversion)*	1988 *(Post-diversion)*
Probation Intake	356	358
Court Arraignment	246	141
Probation TP	***.69***	***.39***
Post Arraignment	53	25
Court TP	***.21***	***.18***
Formal Sanction	36	16
Sanction TP	***.68***	***.63***

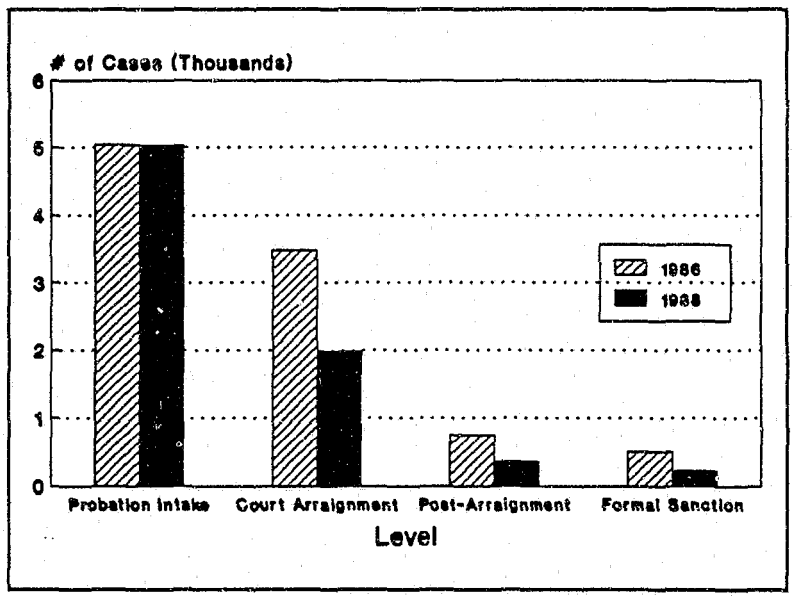
Levels of Processing: The number of cases indicated at each level represents cases passing through and completing at or beyond that level. As indicated in Table 2.1, for the post-diversion sample, there was a substantial decrease in the number of cases progressing to the higher levels of the Family Court system. Fewer youth were processed at the court arraignment and post-arraignment levels and even fewer youth received formal court sanctions.

The differences discovered are even more impressive when the sample's results are generalized to the total number of PINS intakes[12] (PINS Population) during each of the time periods. These estimates show that court arraignment cases decreased from **3485** to **1982** or **43.1%**. This represents a decrease of roughly **1500** cases. Similarly, post-arraignment level and formal sanction level cases decreased by nearly **400** cases or **52.3%** and **284** cases or **56.0%**, respectively. These results are consistent with the expectations outlined above and strongly support the hypothesis that the program is diverting youth from court.

Table 2.2 System Processing Levels: NYC PINS Population - Estimated

Processing Level	1986 (Pre)	1988 (Post)	% Change
Probation Intake	5045	5028	0.0
Court Arraignment	3485	1982	-43.1
Post Arraignment	747	356	-52.3
Formal Sanction	507	223	-56.0

Figure 2.4 System Processing Levels NYC PINS Population - Estimated



[12] Fortunately, the number of cases at intake in 1986 and 1988 are nearly identical (5045 and 5028) allowing us to directly compare the number of cases at each level.

Transitional Probabilities: Transitional probabilities control for underlying size differences by employing proportions rather than raw numbers. Consequently, the transitional probabilities presented in Table 2.1 are the same for the sample and the population estimates.[13]

The probation transitional probability (Probation TP) describes the probability of cases progressing from the Probation Intake level to the Family Court arraignment level. The probation transitional probability (Table 2.1) was substantially lower for the post-diversion period, decreasing from **.69** to **.39.** This difference is statistically significant[14] at the .01 level using a z-test for the difference between proportions,[15] indicating that during the post-diversion period cases at the Probation Intake level were considerably less likely to progress to the court arraignment level than during the pre-diversion period.

As explained previously, Probation Intake is the only diversion point in this system. As such, it should be the only point at which the transitional probability

---

[13] Since the population values at each level are estimated by taking linear multiples of the sample data, the transitional probabilities, a proportion, must be the same. Mathematically:

$$\frac{x}{y} = \frac{10x}{10y}$$

[14] Statistical significance represents the probability that a particular set of results could have occurred from chance variations in sampling alone.

[15] The Z-tests for the difference between proportions were conducted using the number of cases in the sample (N), a more conservative approach.

decreased. This is in fact what is observed. The statistically significant reduction in the probation transitional probability provides additional support for the hypothesis that NYC's PINS diversion program is indeed diverting cases from court.

The court transitional probability (Court TP), describing the likelihood of progressing from the arraignment level to the post-arraignment level, and the sanction transitional probability (Sanction TP), describing the likelihood of progressing from the post arraignment level to the formal sanction level both remained approximately the same. The slight decreases indicated in Table 2.1 were non-significant.

The PINS Adjustment Services Act envisioned that after diversion's implementation, the cases adjudicated beyond the diversion point would be only those cases for which court adjudication was the most appropriate disposition.[16] Thereby implying that higher court and sanction transitional probabilities should be observed post-diversion, all other factors remaining equal.

Higher court and sanction transitional probabilities were not observed. Cases were equally likely to continue to higher levels of the court system once passing the diversion point during the pre- and post-diversion periods, indicating that some cases continued to proceed to court even though court adjudication may not have been the

---

[16] The Act stated one of its purposes was to "decrease inappropriate utilization of the family court." Therefore, if the diversion program is functioning correctly, those cases proceeding to the court level would be those most appropriate for court disposition.

most appropriate disposition; or, perhaps, the "definition" of appropriateness has changed. Cases that might have once been viewed as appropriate for court adjudication were subsequently viewed as inappropriate and did not proceed through the system.

Formal Sanction Rate: In the citywide samples, the number of cases receiving formal sanctions decreased from 36 to 16, a **-56.0%** change. Once again, the results are much more dramatic when generalized to the PINS population where the -56.0% change translates to a 284 case decrease (**507** vs. **223**) in the number of cases receiving formal sanctions.

Overall, the formal sanction rate, the proportion of cases opened at intake that received formal sanctions,[17] decreased from **.10** for the pre-diversion period to **.04** for the post-diversion period. The difference was found to be significant at the .01 level, indicating that PINS cases opened during the post-diversion period are significantly less likely to conclude in a court ordered formal sanction than cases opened during the pre-diversion period.

A reduction of the formal sanction rate is especially noteworthy because a decrease in formal sanctions, which are extremely expensive to administer, can be translated into **cost savings.**

---

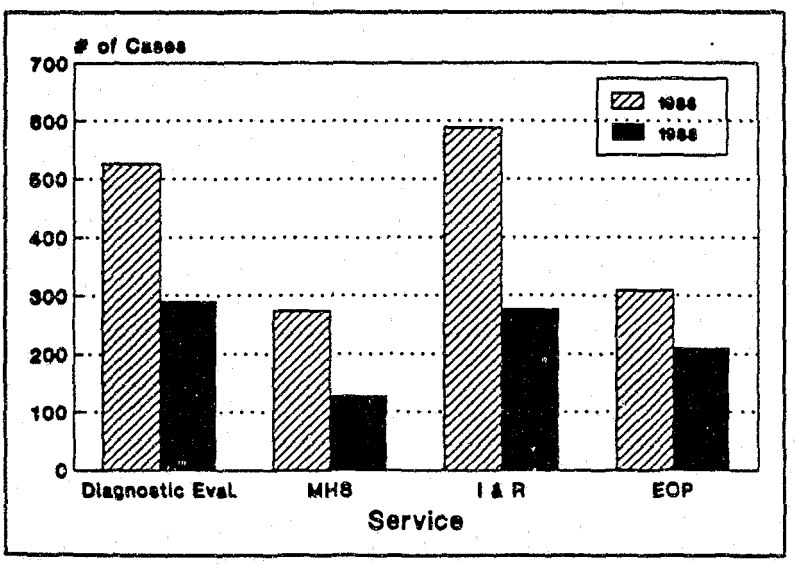
[17] Since the formal sanction rate is a proportion, the rate determined for the sample does not change when applied to the population.

Secondary Effects: Table 2.3 indicates that there were substantial decreases in the use of court ordered services during the post-diversion period. The population parameter estimates are presented because they provide a more practical perspective for viewing the diversion program's impact.

Table 2.3 Court Mandated Services: NYC PINS Population - Estimated

Court Mandated Service	1986 (Pre)	1988 (Post)	% Change
Residential Diagnostic Evaluations	526	289	-45.1
Mental Health Studies	273	127	-53.4
Investigations & Report	588	276	-53.0
Exploration of Placement	308	209	-32.0

Figure 2.5 Court Mandated Services: NYC PINS Population - Estimated



The use of all services decreased considerably between the pre-diversion and post-diversion periods (Figure 2.5). Using a χ^2 test, significant differences at the .05 level were observed for the residential diagnostic evaluations, mental health studies, and investigation and reports. The difference in the number of exploration of placements although considerable, nearly one-third, was not statistically significant.

These decreases can be attributed to the decline in the overall number of cases proceeding to the higher court levels, and a decline in the number of cases proceeding to court levels requiring these services.

These court ordered services are quite expensive to administer. As with the formal sanctions, the observed reductions can be translated into substantial cost savings.

In-Depth Case Flow Analysis

The analysis of the system processing rates, transitional probabilities, the formal sanction rates, and the secondary effects all support the claim that by implementing the diversion program, NYC did indeed significantly reduce the number of PINS cases being processed at the court level. The reduction was attributed to a decrease in the number of cases continuing beyond the diversion point, Probation Intake. To better understand exactly how the diversion was occurring, the four levels of involvement with the Family Court were further broken down into the dispositional alternatives available at each level.

Figures 2.6 & 2.7 present a detailed representation of PINS case flow through the Family Court system, as well as the dispositional alternatives available at each level. The dispositions of the citywide samples were tabulated in accordance with the

dispositional alternatives outlined in Figures 2.6 & 2.7. The sample data was then used to generate the citywide PINS population parameter estimates presented in Table 2.4.

As explained previously, the possible outcomes at Probation Intake were:

ADJ - adjustment,

TWA - termination without adjustment,

RFP - referral to court for petition,

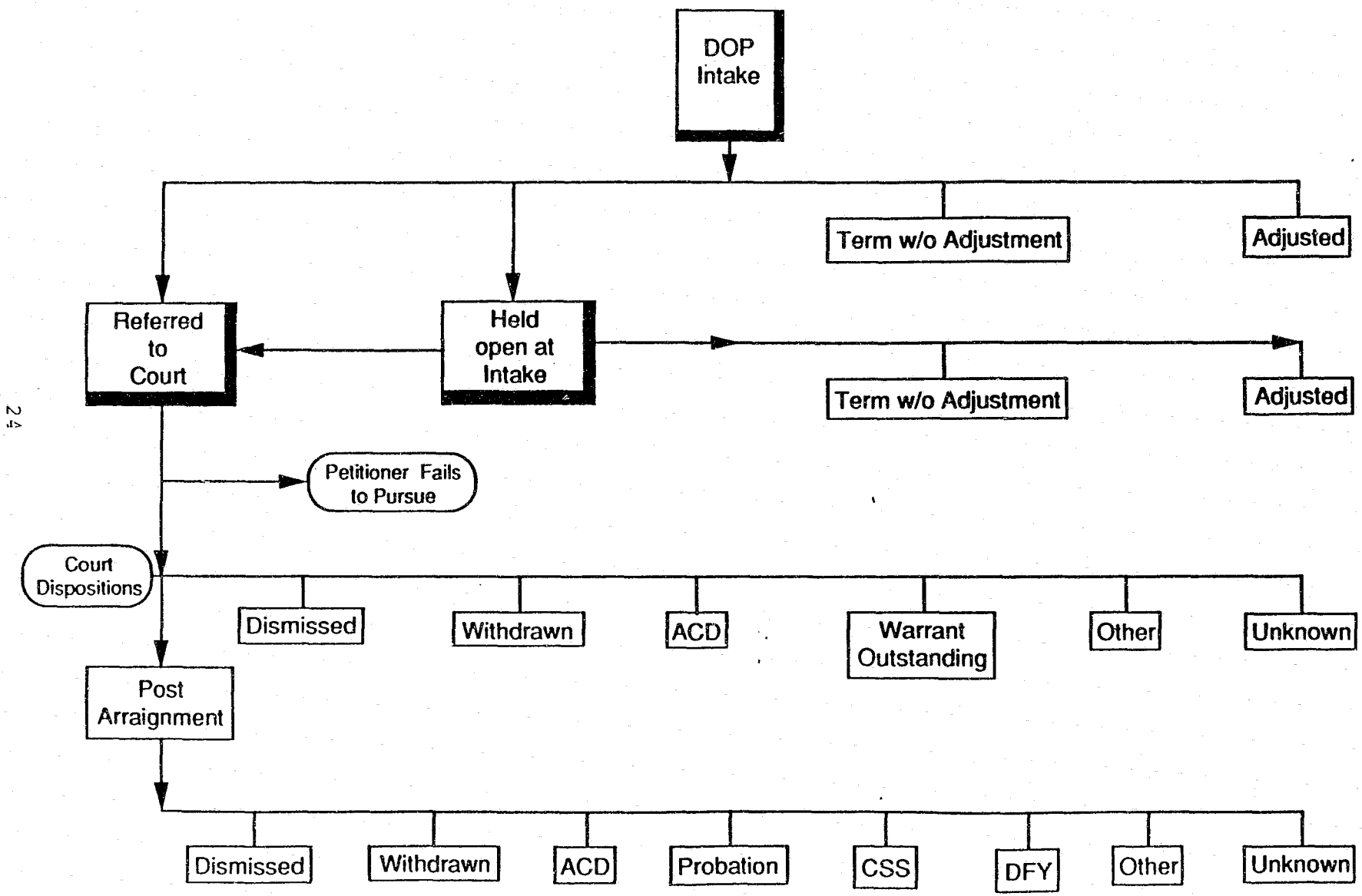
Held open/Referred to DAS -

Cases where attempts were made to resolve the cases without a referral to court either at Probation Intake or via a referral to the diversion program. Cases were ultimately given one of the dispositions above, as explained previously.

Dispositions of ADJ, TWA, and RFP terminated the case at Probation Intake and cases receiving dispositions of ADJ or TWA were completed. Cases receiving the disposition of RFP were eligible for processing at the court level. Post-diversion, the court returned cases to Probation Intake for referral to the diversion program. These cases were reopened at Probation Intake and are indicated in the SIR column.

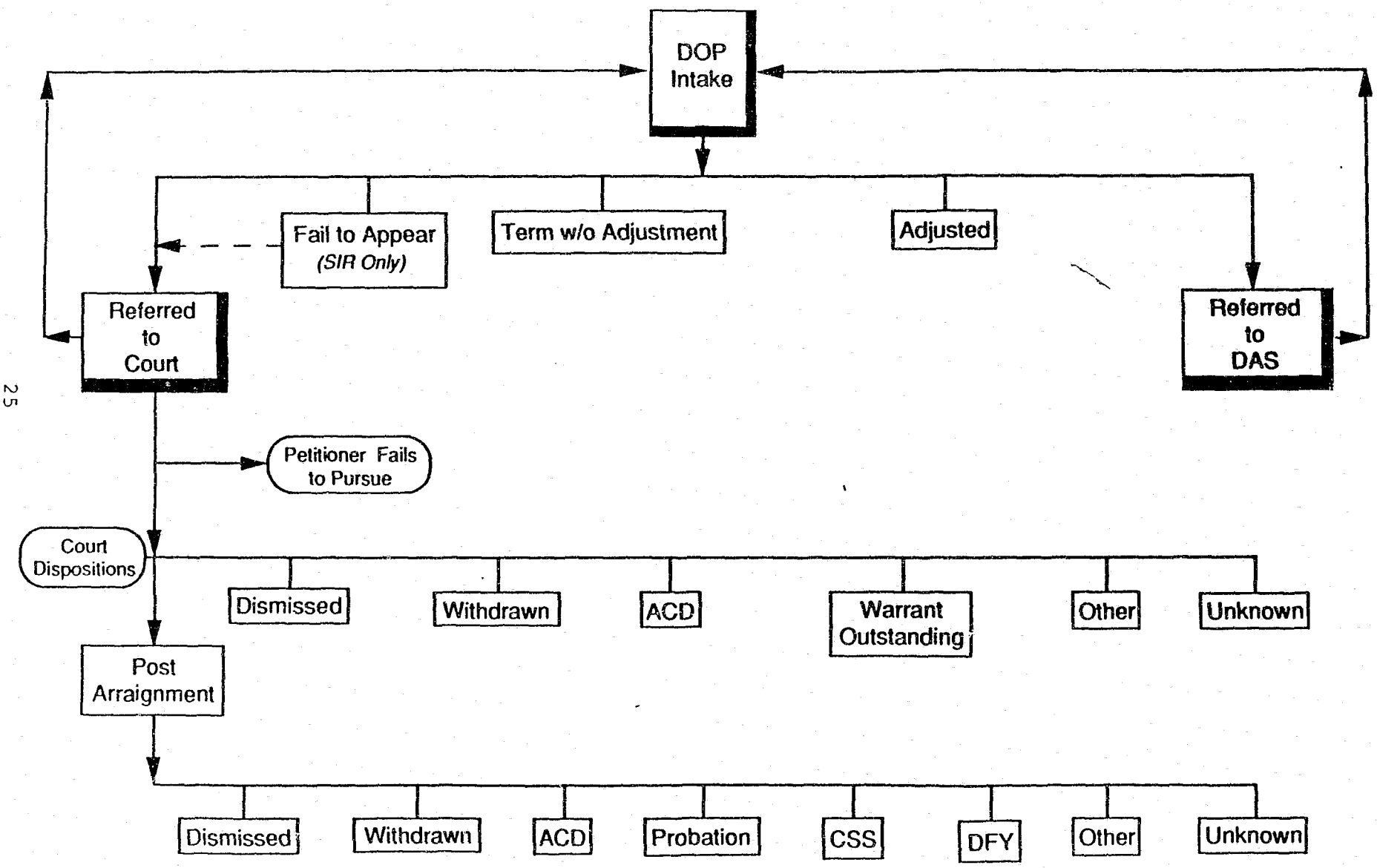
The cases that were returned to Intake and received final dispositions of ADJ or TWA at intake were considered intake level cases. These cases are <u>not</u> included in the section labeled "Court Level" in Table 2.4, since they are ultimately dismissed at the

FIGURE 2.6: CASE FLOW & DISPOSITIONAL ALTERNATIVES — PRE-DIVERSION



4/10/92

FIGURE 2.7: CASE FLOW & DISPOSITIONAL ALTERNATIVES — POST-DIVERSION



4/10/92

Table 2.4 Citywide PINS Population Estimates

Case Processing

Probation Level

		1986		1988					
		PIR	%	PIR	%	SIR	%	Change	% Change
Total # of Intakes		5045		5028		740	*14.7%*		
At Intake	ADJ	97	*1.9%*	71	*1.4%*	15	*0.3%*		
	TWA	137	*2.7%*	454	*9.0%*	15	*0.3%*		
	RFPI	3316	*65.7%*	1645	*32.7%*	67	*1.3%*		
	FTA					74	*1.5%*		
	# of Cases	*1495*	*29.6%*	*2858*	*56.8%*	*569*	*11.3%*		
Held open/	ADJ	667	*13.2%*	566	*11.2%*	89	*1.8%*		
Ref to DAS	TWA	543	*10.8%*	616	*12.2%*	141	*2.8%*		
	RFP	285	*5.7%*	1677	*33.4%*	339	*6.7%*		
Referred to Court		3601	*71.4%*	3322	*66.1%*	405	*8.1%*		

Closed by Probation for Court Disposition	3601	*71.4%*	2988	59.4%	-614	*-17.0%*
Not Pursued by Petitioner	*116*	*2.3%*	*1005*	*20.0%*	*889*	*766.5%*

Court Level

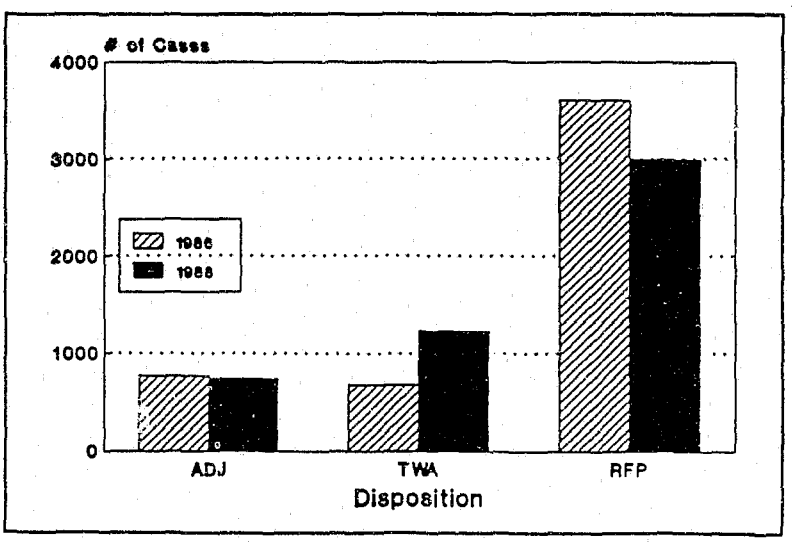
Petitions Pursued	3485	*69.1%*	1982	*39.4%*	-1503	*-43.1%*
Arraignment Level						
Dismissed	1406	*27.9%*	1010	*20.1%*	-396	*-28.2%*
Withdrawn	571	*11.3%*	272	*5.4%*	-299	*-52.3%*
ACD	459	*9.1%*	94	*1.9%*	-365	*-79.5%*
Outstanding Warrant	181	*3.6%*	199	*4.0%*	18	*9.8%*
Other	43	*0.8%*	31	*0.6%*	-12	*-27.7%*
Unknown	78	*1.5%*	21	*0.4%*	-57	*-72.8%*
To Post Arraignment	748	*14.8%*	356	*7.1%*	-392	*-52.4%*
Post Arraignment						
Dismissed	72	*1.4%*	62	*1.2%*	-10	*-13.9%*
Withdrawn	67	*1.3%*	10	*0.2%*	-57	*-85.0%*
ACD	90	*1.8%*	46	*0.9%*	-45	*-49.3%*
Formal Probation	162	*3.2%*	17	*0.3%*	-146	*-89.8%*
Sanctions CSS	295	*5.8%*	191	*3.8%*	-104	*-35.2%*
DFY	50	*1.0%*	15	*0.3%*	-35	*-70.0%*
Other	7	*0.1%*	5	*0.1%*	-2	*-25.6%*
Unknown	4	0.1%	10	0.2%	6	127.1%

court level, most often with a minimal amount of court processing beyond petition filing and initial arraignment. The SIR cases are a subgroup of the cases referred to court at their initial intake (PIR). Thus the PIR and SIR columns **cannot** be simply totalled because double counting will result.

The row labeled "Closed by Probation for Court Disposition" reflects: 1) those cases that were referred for petition (RFP) by Probation at the PIR, either before or after referral for diversion services, and never returned to intake; plus 2) those cases that were returned to intake and ultimately, after all processing of the case was concluded, ended in a re-referral to court.

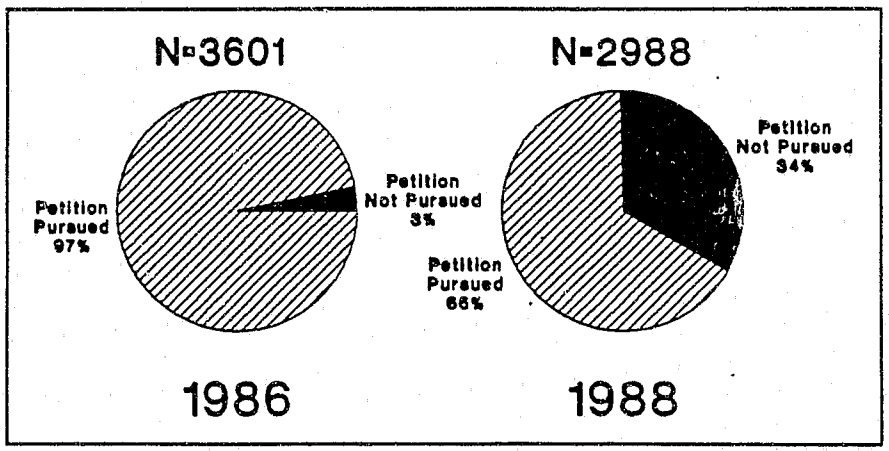
The review of the system processing rates and transitional probabilities presented above indicated that the main effect of the diversion program was a reduction in the number of cases adjudicated at the court level. This effect was actually comprised of two distinct components which became evident when the data were broken down by dispositional categories.

Figure 2.8 Probation Intake Disposition:
NYC PINS Population - Estimated



The percentage of cases closed by Probation for court disposition decreased from **71.4%** pre-diversion to **59.4%** post-diversion, a significant difference at the .01 level, indicating that significantly fewer cases were referred to the court. The probation intake level dispositions for all cases are presented in Figure 2.8. Over 600 fewer cases were actually referred to court. The diversion program intended to decrease the number of youth referred to court and this was in fact observed.

Figure 2.9 Cases Referred for Court Disposition: NYC PINS Population - Estimated



However, an even greater consequence was observed. The number of cases referred for court disposition was found to be considerably higher than the number of cases for which a petition was filed and pursued. A large number of cases which were eligible for court disposition, referred for petition, were not pursued by the petitioner (Figure 2.9). In fact, the number of cases not pursued by the petitioner increased from 116 during the pre-diversion period to 1005 in the post-diversion period, an astounding **766.6%** increase.

The majority of the not pursued, post-diversion cases, had been referred for diversion services. The review of the case records indicated that after the case was

returned to Probation, most petitioners did not respond to notifications indicating that they were eligible to file a petition. The established standards required Probation to close cases as referred for petition when the parties cannot be contacted. By dropping out of the process the parties implicitly demonstrated that they were not interested in pursuing the petition.

Why didn't the petitioners pursue these cases? Perhaps referring the case to the diversion program and refusing immediate access to court denied the petitioner what he/she thought would be an immediate solution to a crisis. With the passage of time, the period during which the diversion services were provided or attempted, the crisis that inspired the petitioner to come to court in the first place abated and the petitioner's interest in filing a petition decreased in proportion to the severity of the crisis.

Pre-diversion, a larger number of cases were withdrawn and dismissed at the arraignment level. Conceivably, the post-diversion not pursued cases parallel this pre-diversion group since for a number of cases in both periods the petitioner appears to have realized that the court was not the solution to the situation.

Whatever the reason for the increase in the number of not pursued petitions, this analysis clearly demonstrated that implementing the diversion program greatly reduced the number of cases processed at and receiving dispositions at the formal court levels.

PINS CASE FOUNDATIONS

A PINS case originates when an individual appears at Probation Intake and wishes to pursue formal action concerning a juvenile's behavior. If the juvenile's behavior falls within the jurisdictional domain of the Family Court and is covered by Article 7 of the New York State Family Court Act, a PINS case is initiated. Article 7 defines a person in need of supervision as:

> "a male less than sixteen years of age and a female less than eighteen years of age[18] who does not attend school in accordance with the provisions of part one of article sixty-five of the education law or who is incorrigible, ungovernable, or habitually disobedient and beyond the lawful control of parent or other lawful authority or who violates the provisions of section 221.05 of the penal law." (NYS Family Court Act Article 7, Section 712)

Three principal offenses are included in the definition: truancy, extensive misbehavior, and possession of small quantities of marijuana. These offenses are often termed status offenses because they represent non-criminal misbehavior which is illegal only for minors, and thus would not be illegal if committed by an adult.

Petitioners

The petitioner is the individual or agency, responsible for pursuing the complaint concerning the respondent's misbehavior. The Family Court Act permits any of the

---

[18] The New York State Court of Appeals has ruled that the maximum age of sixteen must be applied to both males and females. Patricia A., 31 N.Y. 2d 83,335 NYS 2d 33 (1972) .

following to be the petitioner for PINS cases:

a) a peace officer acting pursuant to his special duties or a police officer,

b) the parent or other person legally responsible for his care,

c) any person who has suffered injury as a result of the alleged activity of a person alleged to be in need of supervision, or a witness to such activity,

d) the recognized agents of any duly authorized agency, association, society, or institution, or

e) the presentment agency that consented to substitute a petition alleging that the person is in need of supervision for a petition alleging that the person is a juvenile delinquent pursuant to section 311.4. (NYS Family Court Act Article 7, Section 733)

As written, the Act permits nearly anyone knowledgeable of the youth and his/her misbehavior to originate PINS proceedings. However, it is reasonable to assume that due to the non-criminal nature of a PINS complaint, only those individuals or agencies most immediately or seriously affected by the juvenile's behavior would make the effort to originate a PINS complaint.

A parent, including natural parents, adoptive parents, and step parents, was overwhelmingly the most frequent petitioner (Table 3.1). The parent-petitioner was nearly always the parent who was the head of the household[19] in which the petitioner resided. Not surprising, since they were the adult who lived with the youth, were responsible for the youth, and were likely to be most directly affected by and aware of

[19] See Chapter IV - Descriptive Characteristics for further information regarding the head of the household.

the youth's behavior. This relationship also held true for grandparents. That is, if a grandparent were the petitioner, he/she was highly likely to be the head of the household in which the respondent resided.

The Board of Education was the petitioner in a small percentage of the cases, slightly more often in Brooklyn, 5.6% of the cases, and Manhattan, 5.2% of the cases, than the other boroughs. These cases always involved allegations of truancy and most often truancy was the only allegation.

Table 3.1 Petitioner by Borough
(Percentages)

Petitioner	Brooklyn	Bronx	Manhattan	Queens	Staten Island
Parent	83.3	84.7	79.1	90.3	88.7
Grandparent	6.1	9.3	11.2	5.5	5.2
Board of Education	5.6	1.3	5.2	1.8	1.0
Other	5.0	4.7	4.5	2.4	5.1

Anecdotal evidence has suggested that petitioners were often strongly encouraged to initiate PINS proceedings by agencies such as the Board of Education, CWA/SSC, mental health providers and the Police Department who still feel reliant on the court to provide solutions.

Allegations

The formal language of the Family Court system refers to the petitioner's assertions concerning the youth's behavior as allegations. The behavioral allegations are the foundation of the PINS complaint. As stated in the legislation, the definition of a person in need of supervision is quite broad, and a wide range of repeated misbehavior could serve as the basis for a PINS complaint.

Another theme evident from the PINS definition is that different standards were set for males and females. Females were to be held accountable for status offenses to a later age than males. Perhaps this double standard was based on the legislators' suspicion that dissimilar behaviors would constitute PINS behavior for the different sexes and the legislators' desire to be more protective of females.

For the purposes of data collection, twenty-five categories of specific allegations were created through a preliminary review of the case records, a review of the Department of Probation's internal case tracking forms, a review of the relevant literature, and a series of discussions with several experienced PINS personnel. These categories were in addition to the three general classes of behavior delineated in the legislation. In general, the specific allegations describe more precise behaviors than the language used in the legislation.

Table 3.2 presents a simple frequency distribution for the allegations within each of the boroughs. Following the legislation's notion of distinguishing between the sexes, the analysis also examined the allegations for each of the sexes individually. Table 3.3 presents a simple frequency distribution for the allegations broken down by the respondents' sex. Percentages within the tables do not add to 100% because multiple allegations per case are possible.

The review of case records underscored the diversity of behaviors[20] giving rise to PINS complaints. The allegations spanned a diverse range of behaviors, from relatively minor misconduct such as lying, talking back, and smoking cigarettes to severe misbehavior such as using a gun or knife to threaten or injure others. Sometimes the allegations were very inexact, including such general descriptions as "he is disobedient" or "she is disrespectful."

Some of the allegations included behaviors that are actually criminal offenses, such as assaults on family members or others, possession or use of weapons, stealing, and selling drugs. The intent of the statute was not to cover criminal behavior, although many of the PINS cases reviewed were based on allegations which could be considered criminal acts.

---

[20] The asserted behaviors are reflected in and mirror the allegations. Although this paper may refer to the behaviors and allegations somewhat interchangeably, one must remain cognizant of the fact that the respondent has not been proven to have engaged in such behaviors.

Table 3.2 Allegations by Borough (Percentages)

Statutory Allegations	Brooklyn	Bronx	Manhattan	Queens	Staten Island
Truancy	86.7	73.5	76.3	78.2	76.3
Incorrigible etc.	83.3	75.5	63.7	84.2	79.4
Marijuana	8.3	2.0	9.6	4.9	19.6
Specific Allegations					
Abusive Language	45.0	22.5	26.7	41.8	34.0
Alcohol Use	13.9	2.7	3.0	7.3	11.3
Cuts Classes	14.4	8.0	11.9	19.4	29.9
Destroys Household Property	18.3	8.0	3.7	8.5	7.2
Drug Sale	5.6	2.7	6.7	5.5	7.2
Drug Use/Possession	18.9	14.6	18.5	10.9	26.8
Late Hours	68.3	51.7	65.2	66.6	50.5
Runaway	60.0	45.7	50.4	53.3	44.3
School Misbehavior	30.6	16.6	16.3	21.8	35.1
Sexually Abusive	0.6	1.3	0.0	1.2	2.1
Sexually Active	30.0	8.0	14.8	14.5	25.8
Steals from Household	36.7	17.2	6.7	24.2	10.3
Steals from Others	15.6	5.3	3.0	11.5	6.2
In the Household					
Threatens Physical Force	8.9	9.9	10.4	14.6	10.3
Uses Physical Force	25.0	8.0	8.2	25.5	17.5
Threatens with Weapon	4.4	2.7	5.2	3.6	7.2
Uses a Weapon	3.3	2.2	2.4	3.1	1.3
Outside the Household					
Threatens Physical Force	5.0	2.0	0.7	3.0	6.2
Uses Physical Force	11.1	4.6	0.7	7.9	7.2
Threatens with Weapon	2.8	0.7	1.5	0.6	5.2
Uses a Weapon	1.1	1.3	0.0	0.0	3.1
Uncommunicative	4.4	2.0	8.9	6.1	9.3
Undesirable Companions	82.2	44.4	44.4	64.2	51.5
Vandalism	3.3	2.0	2.2	5.5	5.2
Other	6.7	15.2	8.9	13.9	5.2

Table 3.3 Allegations by Sex - Citywide (Percentages)

Statutory Allegations	Females	Males
Truancy	77.9	81.9
Incorrigible etc.	77.1	80.9
Marijuana	5.7	7.9
Specific Allegations		
Abusive Language	40.5	32.1
Alcohol Use	7.6	8.8
Cuts Classes	13.3	14.9
Destroys Household Property	5.4	16.7
Drug Sale	1.6	8.3
Drug Use/Possession	13.7	19.3
Late Hours	61.3	63.8
Runaway	67.1	40.7
School Misbehavior	17.4	29.6
Sexually Abusive	1.1	0.7
Sexually Active	32.9	6.4
Steals from Household	19.6	28.4
Steals from Others	9.1	27.0
In the Household		
Threatens Physical Force	9.4	11.8
Uses Physical Force	15.7	21.0
Threatens with Weapon	12.2	5.8
Uses a Weapon	1.3	3.6
Outside the Household		
Threatens Physical Force	1.3	5.2
Uses Physical Force	4.6	9.8
Threatens with Weapon	.7	2.7
Uses a Weapon	0.0	1.7
Uncommunicative	6.0	4.0
Undesirable Companions	67.2	59.2
Vandalism	2.1	4.6
Other	10.4	10.8

The allegations were recorded in twenty-five behavioral categories (specific allegations). This still represented far too many categories to effectively examine the cases according to each allegation. There was a clear need to reduce the allegations to a smaller number of meaningful entities based on the interrelationships within the data. Reducing the data into meaningful entities would be quite valuable. First, it would be interesting and informative to know if the allegations were occurring together with any pattern or regularity in identifiable entities. Second, the entities themselves could serve as the basis for further analysis. A similar organizational problem was encountered by the Vera Institute of Justice in the PINS section of their "Family Court Disposition Study."[21] By means of factor analysis, the Vera Institute was able to identify four statistically important clusters of allegations in their sample data.[22] Cases containing the truancy allegation were treated as a separate category, primarily due to the prevalence of the truancy allegation in the sample. The study then analyzed the Family Court's response to the separate newly created categories of allegations.

Factor analysis is a sophisticated multivariate statistical data reduction technique which attempts to identify a smaller number of "factors" in a larger set of variables by examining the intercorrelations between the variables. Variables that

---

[21] Vera Institute of Justice. (1980). Family Court Disposition Study (NYS DCJS #2589). New York, NY: Author.

[22] The Vera Institute's study coded the allegations into different initial categories than the present study. Although the present study repeated the factor analytic approach to combining the allegations used in the Vera Institute's study, any direct comparison between the present study's and the Vera Institute's findings is capricious.

correlate highly with each other are then represented by a single factor. Factor analysis is a purely statistical procedure used in this study for exploratory purposes. The factors emerging from such an analysis represent hypothetical entities which have been subjectively examined and named. Since this type of research is purely exploratory, one must be careful not to exaggerate the importance of any factors which are identified.

The data were analyzed according to the factor analytic model with the following constraints:

a) statutory allegations of "truancy" and "incorrigibility" were not included in the analysis because of their generality and universal prevalence throughout the data,

b) specific allegations of "uses a weapon outside the household" and "sexually abusive" were not included in the analysis because of their extremely low frequency of occurrence in the data and there non-occurrence in some of the borough samples, and

c) in keeping with the legislation's theme of distinguishing between the sexes, males and females were analyzed separately.

Using the factor analytic technique, four uncorrelated factors[23] were identified for females and four uncorrelated factors were identified for males. The factors identified for the females were:

1) **"Violent in the Home"** consisting of the "threatening physical force in the household," "using physical force in the household," and "using a weapon in the household" allegations.

---

[23] Recall that the factors represent statistically important regularly occurring combinations of allegations within the data.

2) **"Out Late for Sex"** consisting of the "late hours," "undesirable companions," and "sexually active" allegations.

3) **"Violent in School"** consisting of the "school misbehavior," "threatening physical force against others," and "use of physical force outside the household" allegations.

4) **"Substance Abuse"** consisting of the "drug use," "alcohol use," and "marijuana" allegations.

The factors identified for the males were:

1) **"Drug Culture"** consisting of the "drug use," "alcohol use," "marijuana," "drug sale," "late hours," and "undesirable companions" allegations.

2) **"Violent in the Home"** consisting of the "destroys household property," "threatens physical force in the household," "uses physical force in the household," "threatens with a weapon in the household," and "uses a weapon in the household" allegations.

3) **"Violent in School"** consisting of the "school misbehavior" and "uses physical force outside the household" allegations.

4) **"Thief"** consisting of the "steals from the household" and "steals from others" allegations.

In general, the factors identified appeared to occur in logical combinations and typify PINS behavior as alleged at intake. However, one should not make the mistake of prohibitively categorizing the wide spectrum of behaviors into this model. That is, every PINS case may not neatly fit into this model.

Again, the exploratory nature of the factor analytic model must be reiterated, and with this understanding, one may digress from the actual factor analytic model and examine the factors from a realistic yet subjective perspective. The similarities

between the factors for males and females were clear. Factors which entailed the use of physical force/violence in school and in the home were common to the male and female groups. One can therefore theorize that a violence dimension was applicable to a subset of the PINS cases.

Involvement with drugs and alcohol was somewhat different for males and females. Males appeared involved in a stereotypical drug culture, using and selling drugs while involved with others who are probably doing likewise and thus perceived as undesirable by the petitioner. For females, substance abuse emerged as its own entity, not tied into involvement with undesirable friends or selling drugs. Stereotypically, undesirable companions and sexual activity grouped together. Perhaps it is an indication of a double standard, since the sexual activity was a substantially more frequent allegation for females than males.

The "thief" factor was a statistically meaningful dimension for males only. There was no statistically meaningful counterpart for the female group even though theft from the household was an allegation for a considerable percentage of the females.

An important benefit of discovering that such factors exist is the ability to group cases according to the factors and analyze cases taking into account the groupings.[24] It is important to note that factor based groups are not mutually exclusive. That is, a case may belong to one or more groups.

Conceivably, the utility of the identification of the factors is that it could guide the development or improved utilization of resources designed to specifically address the behavioral subgroups.

[24] We expect to make use of these groupings in part to Part II of this report.

DESCRIPTIVE CHARACTERISTICS

Detailed descriptive information concerning the PINS youth and the families comprising the 1988 sample is presented below.[25] The information obtained from the Probation and DAS case folders describes the youth and families at the time the case was opened at intake. In general, the DAS case folders contained more extensive and detailed descriptive information. Salient differences between the borough findings and the citywide findings are noted.

There was a high degree of missing data in the Department of Probation's case folders for some descriptive items. The DAS case records were often able to provide the missing information and supplement the information contained within the Probation records. To present the most accurate depiction of the youth possible and minimize the effects of missing data[26] some of the analyses presented below reflect data obtained from the 1988 cases referred to DAS and the supplemental DAS sample.[27] Information describing the DAS cases exclusively is so indicated.

---

[25] Descriptive information is presented with the intent of providing the most recent detailed description of the PINS population available. Obviously, the 1988 sample is the most recent sample in this study. Comparisons of the 1986 and 1988 samples are trivial because descriptive data is better compared over a longer time period.

[26] The percentage of data missing is reported only where it is greater than 5.0%. The percentages indicated were calculated exclusive of the missing data.

[27] See the Appendix - Methodology for a description of the supplemental DAS sample.

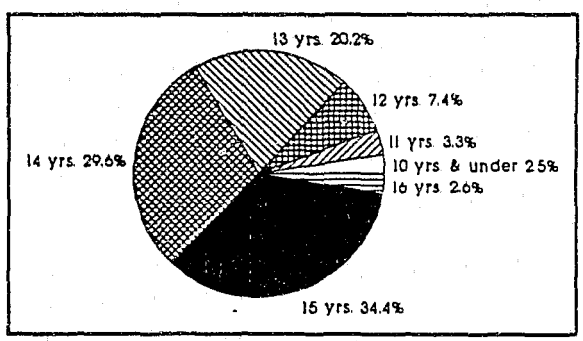
Age

Nearly 85% of the PINS youth were 13-15 years old (Figure 4.1). The mean age citywide was 14.4 years. The Manhattan and Bronx youth, mean age 14.2 years, were slightly younger than the Staten Island youth who were the oldest, mean age 14.6 years (Table 4.1). In Staten Island, 9.3% of the sample youth were 16 years old, whereas in the Bronx, none of the sample youth were 16 years old.

Table 4.1 Mean Age by Borough

Borough	Mean Age (Years)
Brooklyn	14.4
Bronx	14.2
Manhattan	14.2
Queens	14.5
Staten Island	14.6

Figure 4.1 Respondent's Age



Sex/Gender

The sample was evenly divided between males (51.9%) and females (48.1%). The Staten Island youth, 58.8% female and 41.2% male, and the Manhattan youth, 53.7% female and 46.3% male showed the greatest deviation from the overall sample distribution (Figure 4.2).

Figure 4.2 Respondent's Sex by Borough

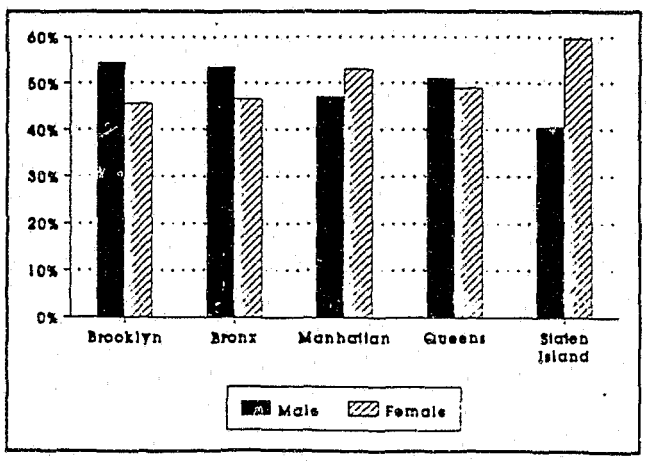


Figure 4.3 School Grade - Citywide

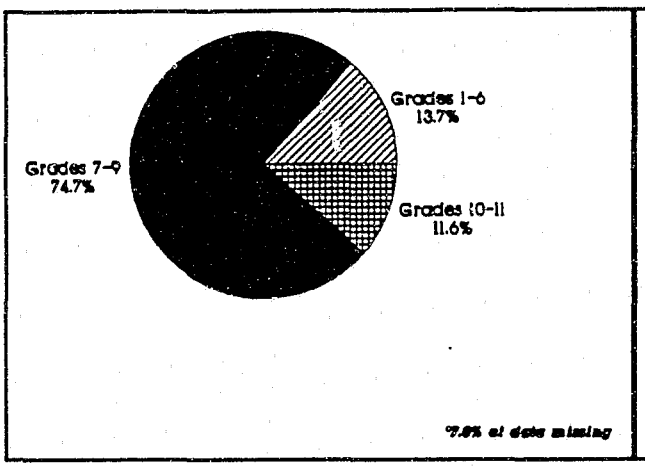
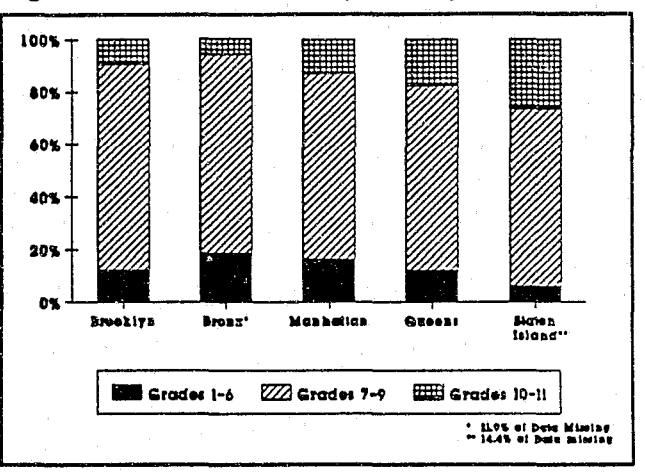


Figure 4.4 School Grade by Borough



School Grade

Nearly 75% of the youth were in the middle grades, grades 7-9 (Figure 4.3). Within the upper and lower grades, there were notable differences between the boroughs (Figure 4.4). The percentage of youth in the lower grades, grades 1-6, ranged from 6.0% in Staten Island to 18.1% in the Bronx. Conversely, the percentage of students in the upper grades, grades 10-11, ranged from 6.0% in the Bronx to 26.5% in Staten Island. These differences were also reflected in the mean school grade (Table 4.2). The overall missing data rate for school grade was 7.0%.

Table 4.2 School Grade - Citywide

Borough	Mean Grade
Brooklyn	7.9
Bronx	7.7
Manhattan	7.7
Queens	8.2
Staten Island	8.5

Race/Ethnicity (DAS case data)

Nearly 85% of the youth citywide were of African American or Hispanic descent (Figure 4.5). The borough breakdown indicated notable variations between the boroughs (Figure 4.6). The largest percentage of youth in Brooklyn (68.1%), Manhattan (53.3%), and Queens (53.8%) were African American. In the Bronx, Hispanic youth constituted the largest percentage (52.5%), and in Staten Island, white youth constituted the largest percentage (54.9%).

Figure 4.5 Race/Ethnicity - Citywide

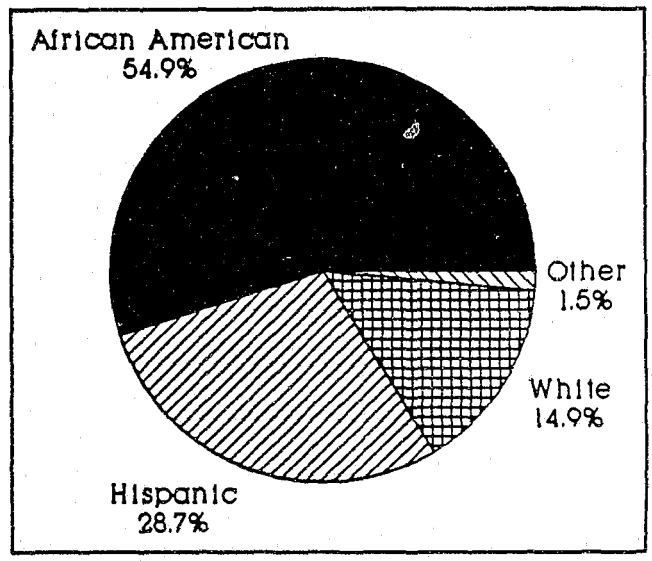
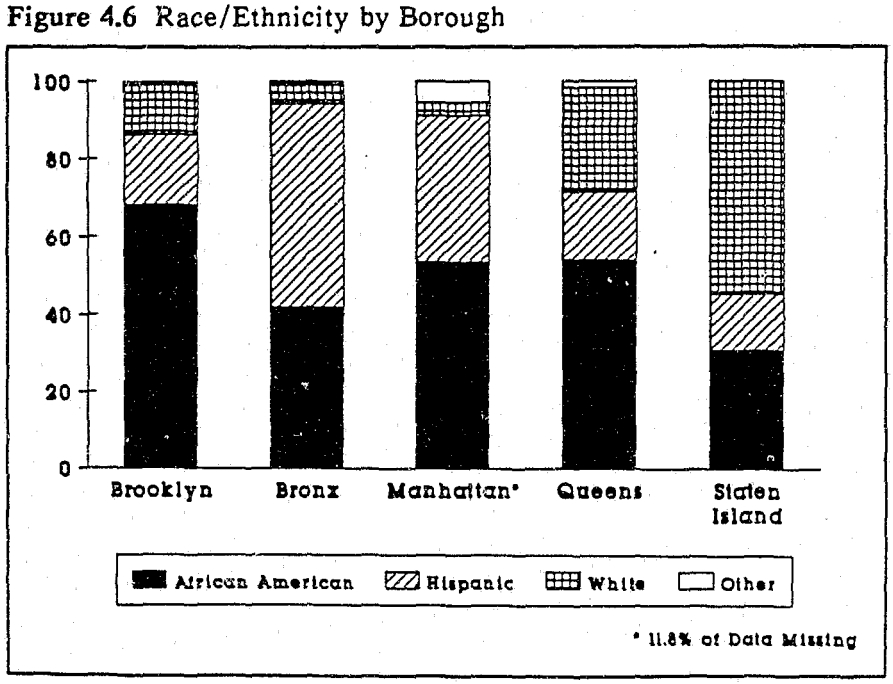


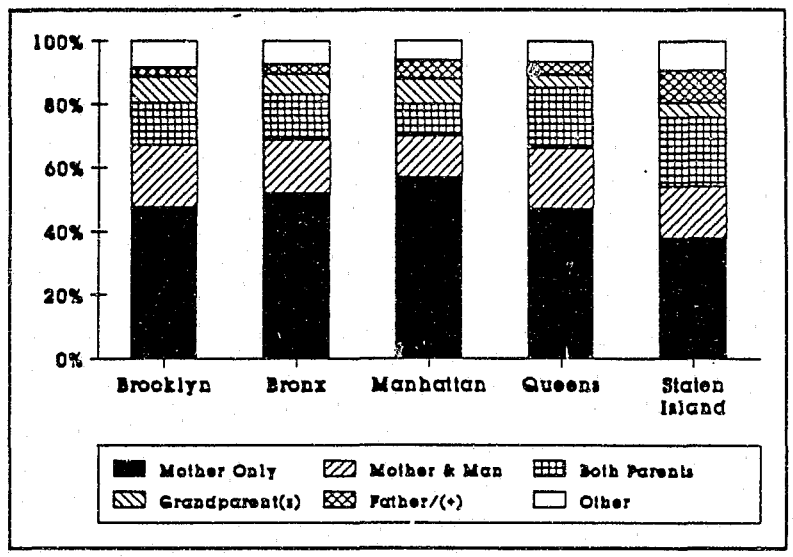
Figure 4.6 Race/Ethnicity by Borough



Head of the Household[28] (DAS case data)

The "Mother Only" was the most frequent household head, accounting for slightly under 50.0% of the households in the sample. The "Mother Only" headed 37.9% of the households in Staten Island and 57.0% of the households in Manhattan. The "Grandparent(s)" and the "Mother & Man" classification showed only minor variations within the boroughs (Figure 4.7). The "Mother & Man" category includes mothers living with a male partner who is not the respondent's natural father regardless of their marital status.

Figure 4.7 Head of Household by Borough



The remaining categories displayed notable variations between the boroughs. "Both Parents" headed the household most frequently in Staten Island (21.8%) and least frequently in Manhattan (10.0)%. The "Father/Father+" headed the household most frequently in Staten Island (10.3%) and least frequently in Brooklyn

[28] The "Head of the Household" is an abstract concept combining information concerning the adult(s) with whom the child lives and the person(s) primarily responsible for the support and care of the child and the household. Unlike the other "hard" data presented, the head of the household was not always explicitly indicated in the records. It was often derived via an interpretation of the information in the case records.

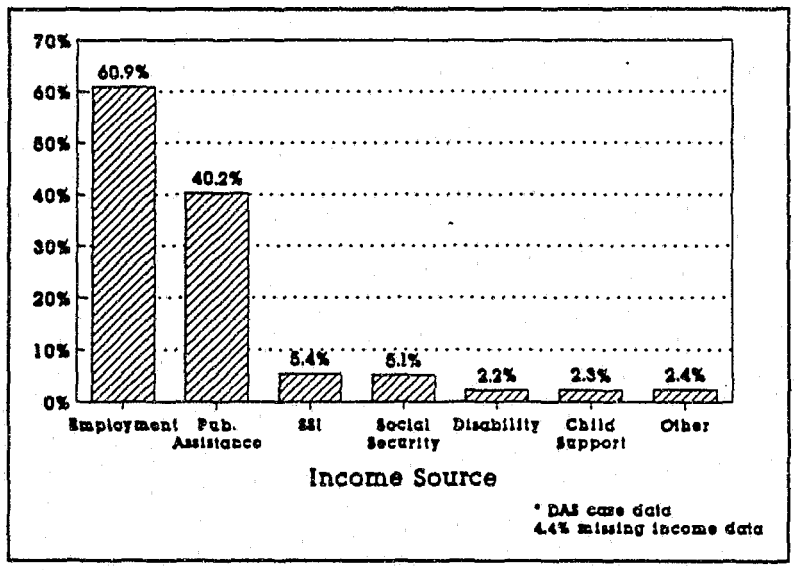
(2.8%). The "Father/Father+" category includes fathers heading the household alone and fathers heading the household with a female partner who is not the respondent's natural mother regardless of their marital status.

Staten Island (8.1%), Queens (5.8%), and Brooklyn (4.9%) had a noteworthy number of households headed by adoptive parents, included within the "Other" category.

Household Income (DAS case data)

Up to three sources of income were identified for each household. Full or part-time employment was the largest single income source, contributing to the support of nearly 61% of the households (Figure 4.8).[29] Public assistance with full or partial benefits was the next most common source of support, contributing to the income of slightly more than 40% of the households. The other income sources, Social Security, SSI, and disability benefits, individually contributed to the support of less than 6% of the households.

Figure 4.8 Household Income - Citywide



[29] The results total to greater than 100% because households may have multiple sources of support.

Table 4.3 displays the income sources within each borough. Staten Island had the highest percentage of households in which employment contributed to household support, 72.4%, and the Bronx had the lowest, 42.2%. Manhattan (46.1%) and the Bronx (42.2%) had the highest percentage of households receiving public assistance and Staten Island had the lowest percentage, 20.7%.

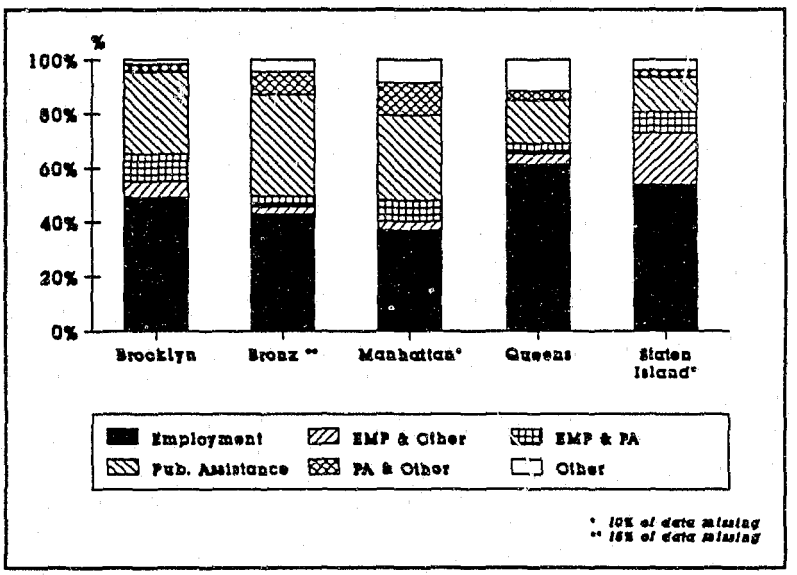
Table 4.3 Income Source by Borough

	Employment	Public Assistance	Social Security	SSI	Disability	Child Support	Other
Brooklyn	62.5%	41.7%	3.5%	3.5%	2.8%	2.1%	0.0%
Bronx	42.2%	42.2%	3.9%	7.0%	0.8%	0.0%	1.6%
Manhattan	43.1%	46.1%	2.9%	8.8%	0.0%	2.9%	8.8%
Queens	67.2%	22.1%	7.4%	3.3%	3.3%	3.3%	1.1%
Staten Island	72.4%	20.7%	11.5%	3.5%	2.3%	6.9%	2.3%

The individual income sources were combined to construct a composite picture of each household's support. Employment with no other income source supported the highest percentage of households, ranging from a high of 61.4% of the households in Queens to a low of 37.0% of the households in Manhattan (Figure 4.9). Public assistance with no other income source was the next most frequent source of support. In Queens 16.0% of the households, and in the Bronx 37.6% of the households, were supported by public assistance with no other income source. In Staten Island, employment in combination with some other income source supported 19.2% of the families. Queens had the highest percentage of households, 11.8%, supported solely by other sources of

income, neither public assistance nor employment. The overall missing data rate was 8.1%

Figure 4.9 Household Support by Borough

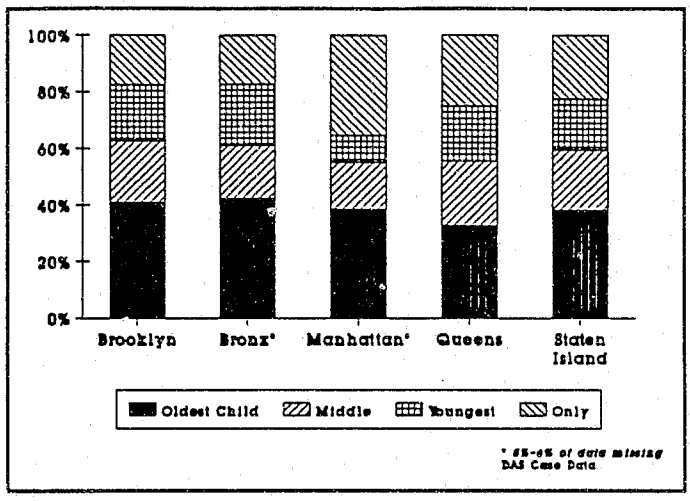


Food stamps, technically not a source of income, were received by 2.5% of the households in Queens, 6.9% of the households in Staten Island, 16.7% of the households in Brooklyn, 17.7% of the households in Manhattan, and 27.3% of the households in the Bronx. Nearly all of the households receiving food stamps were also receiving public assistance.

Household Order (DAS case data)

Household order identifies the birth order of the PINS youth in comparison to his/her siblings residing **within the household.** Citywide and within the boroughs, the PINS youth were most likely to be the oldest sibling within the household (Figure 4.10). However, this does **not** indicate that the oldest sibling in a household is most likely to be a PINS child. In Manhattan a PINS youth was nearly as likely to be the only child in a household as he/she was to be the oldest child.

Figure 4.10 Respondent's Relative Household Order



School Information (DAS case data)

The school information presented below was obtained from the DAS and Probation case records. For the most part, this information reflects details reported by the youth and their family, not independently verified data. There is also a fairly high rate of missing data associated with some of the information, however, the data should prove informative.

Table 4.4 School Information by Borough

Borough	Special Education	Repeated a Grade	Suspended
Brooklyn	21.7%	48.0%	52.3%
Bronx	30.3%	51.4%	16.2%
Manhattan	19.2%	35.1%	26.3%
Queens	19.8%	41.2%	38.7%
Staten Island	26.5%	30.1%	41.1%

School Type: 96.5% of the youth were NYC public school students.

Special Education: 23.3% of the youth were enrolled in Special Education programs. The individual borough breakdown is presented in Table 4.4.

Repeated a Grade: 45.0% of the youth repeated a grade at least once. The individual borough breakdown is presented in Table 4.4. The overall missing data rate was 14.5%.

Suspensions: 37.3% of the youth were suspended at least one time. The individual borough breakdown is presented in Table 4.4. The overall missing data rate was 14.5%.

Chapter 5

SERVICE HISTORY

During the diversion program's planning stage, the planners proposed a theory to explain petitioners' utilization of Family Court. The planners hypothesized that petitioners desired a one shot immediate solution and used the Family Court as a first recourse for addressing the instant problem due to an unfamiliarity with other solutions available in the community, an unwillingness to engage in long-term services, and a limited number of openings in community based services.[30] One way to examine the accuracy of this theory is to analyze the service history of the respondents and their families.

Information concerning the respondent's and his/her family's history of involvement with sixteen types of service providers was collected at the time the records were reviewed. The information collected is presented in a dichotomous fashion indicating either that the case records indicated or that the case records failed to indicate involvement with the service provider type. The DAS case records, due to the extensive involvement of the DAS units with the family, provided a more complete account of the service histories then the Department of Probation's records. Therefore, the service history information presented below reflects data obtained from the 1988 cases referred to DAS and the supplemental DAS sample.

---

[30] Memorandum from the Vera Institute, Assessment of PINS Management Information System, March 22, 1988.

For the analysis, the sixteen service provider types were further divided into two groups and labelled primary or ancillary, based on the problems addressed by the service. Primary services usually require an extensive level of involvement and address problems that are indicative of more serious problems within families than ancillary services.

Outpatient mental health services, inpatient mental health services, diagnostic reception centers, drug treatment services, alcohol treatment services, placement, SSC Protective Services, SSC Preventive Services,[31] and social service agency services not belonging to the other categories were considered primary services. A detailed analysis of primary services was conducted. Ancillary services included school guidance counselors and psychologists, special education evaluations, educational services(i.e. tutoring), recreational services, advocacy services, housing services, and employment services. A detailed analysis of ancillary services was not conducted and will not be presented.

Participation

Citywide, more than 55% of the respondents had a history of involvement with primary service providers. Most often these respondents were involved with only one or

---

[31] Involvement with SSC Preventive and SSC Protective Services was considered indicative of respondent and family involvement since SSC provides services to family units rather than individual family members. Also SSC is presently known as CWA, Child Welfare Administration. The old name is used here for the sake of consistency because it is the name used in the case records.

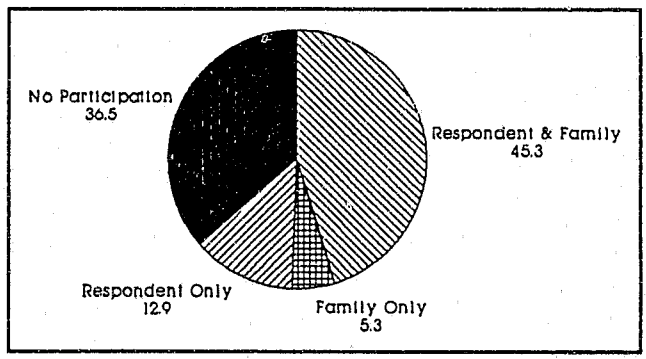
two service types. Families (any family member other than the respondent) were similar to the respondents. Nearly, 50% had a history of involvement with service providers and they were most often involved with only one or two service types (Table 5.1).

Table 5.1 Participation in Primary Services

# of Service Types	Respondent	Family Member
None	42.4%	50.7%
One	31.6%	28.9%
Two	15.2%	13.3%
Three or More	10.8%	7.1%

The combined results for respondent and family indicated that in 36.5% of the cases sampled neither the respondent nor their family had a service history. In 45.3% of the cases the respondent and another family member had a service history; in 12.9% of the cases only the respondent had a service history; and in 5.3% of the cases only a family member had a service history (Figure 5.1).

Figure 5.1 Family Units Level of Service Participation



The level of participation within the boroughs was comparable to the citywide results reported above.

Combinations

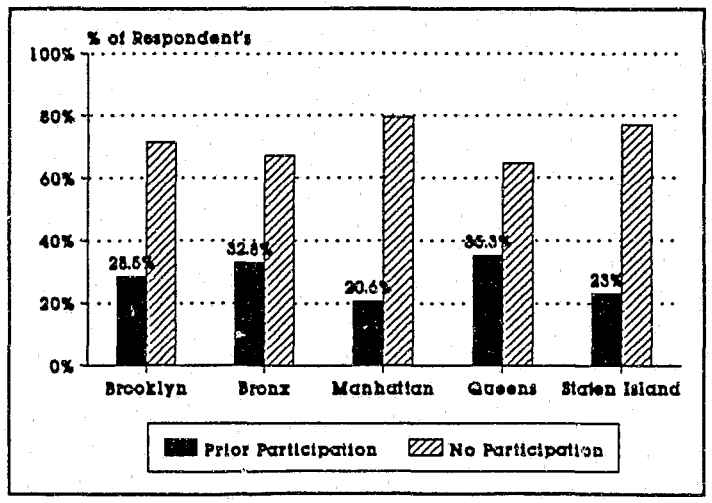
There are 512 possible combinations of the nine primary service types. For the respondent, 69 unique combinations of primary service types were identified even though a large majority of the respondents participated in only one or two service types. Two service combinations, No Services (42.4%) and Outpatient Mental Health Services Only (15.3%), were found which included a substantial number of the respondents. The 67 remaining combinations were distributed across the remaining 42.3% of the cases, too many combinations to be presented in a meaningful fashion. The results for the family members were comparable to those of the respondent.

The individual service types did demonstrate considerable variability within the boroughs and these results are presented below.

Outpatient Mental Health Services

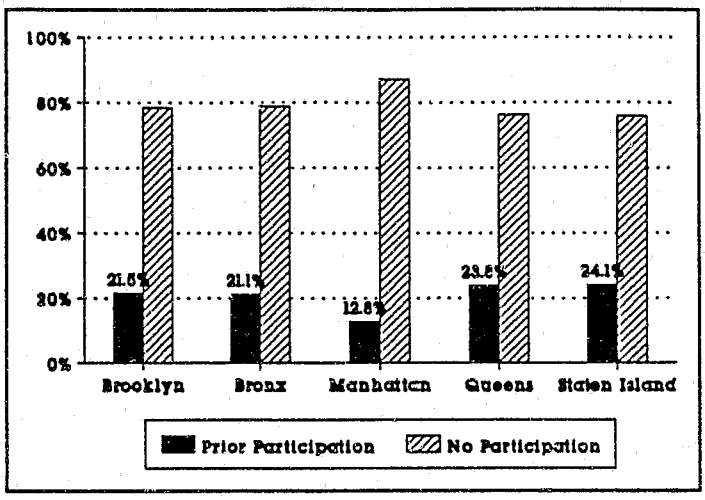
Clearly, outpatient mental health services were the most prevalent service type utilized by the respondents and their families. As indicated in Figure 5.2, Queens had the highest percentage of respondents, 35.3%, who participated in outpatient mental health services

Figure 5.2 Respondent's Participation in Outpatient Mental Health Services



and Manhattan had the lowest (20.6%). For family members, Staten Island had the highest percentage of participants, 24.1%, and Manhattan the lowest, 12.8% (Figure 5.3).

Figure 5.3 Family's Participation in Outpatient Mental Health Services



Inpatient Mental Health Services

Staten Island had the highest percentage of respondents, 9.2%, who participated in inpatient mental health services and Queens had the lowest percentage, 1.6% (Figure 5.4). Similarly for family members, Staten Island had the highest percentage of participants, 10.3%, and Queens the lowest, 0.8% (Figure 5.5).

Figure 5.4 Respondent's Participation with Inpatient Mental Health Services

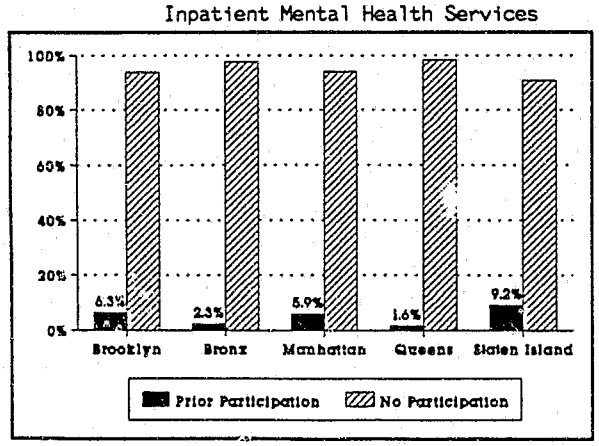
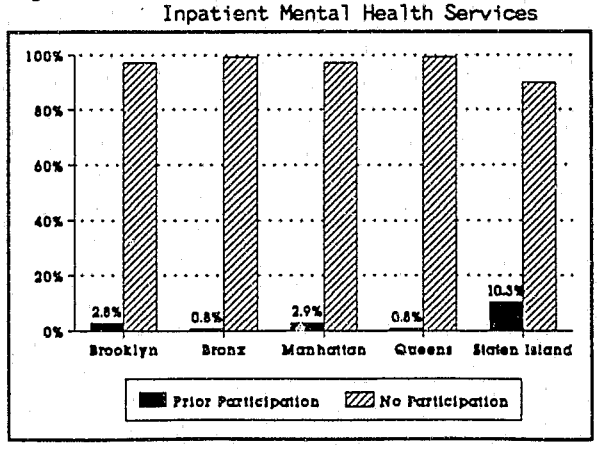


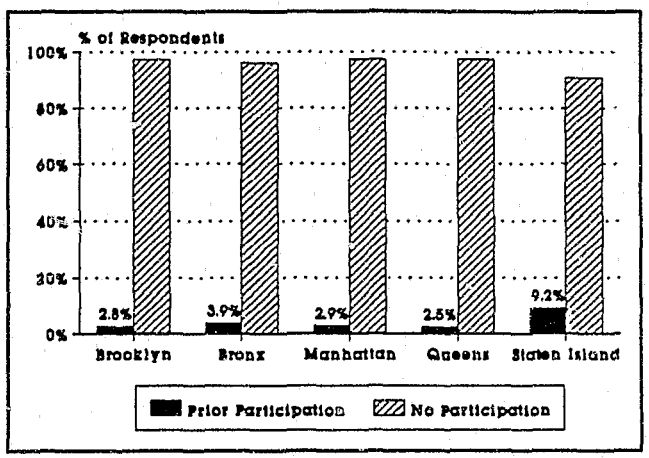
Figure 5.5 Families Participation with Inpatient Mental Health Services



Diagnostic Reception Centers (DRC)

A substantially higher percentage of Staten Island's respondents, 9.2% involved, had a history of participation with DRC services than the other boroughs (Figure 5.6). For family members the percentages participating in DRC services was insignificant.

Figure 5.6 Respondent's Participation with DRC Services



Drug & Alcohol Treatment Services

Once again, Staten Island was the borough with the highest percentage of respondents involved with a service type. A substantially higher percentage of its respondents had a history of participation with drug and alcohol treatment services,

Table 5.2 Prior Participation with Drug and Alcohol Treatment Services

	Brooklyn	Bronx	Manhattan	Queens	Staten Island
Respondent:					
Drug Treatment	2.1%	4.7%	2.0%	4.9%	17.2%
Alcohol Treatment	0.0%	2.3%	1.0%	2.5%	9.2%
Family Member:					
Drug Treatment	3.5%	4.7%	6.9%	4.1%	14.9%
Alcohol Treatment	2.1%	3.1%	6.9%	2.5%	16.1%

17.4% and 9.2% involved respectively. Compared to the other boroughs, Staten Island also had substantially higher percentages of family members involved with drug and alcohol services, 15.9% and 16.1% involved respectively (Table 5.2).

Placement

Brooklyn had the highest percentage of respondents with a history of placement, 11.8%, and the Bronx had the lowest percentage, 7.8%. For family members, Manhattan had the highest percentage, 7.8% involved, and the Bronx the lowest, 2.3% involved (Table 5.3).

Table 5.3 Prior Participation with Placement Services

Placement Services	Brooklyn	Bronx	Manhattan	Queens	Staten Island
Respondent	11.8%	7.8%	10.8%	8.2%	8.1%
Family Member	6.9%	2.3%	7.8%	3.3%	5.8%

Social Service Agency

Manhattan had the highest percentage of respondents and families, 25.5% and 21.6% respectively, who participated in services provided by social service agencies (Figure 5.7). Queens had the lowest percentages for respondents and families, 16.4% and 12.3% respectively (Figure 5.8).

Figure 5.7 Respondent's Participation with Social Service Providers

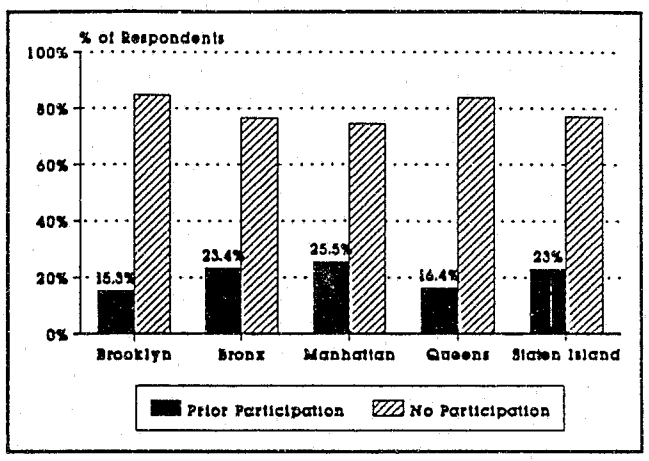
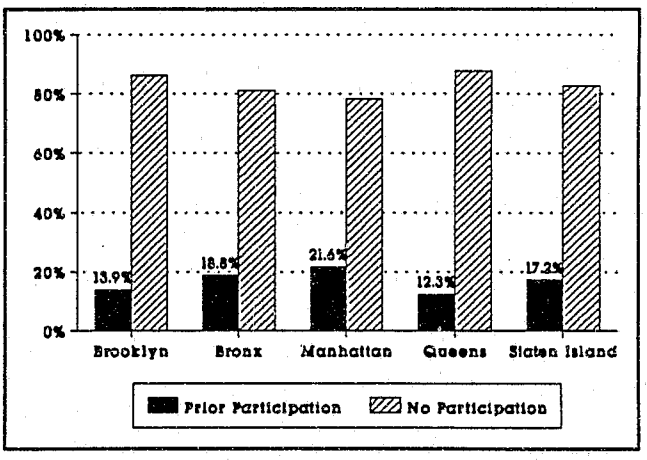


Figure 5.8 Family's participation with Social Service Agencies



Many of the social service agencies have an extremely close relationship to SSC, which often funds the agencies and is the agencies' major referral source for clients. Often involvement with these agencies suggests involvement with SSC. However, when the data was collected, involvement with SSC (presented below) was indicated only if the case record explicitly documented involvement with SSC. The close relationship between SSC and the agencies may have obscured involvement with SSC and caused an under count of the level of involvement with SSC reported below.

SSC Protective & Preventive Services

As mentioned previously, a history of participation with SSC services is generally indicative of the whole family's participation on some level, because SSC provides services to family units rather than individual clients wherever possible. Thus, SSC services were not analyzed for respondents and family members separately.

Participation in SSC protective services was most prevalent in Brooklyn, 20.8% of the family units (Figure 5.9). Participation in SSC preventive services was most prevalent in Manhattan, 15.7% of the family units (Figure 5.10).

Figure 5.9 Family Unit's Participation with SSC Protective Services

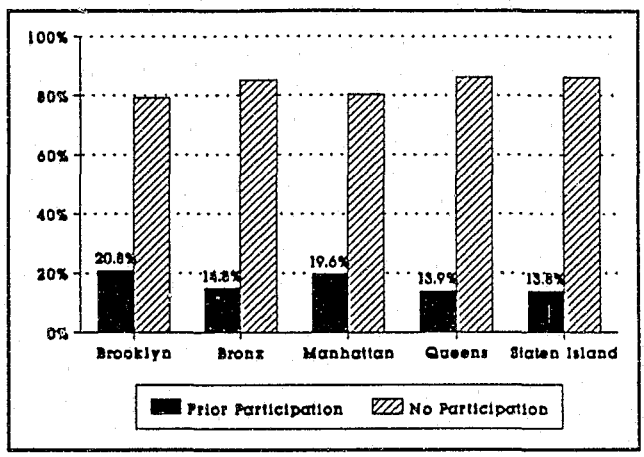
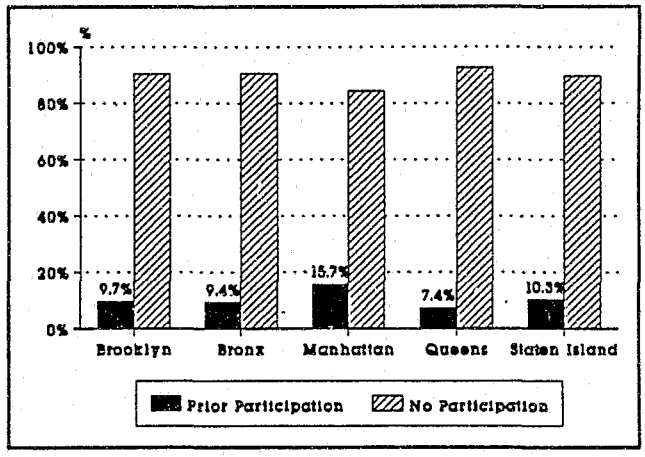


Figure 5.10 Family Units Participation with SSC Preventive Services



Impact on Planners' Theories

The analysis of the respondents' primary service histories indicates that contrary to the planner's theory, many petitioners were not using Family Court as a first recourse for problem solving. A large percentage of the family units (respondent and family members) did in fact have a history of participation with service providers and were thus aware of and able to access such services. For this group the Family Court does not appear to have been a first recourse since these families appear to previously had long standing problems which were at some point addressed via community based services.

The family units without a service participation history may have been using Family Court as a first recourse. The planners theory, as originally stated, may be applicable to this group of petitioners.

This analysis did not address issues concerning the petitioners' desire for a one-shot easy solution, nor did it address the petitioners' willingness to engage in long term services. As previously noted, the data collected did not reflect the extent of involvement with services. Thus, no conclusions can be drawn about these issues.

The planners' theory, in its entirety, does not adequately explain all petitioners' utilization of Family Court. The variability in the service histories discounts the notion that all petitioners are using Family Court as a first recourse for problem solving. Perhaps, due to the diversity within PINS cases, more than one theory is necessary to adequately explain all petitioners' utilization of Family Court.

METHODOLOGY

The present study used data collected from Department of Probation and Designated Assessment Service (DAS) case records, and data supplied by the NYC Juvenile Justice Information Services (JJIS) computer system.

Subjects

Data was collected from PINS cases initiated during one pre-diversion period, 1986, and one post-diversion period, 1988. One year intervals were chosen as the sample space to insure that seasonal fluctuations[32] would be included in the data. Resource limitations restricted the data collection to two periods.

Calendar year 1986 was chosen as the pre-diversion period because it was the year immediately prior to the program's implementation in February 1987. That year, February 1987 - December 1987 was considered a transitional period. Some program components were not fully functional until nearly the end of the year and glitches in the original plan were worked out during this time.

---

[32] Prior to beginning the study we were already aware of various seasonal fluctuations in the data. For example, intakes were generally at their highest during the spring, much lower during the summer, steadily rose and leveled of in the fall and winter, and dropped during winter holiday season.

Calendar year 1988 was chosen as the post-diversion period because it was the first year during which the program could be considered fully operational. Moreover, based on the anticipated start of the data collection phase in mid-November 1989, it was the only post-diversion year for which we could be reasonably certain that the sample would consist exclusively of completed cases. The procedures outlined in the PINS Adjustment Services Act and the available case processing information suggested that nearly all cases would be closed nine months after their initial intake. Closed cases were required for the following reasons:

a) The intended comparison of system processing would not accurately reflect case processing and case outcomes if cases were not completed.

b) We wanted to minimize interference in the day to day operations of the agencies providing case records for our review.

Study Population

JJIS, which maintains the automated case tracking system for the Department of Probation, provided computer files listing all PINS cases initiated in New York City during 1986 and 1988.[33] The downloaded files contained person and case identifying information required to locate the case records as well as basic information about the case such as whether it was referred to the diversion program. In total, there were 5045 PINS intakes in 1986 and 5028 PINS intakes in 1988.

---

[33] The term "PINS population" is used to refer to the group/total number of PINS cases initiated citywide. The term "subpopulation" is used to refer to a part of the population such as the cases originating within a borough.

Sample Structure

Ten samples were utilized for this study. Two samples were selected from the PINS subpopulations in each of the five boroughs within NYC, one for the pre-diversion period, 1986, and one for the post-diversion period, 1988. Each sample included a sufficient number of cases to ensure that parameter estimates for each borough and comparisons between boroughs could be made within acceptable margins of error where necessary. Borough comparisons are often useful due to the diversity of the population and variations in the functioning of the system between boroughs.[34] Sampling by borough insured that each borough could be examined in depth if necessary.

This sample structure also permitted a composite picture for the entire city, population estimates, to be made by weighting the data from each of the borough samples according to their relative contribution to the city total.

Sample Size

To determine sample sizes, estimates of the a-priori sampling error and the resources available for data collection were considered. Sampling error estimates, derived from probability sampling theory, specify the degree of precision expected from a given sample design.[35] Among other things, sampling error is directly related to sample size.

---

[34] Each borough Probation Branch functions somewhat differently, and the DAS in each borough is administered by separate agencies, with the exception of Manhattan and Brooklyn.

[35] There are a number of assumptions/considerations which must be met, the most important of which is that the sample must be randomly selected.

A sampling error estimate is composed of two components, confidence levels and confidence intervals. A confidence interval is a range of values marked off by upper and lower limits within which there is a specified likelihood, *confidence level*, that a given population parameter will fall within this interval.[36] The 95% confidence level was used for this study.

Table A.1 Sample Size for A-priori Sampling Error of ±7.5%

	1986		1988	
Borough	PINS Cases Initiated	Required Sample Size	PINS Cases Initiated	Required Sample Size
Bronx	1174	148	1224	150
Brooklyn	1924	157	1826	156
Manhattan	612	133	677	136
Queens	1117	148	1071	147
Staten Island	218	96	230	98

A number of sample sizes and their associated sampling errors were calculated and reviewed. When estimating the sampling error for a sample with unknown

---

[36] For example a survey may show that 60% of a sample answer YES to an item. This is our best estimate of the percentage that would answer YES in the population. However we would not expect the percentage in the population that would answer YES to be exactly 60%. The sampling error associated with a particular result determines the bounds of the confidence interval at the confidence level specified, i.e. 95%. In the example above, if ±5% was the sampling error at the 95% confidence level, the 95% confidence interval would be 55% - 65%. Another way of stating this, albeit not quite as technically accurate, is that we are 95% certain that the value obtained, 60%, is within ±5% of the actual population value.

parameter values, one calculates the maximum sampling error associated with a sample of that size. An a-priori sampling error of ±7.5% and its associated samples were considered reasonable for this study. Table A.1 depicts the number of cases required for each sample.

Sample Selection

Random selection procedures were used to avoid introducing sampling bias into the study. Random sampling is a procedure in which the sample is selected in such a way that each element in the population has an equal likelihood of being chosen for the sample. The use of random selection methods affords access to probability theory, which provides the basis for estimating population parameters and sampling error.

Random samples, one for each borough and year, were selected from the files provided by JJIS. For each sample, 5% more cases than the number indicated in Table A.1 were selected to account for sample attrition. Two types of sample attrition were expected; removal of multiple cases for the same respondent from the sample, and difficulties obtaining the sample case records.

The computer generated samples were carefully scrutinized for multiple occurrences of the same individual. Multiple occurrences were eliminated to avoid corrupting the results through double counting, especially for the profile and demographic measures. When a multiple occurrence was detected, one case was

selected at random to remain in the sample. Information loss was minimized because multiple/repeated case involvement was explored as a separate issue.

Data Collection Instrument

The data collection instrument consisted of four distinct parts concerning the Probation Intake process, the Family Court process, the youth and their families, and the diversion process. Variables about the youth and their families included demographic information, prior and subsequent involvement in Family and Criminal Court,[37] prior involvement with other service providers, substance abuse history, and various other types of background data.

The instrument was field tested and refined several times. During this process, categories within items were added and questions were modified and eliminated. During the training stage several items that were not coded consistently were eliminated and others were modified for clarity. Even after this extensive pretesting, during the actual data collection, several items on the questionnaire were frequently not available in the case records and other items could not be coded reliably. These items were not included in the subsequent analysis.

[37] Detailed information concerning the youths' prior and subsequent involvement with family court was obtained from the JJIS system. Information concerning adult court involvement was limited to the materials contained in the case records.

The data collection instrument's first page contained identifying information about the juvenile and the sample case, as well as a unique identifier assigned to the case as part of the study. This page was separated from the remainder of the data collection instrument once the data was collected and filed separately to protect the identity of the individuals. The instrument was formatted to facilitate the manual data coding and eventual entry of the data into the computer.

Staff Training

Data collection personnel were trained over a three week period immediately prior to the start of data collection. During the first training period, staff were presented with an overview of PINS cases and the Family Court. A highly detailed explanation of PINS case processing pre- and post-diversion and the PINS Adjustment Services Act followed. During the next training phase, staff were introduced to the data collection instrument and provided an item by item explanation.

Several practice cases from each period were then coded. After each case was coded, the group reviewed the coding of each item and additional explanation was provided where needed. As stated previously, several items were either modified or eliminated from the instrument at this stage because they could not be coded reliably. Once the group coded cases consistently and accurately, the actual data collection phase was commenced.

Throughout the data collection phase, the project leader, who was directly involved in the data collection, was readily available to answer questions and reviewed coded cases to ensure that cases were being coded correctly. Also, the staff regularly met and discussed any problems encountered. These meetings also led to minor modifications of the instrument.

Requests for Case Records

The cooperation of the Department of Probation and Designated Assessment Service Units was secured several months before the data collection was scheduled to begin. Six weeks prior to the commencement of data collection, the agencies were reminded that they would be required to provide a substantial number of case records. Approximately two weeks prior to the commencement of data collection, we provided the list of sample cases to the supervisor at each borough's Probation and DAS office.

Sample Attrition

The Department of Probation and DAS personnel were responsible for locating case records. The actual number of case records located by the Probation Department varied considerably from borough to borough. In some boroughs nearly all case records were located and in others as many as 25% of the records could not be located. Sometimes within a borough, there was a substantial difference between the number located for the pre-diversion and post-diversion samples. For a limited number of

cases, the case record folder was found, but the folder was void of any useful data. These cases were treated as if their case folders were not located.

At sites where a substantial number of case records could not be located, we re-emphasized the importance of locating the records and requested that the Department search for the records again, making certain to check the warrant files and intake officers' files. Some cases were located after a second search, but as many as 25% were still not located for one sample.

The DAS units were able to locate nearly all the case records requested. Most often, the case records that could not be located belonged to cases that the DAS had no record of ever receiving. Interestingly, for many of the cases which Probation was unable to locate records, the DAS units were able to locate their own case records. Cases missing Probation records but not DAS records were excluded from the sample because much of the required data could not be obtained.

The sample attrition rate was much higher for some samples than anticipated. To continue the study, we had to presume that there was no systematic explanation for the high sample attrition rate, since selective attrition would compromise the validity of the research findings.

Resampling

For samples with high attrition rates, additional sampling was required to maintain the desired margins of error. The procedure for selecting the additional samples was similar to the procedure used to select the original samples.

First, the cases selected for the original sample were deleted from the borough populations. The number of additional cases required, determined by the number of cases that could not be located plus an additional 20%, were randomly selected. The resampled cases were then reviewed for multiple occurrences. Multiple occurrences unique to the additional samples were deleted at random as in the original samples. Resampled cases were deleted if the multiple occurrence was due to a duplicate in the original samples. Generally, a sufficient number of additional cases was reviewed to meet or exceed the number of cases originally required. In the one instance where the fewer cases than required were reviewed, the disparity did not

Table A.2 Number of Case Records Coded

	1986	1988
Borough	# of Cases Coded	# of Cases Coded
Bronx	151	151
Brooklyn	165	180
Manhattan	137	135
Queens	144	165
Staten Island	96	97

justify returning to the site for additional data collection. Table A.2 presents the actual number of case records coded for the study.

Supplemental Samples for Cases Referred to DAS

One of the objectives of the study was to obtain detailed information about the cases referred to the diversion program and their experiences with the diversion program. When designing the study, we realized that if we increased the subpopulation of cases referred to DAS we would decrease the sampling error of the parameter estimates associated with the DAS subpopulation. Taking into account the resources available, we decided to supplement the original samples with enough "DAS" cases to produce a-priori error estimates for DAS cases of ±8.0%. These records were requested at the same time as the original samples.

Throughout all phases of the study, the supplemental cases were easily distinguishable and clearly marked as belonging to this additional and separate group. They were explicitly excluded from the overall analysis and used solely to augment information concerning cases referred to DAS where specifically indicated.

As with the original samples, there was a higher than anticipated attrition rate for the supplemental DAS cases. However, resampling was not required since these cases augmented the original samples and were not essential to the study's design.

Data Entry and Error Checks

A commercial computer firm specializing in data entry and conversion was hired to enter (keypunch) the data. All personal identifiers were removed from the data collection instruments prior to their forwarding for data entry. All forms were returned after the data entry was completed.

After the keypunched data was returned, the data files were checked for errors: a process often referred to as cleaning the data. Each variable was checked for invalid values and computer programs were developed to check for inconsistencies between the values of pairs and groups of variables. When an invalid value or inconsistency was encountered the data collection instrument was reviewed, and where reasonable, the invalid data was corrected. In instances where the invalid data or inconsistency could not be resolved the JJIS record for that case was reviewed.[38] In the instances where the invalid data could not be resolved, the data value in question was set to missing.

Weighting the Data & Citywide Sample Construction

The sampling strategy adopted for this study required sampling each borough subpopulation in sufficient quantity to permit individualized analysis within acceptable margins of error. The resultant samples were proportionally related to the subpopulation from which they were drawn and disproportionally related to the citywide

[38] This of course was only possible if the data in question was included in the JJIS database.

PINS population. As such, the samples could not be directly combined to produce citywide results.

To combine the samples and compute citywide findings, the disproportionate sampling was accounted for by the adoption of a weighting scheme which gave proportionate representation to each sample element. A weight was assigned to each sample element based on the size of its parent sample and the citywide distribution of PINS cases. Brooklyn case data was assigned the largest weight and Staten Island case data given the smallest weight.

Consequently, the "citywide samples" referred to throughout the study were actually logical constructs produced from the individual borough samples.

For the system processing analysis, the weights were assigned in such a manner as to permit the data to be treated as if it belonged to random samples of 356 and 358 cases drawn from the 1986 and 1988 citywide PINS populations, respectively. These were the sample sizes required from the citywide populations for an a-priori sampling errors of ±5.0%. In fact, it is quite likely that the "weighted citywide samples" contain less variability than true random samples of 356 and 358 cases because each weighted sample incorporated data from a larger number of cases then represented by its equivalent the sample size.

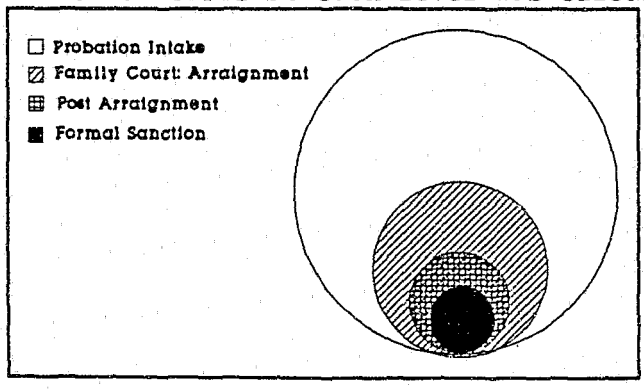
System Processing

Using the data collected at each disposition point, we plotted the flow of cases through the system by computing the number of cases progressing through each disposition point and determining the dispositional breakdown at that point. The data was then classified in terms of four system processing levels[39] (Probation Intake, Family Court Arraignment, Family Court Post Arraignment, and Family Court Formal Sanction) which represent distinct stages of increasing involvement with the Family Court system.

In most systems, cases progress unidirectionally, penetrating to successively deeper levels as they get more involved with the system. The traditional system processing analysis measures the number of youth penetrating to each level of the system. However, in the NYC system, post-diversion, cases also regressed within the system, cases at the court arraignment level were returned to the intake level. We concluded that the traditional system processing measure was inappropriate for this

---

[39] This classification is not mutually exclusive, cases at one level are also included in the counts at the preceding levels. Each level is actually a subset of the previous levels, as the figure below indicates. The number of cases at each level was calculated independently.



system. We adopted a different measure which reflected:

a) the number of cases per level which realized a disposition which removed the case from further processing, plus

b) the number of cases per level which realized a disposition that required further processing by the system,

Using this definition, cases advancing to the court arraignment level that were returned to intake and ultimately realized their final disposition at intake were counted at the intake level only. That is, these cases were not included in the arraignment level figures unless they returned to court and received their final disposition at one of the formal court levels. Court mandated services were counted for all cases, regardless of their ultimate level of processing.

For the in-depth case flow analysis, we reviewed the dispositional breakdown at each disposition point. We collapsed categories from our data collection instrument within some variables because of their infrequent occurrence and for clarification.

Several other technical points should be noted. There is no explicit means of determining that the petitioner did not pursue the petition. Cases were indicated as not pursued by the petitioner if there was no evidence in the record to indicate that the case was processed at the court level.

Cases with warrants outstanding were technically still open. However, we felt that a sufficient amount of time elapsed to conclude that no further processing would

occur on those cases. All cases returned to intake retained an open petition at the court level which had to be completed. This included the cases that were returned to intake and resolved without the need for further court intervention. In such instances, the petitions are dismissed at the subsequent adjourned date. For this study, such petitions were not counted at the court levels.

The "other" category at the court arraignment level included several cases in which the petition clerks refused to draw a petition, usually claiming a lack of jurisdiction. For the most part, this phenomenon occurred exclusively in Queens. We indicated these cases at the court arraignment level even though they technically did not undergo any formal court processing because the petition clerks are members of the formal court system.