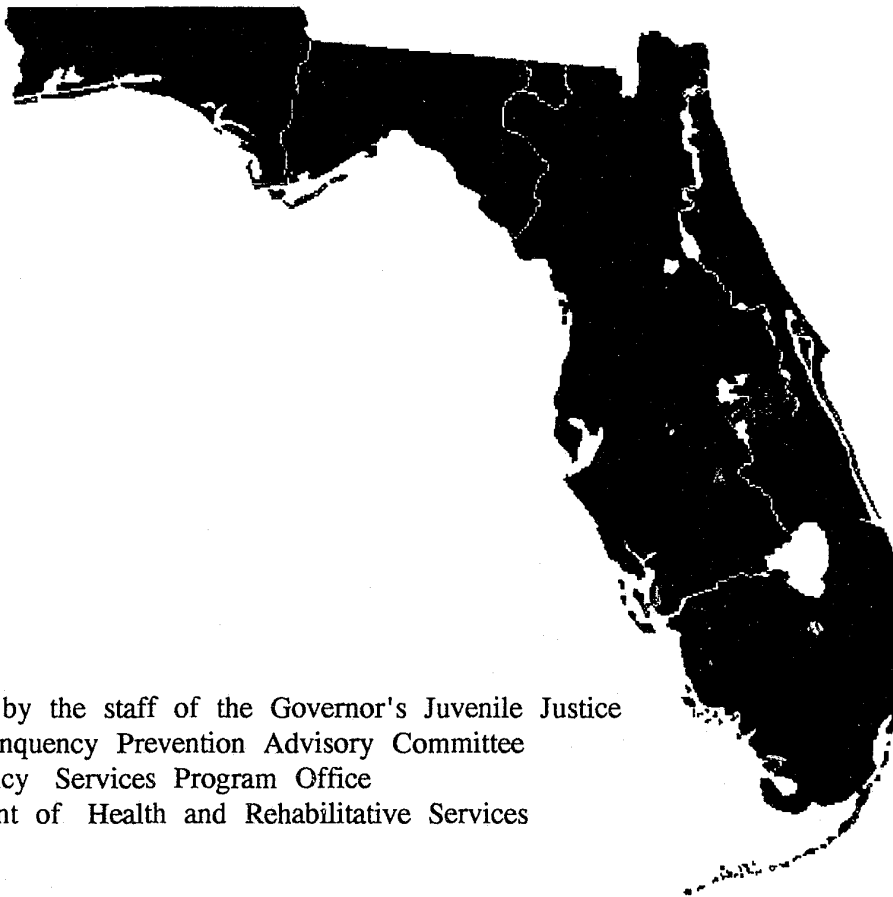


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FLORIDA'S MINORITY OVER-REPRESENTATION INITIATIVE

UPDATE



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

APRIL 1993

Lawton Chiles
Governor

Buddy McKay
Acting Secretary



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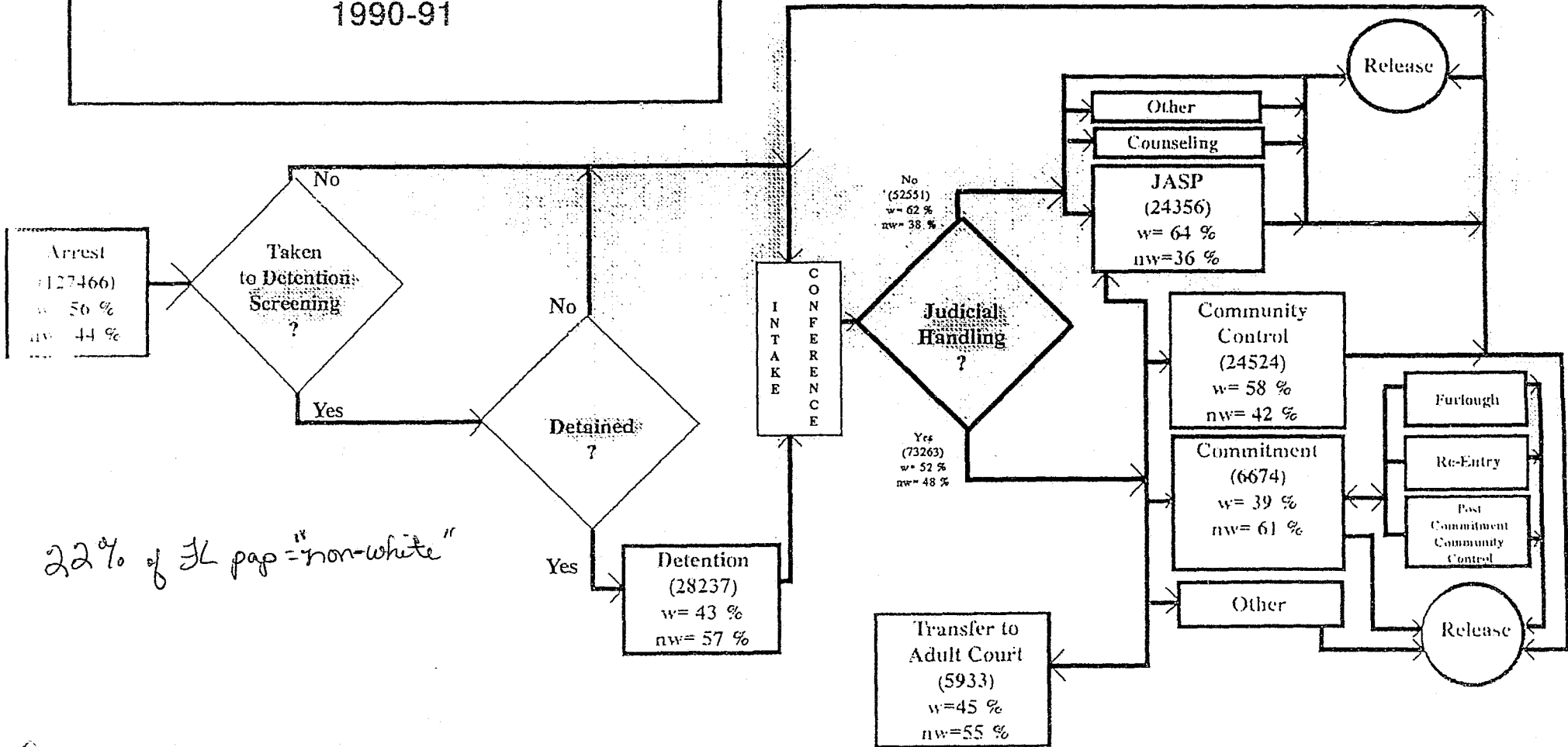
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STEP 1

Preliminary Data Analysis and Assessment

Flow of Children Through Florida's Juvenile Justice System 1990-91



22% of JL pop = "non-white"

? denotes decision points

PART 2: Rating CIS Referral Codes
(5 minutes)

Listed below are client offense categories found in the Client Information System. On the enclosed answer sheet you are asked to rate each referral code in items 6 through 51, using the following scale to give your perception of relative "seriousness":

- 0 + Don't know/ No opinion
-
- 1 + Not at all serious
- 2 +
- 3 + Mildly serious
- 4 +
- 5 + Moderately serious
- 6 +
- 7 + Quite serious
- 8 +
- 9 + Extremely serious

Since the above scale is ordered according to increasing "seriousness" with regard to a referral, a rating of "2" should be treated as more serious than a rating of "1" but less serious than a "3"; "4" is more serious than "3", but less serious than "5", etc. A rating of "0" or "don't know" is provided, but try to avoid using it.

FELONY REFERRALS

- 6. Murder/Manslaughter
- 7. Attempted Murder/Manslaughter
- 8. Sexual Battery
- 9. "Other" Felonious Sex Acts
- 10. Armed Robbery
- 11. "Other" Robbery
- 12. Arson
- 13. Burglary (Breaking and Entering)
- 14. Auto Theft
- 15. Grand Larceny (excluding Auto Theft)
- 16. Receiving Stolen Property
- 17. Concealed Firearm
- 18. Aggravated Assault and/or Battery
- 19. Forgery and Uttering
- 20. Felony Violation of Drug Laws (excluding marijuana)
- 21. Felony Marijuana Offense
- 22. Escape from Training School, Secure Detention, or Community-based Residential Program
- 23. Resisting Arrest with Violence
- 24. Shooting/Throwing a "Deadly Missile" into an Occupied Dwelling/Vehicle
- 25. "Other" Felony
- 26. Felony Traffic Offense (including leaving the scene of an accident involving death or personal injury)

MISDEMEANOR REFERRALS

- 27. Assault and/or Battery (not aggravated)
- 28. Prostitution
- 29. Sex Offenses (Other than Felonious Sexual Offenses and Prostitution)
- 30. Petty Larceny (excluding "Shop-lifting")
- 31. Retail theft ("Shop-lifting")
- 32. Receiving Stolen Property (Less than \$100)
- 33. Concealed Weapon (except firearms)
- 34. Disorderly Conduct
- 35. Criminal Mischief (Vandalism)
- 36. Trespassing
- 37. Loitering and Prowling
- 38. Misdemeanor Violation of Drug Laws (excluding marijuana)
- 39. Misdemeanor Marijuana Offense
- 40. Possession of Alcoholic Beverages
- 41. "Other" Alcohol Offenses
- 42. Hunting, Fishing, Boating Violations
- 43. Resisting Arrest without Violence
- 44. Unauthorized Use of Motor Vehicle
- 45. "Other" Misdemeanor
- 46. Contempt of Court
- 47. Violation of County/Municipal Ordinance Requiring Incarceration
- 48. "Other" Traffic Offense
- 49. Interstate Compact
- 50. Non-law Violation of Community Control
- 51. Non-law Violation of Furlough

PART 3: Rating CIS Disposition Codes
(5 minutes)

For the "case disposition" category, you are asked to rate each CIS disposition code listed below in items 52 through 95, in terms of how serious you consider a particular sanction or case disposition to be, using the same scale.

- 0 + Don't know/No opinion
- 1 + Not at all serious
- 2 +
- 3 + Mildly serious
- 4 +
- 5 + Moderately serious
- 6 +
- 7 + Quite serious
- 8 +
- 9 + Extremely serious

JUDICIAL DISPOSITIONS

- 52. Nolle Prosequi
- 53. Dismissed by Court/Not Guilty
- 54. Disposition Pending Until Child Apprehended
- 55. Held Open Without Further Action
- 56. Judicial Warning
- 57. Judicial Consent Plan (Walker Plan)
- 58. Runaway/Escapee/Absconder Returned
- 59. Parent Ordered to Participate in Counseling
- 60. Traffic fine
- 61. Driver Improvement School
- 62. Revoke/Restrict/Suspend Driver License
- 63. Work Restitution
- 64. Monetary Restitution
- 65. Non-HRS Non-Residential Program
- 66. Custody to Relative/Other Individual
- 67. Community Control (No HRS Supervision)
- 68. Community Control (HRS Supervision)
- 69. Custody to Licensed Child Caring Agency
- 70. Commitment to HRS-CYF
- 71. Custody to Other HRS Program
- 72. Juvenile Alternative Service Program
- 73. Transferred to Another County for Disposition
- 74. Jail (Felony Traffic Offenses Only)
- 75. Voluntary Transfer to Adult Court
- 76. Involuntary Transfer to Adult Court
- 77. Transferred to Adult Court: Not Guilty, Nolle Prosequi, Dismissed
- 78. Transferred to Adult Court: Guilty, Nolo Contendere, Adjudication Withheld
- 79. "Other" Judicial Disposition

NON-JUDICIAL DISPOSITIONS

- 80. Incomplete Report Returned
- 81. Unable to Locate Child
- 82. Family Moved Prior to Disposition
- 83. Closed Without Formal Sanctions
- 84. Runaway/Escapee/Absconder Returned
- 85. Parentally-Applied Discipline
- 86. Work Restitution
- 87. Monetary Restitution
- 88. Community arbitration/Mediation
- 89. Pre-Trial Intervention
- 90. Volunteer (Individual/Agency)
- 91. Other Diversion Program
- 92. Closed After Intake Counseling
- 93. Juvenile Alternative Services Program (JASP)
- 94. Referred to Other HRS Programs
- 95. "Other" Non-judicial Disposition

PART 4: (1 minute) Items 96 to 100 list five CIS "intake worker recommendations to state attorney". Please rate each in terms of how serious you consider a particular recommendation to be, using the 0 - 9 scale as in Parts 2 and 3.

- 96. No Petition
- 97. Petition
- 98. Information
- 99. Waiver
- 100. Indictment

WHEN YOU HAVE COMPLETED ALL THREE PARTS, PLEASE PLACE ALL MATERIALS IN THE ADDRESSED ENVELOPE PROVIDED AND MAIL IT AS SOON AS POSSIBLE. THANK YOU FOR YOUR PARTICIPATION.

STEP II

Qualitative Research

Pre-Arrest Contacts

THE ROLE OF RACE IN ARREST, REFERRALS
AND SUBSEQUENT DECISION-MAKING IN THE
STAGES OF JUVENILE JUSTICE

PRELIMINARY FINDINGS

A Report submitted to
Florida's Minority Overrepresentation Project

by

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INTRODUCTION

In the past decade, research in juvenile justice and delinquency prevention has attempted to account increasingly for the youth in his/her context. The most articulated of these approaches include qualitative methodologies which enable judgments about directly-observed events and behaviors influencing the fate of individual juveniles in the delinquency system. Although often criticized as "unscientific and subjective", these approaches can lend an element of reality to the treatment of individual children by the juvenile justice system to which the consideration of cold numbers alone, especially in the aggregate, cannot give voice.

As part of an overall strategy for the Florida Minority Overrepresentation Initiative, this preliminary report presents the results of a modest attempt to bridge a "gap" between information obtained through a largely-quantitative treatment of issues related to minority juveniles in Florida's juvenile justice system (forthcoming), and the "unofficial" records of a sample of law enforcement agencies.

The project's quantitative study, which is the majority of Florida's analysis, focusses on factors influencing the fate of individual children after they have been referred to the juvenile system: the "official" record. This record is, however, mute when it comes to learning about those factors which may influence the initial contact between law enforcement and the child.

including, in many cases, information about the complainant not often available to researchers, except in the informal record-keeping of law enforcement agencies. This study attempted to associate information collected on referrals at pre-arrest and arrest with subsequent treatment of the youth, whether the child was released or formally "processed" into the juvenile justice system.

METHOD

Procedure

Florida's Jail Removal Initiative makes available the services of a "compliance coordinator" to the jurisdictional districts within the Florida HRS system. These coordinators monitor the activities of law enforcement agencies, jails and other juvenile justice facilities to insure that juveniles are "processed" through the juvenile justice system in a timely fashion, as required by law, and also provide technical assistance to law enforcement and juvenile justice facilities with regard to compliance issues.

Five district compliance coordinators were available to assist this project by gathering data in a standardized survey format for a sample of 497 juveniles. Each coordinator chose a representative agency within his/her district and obtained permission to review agency records chronicling complaints and referrals involving juveniles. Data of interest included information regarding the agencies' initial contact with, and/or arrest of, the juvenile.

The records scrutinized at each agency site for this study fell into two categories: formal police reports, and what were described as "other 'field' report used by agency". Of the 497 records scrutinized, 346 (69.6%) were police reports and 151 (30.4%) filed reports. Report formats varied in sophistication. One agency used a detailed computerized, data-tracking format in a data base maintained by the agency. Another agency used a less-automated, paper-and-pencil record.

Subjects

Only juveniles who were taken into custody by law enforcement during the interval between April 1, 1991 and March 31, 1992 were considered in the analysis. To insure at least a representative sample of juvenile subjects by race, in each jurisdiction compliance coordinators were asked to select their records by race/ethnic group according to a predetermined ratio: i.e., 60%, Caucasians; 30%, African-Americans; and 10%, representing Hispanics, Native Americans and Pacific/Islanders. For youth who were "processed" by the agency during the interval, coordinators were instructed to pick every third record in each of the race/ethnic categories to record as a case.

Data Collection

1. Agency Survey Data

Each compliance coordinator was asked to choose the records of 100 juveniles in his/her data set from which information would

be derived in response to a standardized, survey instrument designed for this study.

The survey consisted of 19 items requesting demographic information on juveniles, including sex, race/ethnic origin, date of birth, as well as the youth's employment status and "living arrangement". Coordinators were also asked to record the reason contact was made with the juvenile (up to three reasons). A "contact" was described as "any encounter between a juvenile and law enforcement for which there was no formal delinquency referral", but which would fall into one of 46 felony and misdemeanor categories used by HRS intake referral agencies. Items also requested information on the location of the complaint (youth's neighborhood, school, commercial establishment, etc.); the source of the referral, contact or complaint (e.g., victim, law enforcement, neighbor, etc.) and, where available, demographic data of the complainant (e.g., age, race, sex, etc.).

2. Data from HRS Records

Using subject names, sex, date of birth, an automated data merge between survey data and delinquency files in the HRS Client Information System was conducted to gather information for those youths who had an "official" delinquency record on file. The purpose of the merge was to determine if the reason for referral or contact recorded by compliance coordinators led to formal processing by delinquency authorities, and, if so, to determine the legal outcome, if any. Each "match" between the HRS

and the survey data sets generated a record of the youth's delinquency history with HRS, duplicated each time a referral and disposition outcome for the youth had been recorded in the system. In addition to referral and disposition data, also included were: the date each case was opened; which official requested detention/release of the juvenile (e.g., law enforcement, intake, state's attorney); the youth's placement, if applicable, while being "processed" by the system; and, whether or not the referral was formally adjudicated.

RESULTS

1. Summary of demographic characteristics of the sample

A total of 498 cases was reported from the five districts, each district providing approximately 100 cases (range: 98-101). One case was invalidated for missing race data, leaving a total of valid 497 cases. Four-fifths of the sample were male (n=393), 21.1% (n=104) were female. The mean age of the sample was 15.2 (sd = 2.21; range: 6 - 18). About two thirds of the cases involved Caucasian youths (63.5%, n=316); another 28.3% (n=141) involved African-Americans; 6.8% (n=34) involved Hispanics; and slightly more than one percent of the cases involved Asian/Pacific Islanders (n=6). No records obtained involved Native Americans.

Insert Table 1 about here

2. Summary of data precipitating the encounter between the juvenile and law enforcement

a. Reason for referral

Nearly 70% of the records (n=345) were based on law enforcement agency reports, while the remainder (n=152) were based on records from state's attorneys files. With regard to the reason for the youth's contact with, or referral by, law enforcement, most frequent were alleged property offenses which comprised nearly half of all complaints in the sample. Misdemeanor/felony-against-persons comprised 12.7% of referrals (n=63), and drug/alcohol complaints accounted for slightly more than 5% (n=26).

Table 2 provides a complete breakdown of all reasons for contact/referral.

Insert Table 2 about here

b. The Referral Source

The sources of the referral or initial complaint against a youth, precipitating the juvenile's contact with law enforcement, fell into fifteen categories. Nearly half of these were described in records as "victims" (n=232, 46.6%). Law enforcement officers accounted for roughly one-third of the remaining referral sources (n=156, 31.3%). Table 3 summarizes the source of referrals/complaints.

Insert Table 3 about here

Table 4 summarizes data for the race of the referral source by race of the juvenile. Of all complainants, Caucasian (47.6%, n=233) comprise almost half of the total sample while less than 10% were identified as members of minorities (race information was unavailable for the remainder of the "complainant" subsample, n=194.) Race information was available for only 20% of the law enforcement referral source category (n=33 of 156: Caucasians, n=22; African-Americans, n=4; Hispanic, n=6; Asian/Pacific Islander, n=1).

Insert Table 4 about here

c. Action taken by Law Enforcement after Referral

After the youth was taken into custody, several courses of action were available to the law enforcement officer. Nearly 30% (n=139) of the sample was released without any other action taken, or with a simple warning or citation. One-third (n=196) were released to the custody of parents. Table 5 reports all action categories taken by law enforcement by race of the youth.

Insert Table 5 about here

3. Other variables of interest

a. The Youth's "Living Arrangement"

Information on the youth's living arrangement was collected for a variety of categories (e.g., single parent, two parents

relative, etc.). While data was available for only two-thirds of the entire sample (332 of 498), nearly half of these cases were from single parent households (n=151) and a third were from two parent homes (n=125). The remainder (n=56, 16.9%) resided with other relatives or in varieties of agency-sponsored settings.

b. Urban versus Rural Settings

Roughly 60% of the sample was derived from an urban setting (i.e., MSA's > 50,000 population). This subsample was drawn from Broward County (Ft. Lauderdale); Orange County (Orlando); and Escambia County (Pensacola). The remainder of the sample was drawn from more rural settings: Marion County (Ocala) and Polk County (Bartow).

c. The Youth's Employment Status

Information on youth employment was not available in nearly one-half of the cases. Where employment status was known, 48.2% (n=240) of the sample was unemployed while only 10 youths in the sample (1.2%) were employed either full- or part-time.

The next section considers several categories of variables, as the youth moved deeper into the system, to report trends according to the stages of juvenile justice "processing": i.e., (1) the initial referral or contact with law enforcement; (2) the decision to file a formal referral in the case, or to release the youth; (3) the decision to detain youth who are formally referred; (4) the decision to adjudicate the case; and, (5) the ultimate disposition of the case.

Results of Findings by Stage in the Juvenile Justice Continuum

1. The Youth Taken into Custody

Table 6 presents a sequential record of the "flow" of juveniles in the sample through the various stages of the juvenile justice system. For the entire sample, after the youth was taken into custody, formal referrals were filed in 43.2% of the cases (n=215), for which a formal disposition was reached in more than 90% of these (n=197). For more than half of the sample (56.8%, n=282) no formal referral was filed. When considered as a single variable, race did not seem to play a role in the decision to file a referral, whether or not the juvenile was released.¹

a. Race of the Juvenile and the Release/Custody Decision

For the full sample (n=497), after the child was taken into the custody of law enforcement, there was evidence that race played a role in the decision regarding subsequent custody of the child: i.e., whether the youth was simply released, released to the custody of parents, or placed in the custody of an agency. The difference was significantly pronounced when decision was made to place the child in the custody of a parent: i.e., Caucasian and Hispanic youth were more likely to be released to

¹ Unfortunately, the small numbers of Hispanic and Asian-Pacific Islander youth in the sample made any interpretation of race effects specious at best for those groups. However, in terms of general trends, the findings for Hispanics tended to mirror those for Caucasians for nearly all analyses.

parents than were African-Americans, who were more frequently placed in the custody of an agency ($X^2 = 10.62$, $df=4$, $p < .05$, $n = 484$).

When seriousness of offense was controlled, the disparity was even greater. For youth who were referred for felony-against-person category complaints ($n=88$), Caucasian youth were three times more likely to be released to parental custody as were African-American youth, and significantly-less likely to be referred to agency custody ($X^2 = 10.9$, $df=1$, $p < .05$.) For felony-against-property complaints, there was no significant difference in the release/custody decision, but Caucasians who were referred for misdemeanor-against-property complaints were also more likely to be referred to parental custody and less likely to be remanded to agency custody than others ($X^2 = 5.54$, $df=1$, $p < .05$).

b. Race of the Juvenile, Parental Composition and the Release/Custody Decision

Although it has been assumed elsewhere that the parental make-up of a family (single- versus two parent households) might be somehow associated with the decision to release children to their parents rather than to a delinquency agency, parental make-up alone seemed to exert no significant influence in either direction for the sample in this study ($X^2 = 0.95$, $df = 1$, $p > .05$, $n = 164$). However, when the analysis controlled for urban and rural settings, it was found that Caucasian and Hispanic children in urban settings were more likely to be released to parents (one or two) than were African-American children ($X^2 =$

.05, n=271). Furthermore, in rural settings, even for juveniles from two-parent families, African-Americans were significantly-less likely to be released to parents and more likely to be remanded to agency custody than were Caucasian youth ($X^2 = 9.814$, $df=3$, $p = .02$, $n=103$).

2. The Detention Decision

In all, about half of the sample was formally referred (n=252). As Table 7 indicates, African-American juveniles were nearly twice as likely to be detained than were all others combined ($X^2 = 5.5$, $df=2$, $p < .02$), $n= 252$).

Insert Table 7 about here

a. The Role of Race, Seriousness of Offense and Prior Record

When seriousness of offense was controlled, race played an even more significant role in the decision to detain juveniles who were formally referred to the juvenile justice system. For felony referrals, African-American youth, especially males, were significantly-more likely to be placed in detention than were Caucasians and Hispanics who were referred for felony offenses ($X^2 = 9.85$, $df = 1$, $p = .002$, $n= 80$). The detention decision was particularly pronounced for African-American youth in rural settings.

When detention status was analyzed by felony category (i.e., persons versus property), African-American youth who were

formally referred for felony-against-person were four times as likely to be placed in detention than were their Caucasian counterparts ($X^2 = 14.2$, $df=1$, $p < .001$). However, for misdemeanor category referrals, there was no difference in detention rate by race.

These results were unaffected by urban/rural comparison. The breakdown of detention decisions by race according to the person/property dichotomy resisted valid analysis due to inadequate sample size.

Regardless of race, there was no difference in detention rates for individuals who were formally referred, but who had no prior delinquency record ($X^2 = 2.45$, $df=1$, $p > .05$, $n=40$). However, African-American youth with "priors" were detained more often than were Caucasian youth ($X^2 = 3.71$, $df = 1$, $p < .05$, $n=195$).

b. Race of the Youth, Parental Make-up and Detention

In the earlier discussion about factors influencing custody decisions, the cases considered included those who were taken into custody by law enforcement, but who, subsequently, may or may not have been formally referred. For clients who were referred, the general trend found in the earlier analysis-- in which Caucasian youth were significantly-more likely to be released to the custody of parents, controlling for several factors-- was supported in this analysis, but the strength of this conclusion is diluted by insufficient sample size.

3. The Adjudication Decision

For the full sample, 64 cases were adjudicated (See Table 8). Although there was no difference in adjudication decisions among males, African-American females were more likely to be adjudicated than were Caucasian females ($X^2 = 4.14$, $df=1$, $p < .05$, $n=45$).

Insert Table 8 about here

The prior decision to detain a youth, in association with the race variable, was mildly related to the decision to adjudicate ($X^2 = 6.28$, $df=3$, $p < .10$). But, following a formal referral, African-Americans who were placed in some agency's custody, rather than released to parents, were more likely to be adjudicated than were other juveniles ($X^2 = 6.77$, $df=2$, $p < .05$, $n=61$).

a. Race, Seriousness of Offense and Prior Record

Although there was no significant interaction between race of the juvenile and misdemeanor category referrals, felony category referrals were more likely to be adjudicated in the rural setting when African-American youth were involved ($X^2 = 5.85$, $df=1$, $p = .02$, $n=53$). In general, felony-against-person referrals were nearly three times as likely to be adjudicated when African-American youth, especially males, were referred ($X^2 = 7.28$, $df=1$, $p < .01$, $n= 44$). For the remaining offense categories (i.e., misdemeanor-against-property, misdemeanor-against-persons, felony-against-property) race of the youth:

played no significant role in the decision to adjudicate.

When "prior record" was controlled, for those youth who had "priors", race made no significant difference in the decision to adjudicate. However, for youth with no prior records, African-Americans were more likely to be adjudicated than were Caucasians with no "priors" ($\chi^2 = 6.03$, $df=1$, $p = .02$, $n=37$).

Finally, when parental make-up of the youth's family was analyzed in conjunction with other variables in the study no significant trends were revealed.

4. Disposition Decisions and Race

Table 9 summarizes the disposition categories in Table 6 by race. In terms of non-judicial dispositions ($n=155$), the category "other"-- referring to such dispositions as monetary and work restitution, "community arbitration"-- comprised nearly a half of all judgments ($n=72$, 46.5%). In terms of nonjudicial dispositions, this category represented two-thirds of all judgments for African-Americans ($n=28$) and a plurality of dispositions for Caucasian ($n=44$, 39.3%).

Within categories of analysis, when taken in combination with race of the juvenile, there was neither significant difference in assignment of dispositions based on the decision to detain, or to adjudicate; nor were there any discernible effects due to gender, seriousness of offense or prior record, parental make-up of the family, nor urban or rural setting.

Insert Table 9 about here

Although there were no findings of significance at this stage of processing, these findings are considered inconclusive due to inadequate sample size. With this caution in mind, the raw numbers in Table 9 do show some differential application of disposition by race: Caucasian and Hispanic youth accounted for 83.4% of all JASP dispositions (n=32); community control and commitment dispositions accounted for 34.2% of dispositions for African-Americans, and 30.2%, for Caucasians; and the rate of release for Caucasian youth was double that for African-Americans (20.8% versus 10.0%, and 0% releases for Hispanic youth.)

DISCUSSION

Although the results of this study are considered preliminary to the more exhaustive analysis employing statewide data currently underway, for the sample of nearly 500 children drawn for this investigation, the child's race seemed to influence decisions at every stage of the process in justice decision-making. This effect was especially pronounced when other important variables were considered in conjunction with race, such as seriousness of the offense, the youth's prior record, parental make-up in the family, and whether the setting was urban or rural.

Findings of Particular Interest

1. Interracial Incidents

The influences on "formal decision-making"

examined exhaustively in other settings in terms of what happens to the youth after he/she is taken into the system and passes into its formal machinery. While this study adds nothing new to these earlier studies of the relationship between race and the treatment of youth after arrest and formal referral, some of the findings provide a small glimpse of dynamic between race and other factors at the "front-end" of the delinquency "event": i.e., the point at which the behavior occurs, and/or a complaint is made, and the youth is taken into custody.

Acknowledging the obvious interpretive limitations due to sample size, our glimpse into the 62 cases of interracial complaints did demonstrate significant differences by race in subsequent treatment of the youth. African-American youth, when the complainant was Caucasian, were more likely to be formally referred, detained and adjudicated than were Caucasian youth, when the complainant was African-American. This finding is made more noteworthy by the fact that African-American complainants in this sample made a higher percentage of complaints against Caucasians, as a percentage of all African-American complaints, than Caucasians did against African-American youth (33.3% versus 19.3%: Table 4).

Of course, another important intervening variable at the earliest stage is the role of race in the encounter with law enforcement. Unfortunately, little useful information was available at any of our site agencies with regard to the race of the arresting officer. While one might not realize

an agency report to give demographic data on an arresting officer, further inquiry at two of the site agencies revealed that the data simply could not be had. Although data systems are seldom designed with the interests of the researcher in mind, we may live in a time where data should be collected more assiduously with this goal in mind, since the implications for justice in an increasingly multiracial society become more resounding with the passage of time. ²

2. Race, Seriousness of Offense, and the Effect of Prior Record

While it is generally assumed that seriousness of the youth's offense, in conjunction with prior record, explains most of the "variance" with regard to a juvenile's treatment in the delinquency system, for this study's sample the role of these variables seemed enhanced by race as an intervening factor. Indeed, although Caucasians in our sample were far more likely to have been referred for ostensibly more violent behavior (i.e., crimes-against-persons), they were also more likely than African-Americans to have been released to the custody of a parent, less likely to have been detained (African-Americans were four times more likely to have been detained for felony-against-persons); and less likely to have their cases adjudicated, especially in

2

In fact, it seems that even in data sets which are designed for research, such as systems at the Florida Department of Law Enforcement, race of the police officer in conjunction with enforcement activities is also not "neutral."
(conversation with FDLE official, 12/1/88)

rural settings.

3. Race, Parental Make-up and Custody/Release Decisions

Perhaps of all the findings with regard to race and decision-making, those relative to decisions made after the child had been taken into custody (though not necessarily formally referred) were most interesting. The decision trend for this study's sample as to what happened to the youth at this point-- whether released, outright; or, to parental custody; or, to custody of an agency-- seems at variance with other studies which have found this decision to be influenced by the parental make-up of the family (i.e., one- versus two-parents). Frazier and Bishop (1988), for example, explained a finding that African-American youth were detained more frequently as owing to the possibility that these youth likely came from single parent homes in which the parent was the sole provider and was unable to leave a job to take custody of a child. Therefore, it was assumed, the child was more likely to be detained than in the case of a two parent family where at least one parent might be available to assume custody of the child and avoid detention. Although, for our sample, parental make-up alone exerted no influence in the detention decision, in urban settings Caucasian and Hispanic youth were released more frequently to parents (one or two) than were African-Americans; and in rural settings, African-American youth, though from two-parent families, were still less likely to be released to parental custody than were Caucasians.

seem, at least, for this set of findings that race, not family make-up, played the mitigating role.

CONCLUDING COMMENTS

This study has only shed a pinpoint of light on a particularly dark region of the behavioral events which lead to a decision to arrest. Future studies employing more qualitative approaches must illuminate the circumstances of the initial complaint, the behavior and attitudes of the complainant, the circumstances of the juvenile's encounter with law enforcement-- and the role of race and different cultural traditions as it pertains to all of the above.

One of compliance coordinators who gathered data for this analysis had his own thoughts on those factors influencing events in an observation based on his experience as a former law enforcement officer:

"[The] decision to arrest a youth, where discretion to make an arrest is provided, is based more upon [the youth's 'emotional'] disposition than cultural factors. Deciding whether to release a youth to their parent or deliver them to HRS is predicated more on being able to contact a parent or responsible adult than any predisposition of the part of the officer. Unfortunately, in the black [sic] community, there exists a disproportionate number of single parent families, which if evaluated out of context, could skew the findings in this area...."

Although this study's findings spoke, albeit softly, to the issue of parental make-up and found differential treatment by race even in the case of two parent families, another part of this individual's observation is that...

interpretation of the youth's "disposition" or demeanor might also, on occasion, be a function of cultural interpretation.

This is all fuel for the ethnographer's inquiry, but clearly much remains to be learned.

STEP III

Quantitative Research

Database Merges and Assessment

Received
2/12/93

The Minority Overrepresentation Initiative

PRODUCT H

Completion of Data Collection

The Department of Education Data Set

DOE's data set for approximately 1,000,000 Florida public school children was delivered to the project advisor on January 5, 1993. Among the items of interest to this study, this data includes information on the child's academic performance, school conduct, drop-out/suspension status and attendance (see attached data dictionary). The key data element, of course, is the precise race/ethnic data collected by DOE. This data will be merged with referral and disposition data from the HRS Client Information System to enable a more accurate representation of race for HRS youth than is now available from HRS data systems. The appropriation of DOE subjects who have not "encountered" the HRS juvenile justice system will also enable a matched-pair, cohort analysis comparing traits and circumstances of these youth with those from similar circumstances who are "in the system".

The Client Information System Data Set

On February 12, six months after first initiating the Information Systems Service Request with the HRS/MIS Applications section, data from the Client Information System was finally made available. The program delivering this data is a product of scores of hours of effort on the part of the MIS programmer and additional dozens of hours of meetings between the programmer and the project advisor. The product is a data set for juvenile delinquency that is likely the most comprehensive ever generated at the state level by automated data systems.

The structure of the data set was intended to be "user-friendly" for the researcher. For instance, one design feature created a shorthand method that will enable more cogent analysis of the effect of "offense seriousness" and "prior record" on client dispositions than has been generated by previous studies which treat offense seriousness and prior record effects categorically (e.g., "felony" versus "misdemeanor" categories). Also, current offense categories (up to 50 referral reasons) are linked with the most client's most current primary and secondary dispositions (up to five), along with a list of client prior referrals and dispositions (up to 100 each), and all associated detention, placement, petition and adjudication decisions. For clients who are committed to HRS residential programs, completion

FACTS record is generated for the youth's most recent commitment. Finally, the program is able to link caseworker data for individual HRS staff with data for individual clients to enable the analysis of "worker effects" on decision-making and disposition.

The Comprehensive Data Set: Constructing the Data File for Analysis

The criteria for a general merge for data from all agencies has been given to the technical assistant at HRS/MIS, although no time-table has been given for the delivery of the final research data file. When all data is combined in the merge-- i.e., CIS records, DOE records, records on the youth's employment status provided by the Florida Auditor-General, Food Stamps and AFDC records from HRS (more than 10,000,000 in all, providing SES data and family make-up information), and detailed, HRS personnel records for caseworkers-- the result should be a data file to keep researchers busy for months. Furthermore, the data can be recycled for future research; for example, as a baseline population for longitudinal studies of various HRS program effects.

STEP IV

Public Awareness

"A Call To Action: A Conference on Minority Over-
representation in Florida's Juvenile Justice System"

S

tistics from the Florida State Data Center, Executive Office of the Governor, indicate that Florida's juvenile justice population (ages 10-17) is 1,270,316, and growing at an average rate of 2.46% per year.

The increase in juvenile arrests and processing within the juvenile justice system is occurring at a rate which is above and beyond that which can be attributed to simple population growth.

What is most alarming about this trend is the increasing disproportionate percentage of minorities who are being caught in the ever-widening net of our juvenile justice system. Though minorities only represent 22 percent of Florida's juvenile population, they are consistently over-represented not only at arrest, but also at every subsequent stage of the system.

It is for this reason that Florida was selected as one of five states funded to address the disproportionate representation of minority youth in the juvenile justice system. The Minority Over-Representation Initiative for Florida, is a three-year, special emphasis grant initiated in October 1991.

Florida's Outlook on **MINORITY** Over-Representation

Prepared under Grant Number 91-JS-CX-K011 from the Office of Juvenile Justice and Delinquency Prevention, Office of Justice Programs, United States Department of Justice. Points of view or opinions in this document are those of the author and do not necessarily represent the official position or policies of the United States Department of Justice.

BREAKING THE CYCLE
FLORIDA'S CALL TO ACTION

A Conference On

MINORITY Over-Representation

in Florida's

Juvenile Justice System

May 6-8, 1993

TALLAHASSEE • FLORIDA

Sponsored by the State of Florida
Governor's Juvenile Justice and
Delinquency Prevention Advisory Committee
& The U.S. Department of Justice

Florida State
UNIVERSITY



Center for Professional Development
and Public Service

Florida State Conference Center, R-55
Tallahassee, FL 32306-2027



Purpose



To provide a comprehensive statewide analysis of minority over-representation in the juvenile justice system.



To provide the research results from Florida's twelve-month research project funded through a categorical grant from the United States Department of Justice - Office of Justice Programs.



To provide workshops, panels and plenary sessions focusing on Prevention and Diversion, Techniques, Alternative Placements, After Care, and Training.



To provide a roundtable discussion of research findings on the issue of Juvenile Minority Over-Representation from Arizona, Florida, Iowa, North Carolina and Oregon.

Audience



Local and state policy makers, planners, administrators, service providers and caregivers.

CONFIRMED SPEAKERS

Elvin L. Martinez
Florida House of Representatives,
Chairman, Criminal Justice Committee

Robert Weaver
President, Associated Marine Institute, Inc.

Dr. William Jones
Director of Black Studies, Florida State
University

Harry K. Singletary, Jr.
Secretary, Florida Department of
Corrections

Robert B. Williams
Secretary, Florida Department of Health
and Rehabilitative Services

SCHEDULE

Thursday, May 6
7 - 9 p.m. Registration, Reception and
Initial Keynote Speaker

Friday, May 7
7 - 8:30 a.m. Registration
8:30 a.m. - Noon Plenary Session
Noon - 1:30 p.m. Luncheon Workshop
1:30 - 5 p.m. Concurrent Sessions

Saturday, May 8
7 - 8:30 a.m. Registration
8:30 a.m. - Noon Plenary Session
Noon - 1:30 p.m. Lunch on your own
1:30 - 3:30 p.m. Concurrent Sessions
3:30 - 5 p.m. Summation and Youth
Speakout

For More Information

Allison L. Haigler
Project Director and Conference Coordinator
(904) 488-1850 • FAX (904) 922-6189

Location

The two-day informational exchange will be held at the Florida State Conference Center, located at 555 West Pensacola Street, Tallahassee, Florida. Because the temperature fluctuates within the building, we recommend that you bring a jacket to ensure your comfort. If you require accommodations for a disability, please call 904/644-7576 at least 7 days before the program. Pre-registered participants will receive a parking pass prior to the conference. Accessible parking is also available in the front lot of the Center, off Pensacola Street.

Accommodations

Hotel arrangements have been made with the Ramada Inn North, 2900 North Monroe, Tallahassee, FL. Call 904/386-1027 for reservations. Room rates are \$59 for both singles and doubles. Please identify yourself as a participant of the Juvenile Justice Conference to obtain these special rates and complimentary transportation to and from the Center each day.

Airfare

Delta has agreed to waive the minimum stay requirement on the nonrefundable excursion fare with an additional surcharge. This fare requires the attendee to make reservations at least 7 days in advance. Seats are limited; please refer to file number R0986 when making your reservations. All other applicable restrictions must be met. Call the Delta Meeting Network at 1-800-241-6760.

Cancellation Policy: Registration fees less a \$15 processing fee are refundable if written notification of cancellation is received by the Registrar prior to April 29, 1993. After April 29, registration fees are not refundable, however, substitutes are welcome. The University is not responsible for any change/cancellation fees assessed by airlines, hotels or travel agencies.

REGISTRATION FORM

Minority Over-Representation

in Florida's Juvenile Justice System
May 6 - 8, 1993 • Program #0201893

Name _____

Social Security # _____

Agency/Organization _____

Phone _____

Fax _____

Address _____

City _____

State _____ Zip _____

Fees:

- \$35 registration fee includes optional reception Thursday evening
- \$30 registration fee excludes optional reception Thursday evening

Total amount to be paid by: _____

- Purchase Order # _____
- Check (Payable to Florida State University)
- MasterCard Visa
- Acct. # _____
- (2% service fee on credit card charges)

Signature _____

Date _____

Registration: To register by phone, dial 904/644-3806 or FAX the completed registration form to 904/644-2589 or mail the completed registration form and your payment to the Registrar, Florida State University Center for Professional Development and Public Service, R-55, Tallahassee, FL 32306-2027.

Scholarships are available. For additional information, call Allison Haigler, (904) 488-1850.