

Utilization of Criminal Justice Statistics/Projec

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ANALYTIC REPORT 9 (14' All CAPS)

DELINQUENCY DISPOSITIONS

AN EMPIRICAL ANALYSIS OF PROCESSING DECISIONS

IN THREE JUVENILE COURTS

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PREFACE

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This article is the fifth in a series of papers that addresses issues concerning the processing of juvenile offenders. The series of papers on juvenile processing uses data collected from the Denver, Memphis-Shelby and Montgomery County Juvenile Courts. These data are perhaps the most comprehensive source of information on juvenile court dispositions presently available. The quality of this information makes it possible to assess the importance of variables of two general types  $\frac{1}{m}$  legal and status  $\frac{1}{m}$  in the disposition of juveniles. A variety of appropriate statistical techniques and controls are applied.

In this particular article we attempt to discover the variables or combinations of variables that most substantially account for the variation in the severity of the dispositions accorded to juveniles.

The author is greatly indebted to a number of individuals whose assistance and cooperation greatly facilitated this research. I would like to express my gratitude to Betty White, Director of Intake for the Denver Juvenile Court, Anthony Pasciuto, Tom Giacinti, and John Carr of the Denver Anti-Crime Council, Judge Kenneth A. Turner, Alan E. Higher, and William G. Fulmer of the Memphis-Shelby County Juvenile Court, and finally, Chief Probation Officer Anthony Guarna of the Montgomery County Juvenile Court. All of the persons mentioned above assisted in securing the data utilized for these studies, and provided valuable input and consultation regarding the processes of the respective courts.

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CONTENTS 18' Optima (reg.) (APS)

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	Page
Foreword	iii
List Of Tables And Figures	vii
Preface	x
Introduction	1
The Data	7
The Research Settings	9
1/20 Denver County	9
Memphis-Shelby County	10
Montgomery County	13
Methodology	18
Data Analysis	22
Age and Severity of Disposition	24
Sex and Severity of Disposition	26
Ethnicity and Severity of Disposition	28
Socioeconomic Status and Severity of Disposition	33
Family Situation and Severity of Disposition	39
Present Activity and Severity of Disposition	42
Prior Court Referrals and Severity of Disposition	46
Seriousness of Offense and Severity of Disposition	51
Type of Referral Agency and Severity of Disposition	57
Detention Decision Outcome and Severity of Disposition	60

Hold for final page layout

11/11 within entries

4

	<u>Page</u>
Manner of Case Treatment and Severity of Disposition . . . . .	64
Summary of the Bivariate Relationships . . . . .	69
Multivariate Findings . . . . .	70
Summary and Conclusion . . . . .	86
Footnotes . . . . .	9
Appendix A <sup>10</sup> <sub>12</sub> Ranking of Offense Categories . . . . .	102
References . . . . .	103

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~~LIST OF TABLES AND FIGURES~~

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*Table/Figure*

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Table 1	Rankings of Offense Seriousness in the Three Courts . . . . .	19
Table 2	Rankings of Disposition Severity in the Three Courts . . . . .	20
Table 3	Severity of Accorded Disposition by Age . . . . .	25
Table 4	Severity of Accorded Disposition by Sex . . . . .	27
Table 5	Severity of Accorded Disposition by Ethnicity . . . . .	29
Table 6	Severity of Accorded Disposition by Ethnicity (Denver County) . . . . .	31
Table 7	Severity of Accorded Disposition by Socioeconomic Status . . . . .	35
Table 8	Severity of Accorded Disposition by Socioeconomic Status (Denver County and Memphis-Shelby County) . . . . .	37
Table 9	Severity of Accorded Disposition by Family Situation . . . . .	40
Table 10	Severity of Accorded Disposition by Present Activity . . . . .	43
Table 11	Severity of Accorded Disposition by the Number of Prior Court Referrals . . . . .	47
Table 12	Severity of Accorded Disposition by the Number of Prior Court Referrals (Denver County) . . . . .	49
Table 13	Severity of Accorded Disposition by Seriousness of Offense (Denver County) . . . . .	52
Table 14	Severity of Accorded Disposition by Seriousness of Offense (Memphis-Shelby County) . . . . .	54

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Table 22

Bivariate Correlations (r) And Beta Weights Representing The Direct Effects Of The Independent Variables On The Severity Of Accorded Disposition In Montgomery County

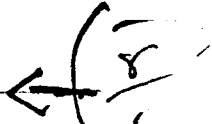
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Independent Variable	r	Beta	R Square Change <sup>a</sup>
<u>Detention: No/Yes</u>	.436	.372	.190
<u>Number Of Prior Court Referrals</u>	.222	.164	.030
<u>Present Activity: Working Or In School/Idle</u>	.217	.108	.015
<u>Socioeconomic Status: High Or Middle/Low</u>	.126	.065	.005
<u>Family Situation: Intact Home/Broken Home</u>	.172	.065	.003
<u>Seriousness Of Offense: Alcohol, Miscellaneous, Sex, Unruly/Drugs, Property, Violent Offense</u>	.029	.061	.003
<u>Age</u>	.033	.037	.002
<u>Ethnicity: White/Nonwhite</u>	.126	.030	.000
<u>Referral Agency: Miscellaneous Agency/Police</u>	.090	.023	.000
<u>Sex: Female/Male</u>	-.053	-.020	.000
R = .50 <sup>b</sup>			

NOTE: Dependent variable dichotomized as adjusted unofficially, held open/formal probation, incarceration or transfer to court of adult jurisdiction.

R<sup>2</sup> change indicates the amount of variation in the dependent variable which can be statistically accounted for by a specific predictor variable. By summing this column we obtain a measure called R<sup>2</sup> which indicates the total amount of variation in the dependent variable which can be attributed to the variation in the best weighted combination of the independent variables.

Multiple correlation coefficient.



to the severity of disposition in Memphis-Shelby County. Here, the decision to file a formal petition (as                  in Denver) was most substantially related to the criterion. Finally, three variables were found to be substantially related to the severity of accorded disposition in Montgomery County at the multivariate level of analysis  $\frac{1}{MC}$  detention decision outcome, the number of previous court referrals, and present activity. Thus, those who were detained, juveniles who had the greatest number of prior court referrals, and those who were idle, (not attending school or working) were substantially more apt to have been accorded severe dispositions than their counterparts.

It seems then, that for each court, the variable explaining the greatest amount of variation in the severity of accorded disposition is a prior processing decision. In Denver and Memphis-Shelby Counties it is the decision to file a formal petition (rather than handle the case informally) that is most substantially and independently related to the criterion, while in Montgomery County it is the decision to detain the child that appears to independently influence the final disposition of the child's case.

<sup>24</sup> (It is to be expected) that processing decisions are highly correlated

Since    only those thought to be a danger to themselves and to the community are supposed to be detained and hence, formal petitions would presumably be filed against a great many of these youths. The filing of a formal petition would then necessitate the child's appearance before a judge at a formal hearing, who would almost

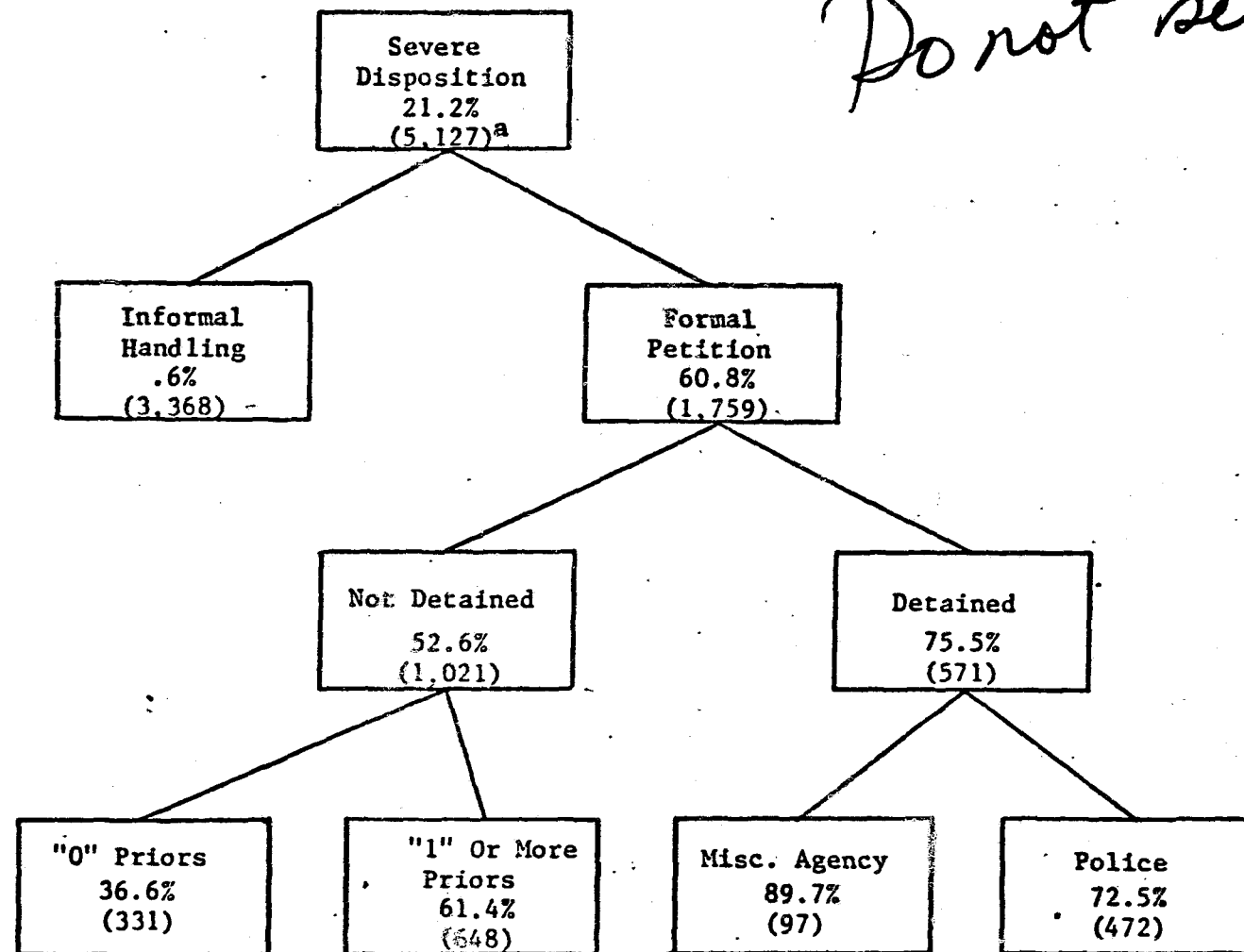
always render a decision that would either place the child on formal probation, incarcerate him, or waive the child to criminal court, where his case would be tried as if he were an adult. These dispositions comprised our "serious disposition" category in the regression analysis. However, the regression analysis indicates that even when such factors as the seriousness of the offense, the number of times the child has previously appeared before the juvenile court, and all the other predictor variables used in this study are statistically controlled, the filing of a formal petition (in Denver and Memphis-Shelby County) and the decision to detain a youth (in Montgomery County) account for the greatest amount of variation in the criterion. Thus, it appears at this stage that            the outcome of the previous decision rather than other factors            leads to the outcome of the subsequent processing decision.

As            previously mentioned, the fact that regression analysis identifies only direct (linear) relationships makes it necessary for us to employ a multivariate technique, which will allow us to systematically uncover the indirect (non-additive) effects of variables or interaction patterns that occur within the data. To accomplish this            we used predictive attribute analysis (PAA). Indeed, the use of this technique uncovered            a great deal of interaction within the data.

Figure 1 shows the results of the PAA analysis in Denver. Like the regression analysis, the PAA indicates that the case treatment deci-



Figure 1. • PAA Results In Terms Of Percent Accorded Formal Probation, Incarceration, Or Transfer To A Criminal Court For Trial In Denver County



<sup>a</sup>Subcategories may not add to total due to missing values.

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sion (the decision to file a formal petition) explains the greatest amount of variation in the severity of accorded dispositions in Denver. Of those 1,759 juvenile cases handled formally by        filing a petition, 60.8 percent received the most severe dispositions (formal probation, incarceration, or transfer to criminal court), while 0.6 percent of those (3,368) youths whose cases were treated informally received severe dispositions. Among those who were accorded formal petitions, the detention decision outcome was            the next most substantially related variable to the imposition of severe dispositions. Youths who were detained and also the recipients of formal petitions were more apt to have been accorded severe dispositions (75.5 percent of 571) than were formally petitioned juveniles who were not detained (52.6 of 1,021).

Our analysis further indicates the existence of substantial indirect relationships among both those who were and those who were not detained in Denver. Juveniles who had formal petitions filed against them but were not detained were considerably more apt to have been accorded a severe disposition if they had been before the court previously (61.4 percent of 648), than if they were appearing before the court for the first time (36.6 percent of 331).

Finally, among those youths who had formal petitions filed against them and who were also detained, the type of agency that referred the youth to the court was substantially related to the criterion. Here, 89.7 percent of the 97 youths referred by miscellaneous agencies were

accorded severe dispositions, as opposed to 72.5 percent of the 472 juveniles referred to the Denver Juvenile Court by the police..

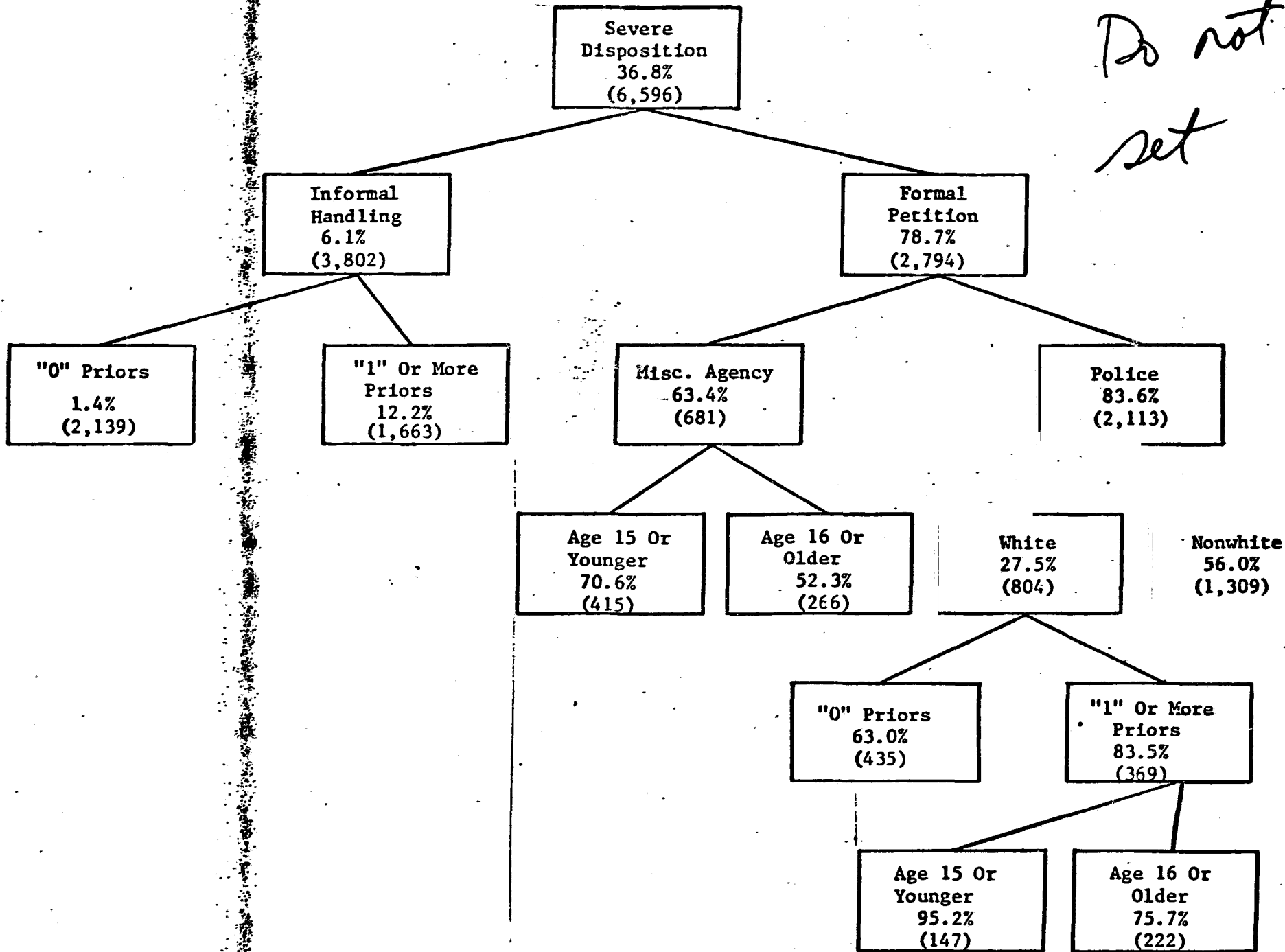
Figure 2 depicts the results of our PAA analysis for Memphis-Shelby ← County. As we know from our previous analysis, the manner of case treatment is most substantially related to the severity of accorded disposition. While 78.7 percent of those who were the recipients of formal petitions were accorded severe dispositions, only 6.1 percent of those whose cases were handled informally were accorded like treatment. Figure 2 shows that among those whose cases were handled informally, the variable of prior court referrals was most substantially related to the criterion. Here, only 1.4 percent of 2,139 individuals who had never before been in court were placed on formal probation, incarcerated, or tried as adults in criminal courts, as opposed to 12.2 percent of 1,663 juveniles who had appeared in the court previously.

Among those whose cases were handled by formal petition, the type of referral agency emerged as the next most substantially related variable. Here, 63.4 percent of the 681 juveniles referred to the court by miscellaneous agencies were accorded severe dispositions compared with 83.6 percent of those referred to the court by the police. Figure 2 further indicates that age is most substantially related to the least severe/most severe disposition dichotomy among those who were the objects of formal petitions and who were referred to the court by a miscellaneous agency. Here, 70.6 percent of the (415) juveniles who were 15 or younger were accorded severe dispositions, while a lesser proportion (52.3 percent of 268) of youths 16 or older received like treatment.

Figure 2

PAA Results In Terms Of Percent Accorded Formal Probation, Incarceration, Or Transfer To A Criminal Court For Trial In Memphis-Shelby County

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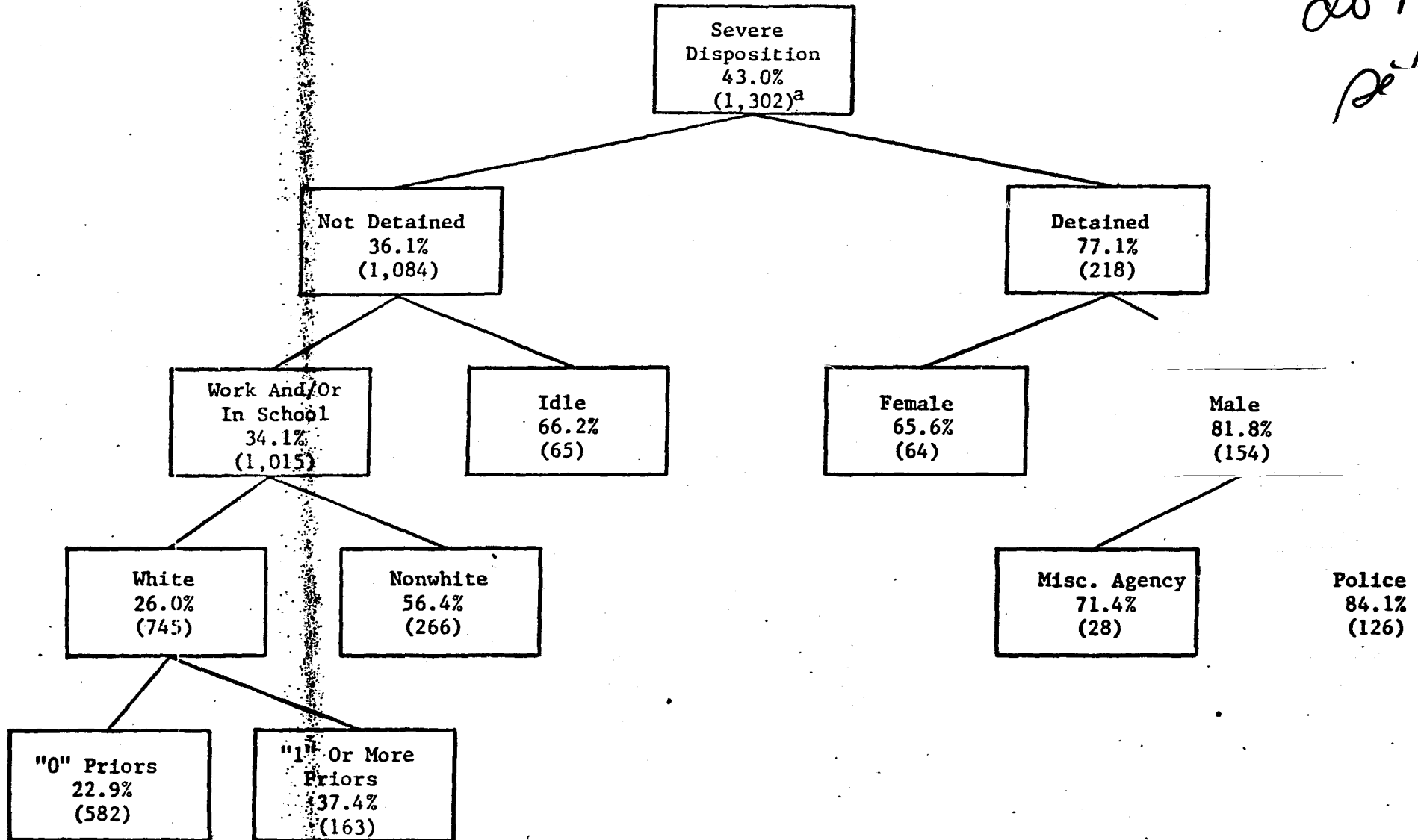
Ethnicity is the variable most substantially related to the accordancy of severe dispositions among formally petitioned youth who have been referred to the court by the police. While 27.5 percent of the 804 white juveniles in this cohort were given severe dispositions a greater percentage (56 percent of 1,309) of nonwhite offenders received like treatment. Hence, for the first time in the multivariate analysis we have evidence that ethnicity is indirectly related to the criterion in one of the courts under analysis. Figure 2 further indicates that white youths accorded formal petitions who had been referred to the court by the police were substantially more apt to have been accorded severe dispositions if they had been before the court previously (83.5 percent of 369) than if this was their first court appearance (63 percent of 435). Finally, Figure 2 shows that white youths with records of prior court appearance and who were referred by the police were substantially more <sup>likely</sup> to have been accorded severe dispositions if they were below the age of 16 (95.2 percent of 147) than if they were 16 years of age or older (75.7 percent of 222).

Figure 3 presents the PAA analysis for Montgomery County. We know from our previous analysis that detention decision outcome is the variable most substantially related to the criterion. This figure shows that 36.1 percent of those (1,084) not detained were accorded severe dispositions, while 77.1 percent of those (218) who were detained were accorded like treatment.

Figure 3

PAA Results In Terms Of Percent Accorded Formal Probation, Incarceration, Or Transfer To A Criminal Court For Trial In Montgomery County

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92<sup>a</sup> Subcategories may not add to total due to missing values.

Among the Montgomery County juveniles who were not detained, present activity was most substantially related to the criterion. A lesser proportion of those working and/or in school (34.1 percent of 1,015) were accorded severe dispositions in relation to the percentage of idle youths (66.2 percent of 65) given like treatment. Youths who were not detained who were working and/or in school were substantially more apt to be accorded severe dispositions if they were nonwhite (56.4 percent of 206) than if they were white (26 percent of 745). Finally, white youths who were working and/or in school and who were not detained were more apt to have been placed on formal probation, incarcerated, or waived to criminal court if they had been before the court previously (37.4 percent of 163) than if they were making their first court appearance (22.9 percent of 582).

The sex of the juvenile was the variable most substantially related to the criterion in Montgomery County among those youths who were detained. Males were more apt to have been accorded severe dispositions (81.8 percent of 154) than were females (65.6 percent of 64). The last substantial pattern to emerge in Figure 3 concerns male youths who were detained. Here, juveniles referred to the court by the police were more <sup>likely</sup> to have been accorded severe dispositions (84.1 percent of 126) than were those referred to miscellaneous agencies (71.4 percent of 28).

In sum, the PAA analysis for the Denver Juvenile Court largely replicates the findings uncovered through the use of stepwise multiple regression. The manner of case treatment, followed by detention decision

outcomes and previous court referral, account for the greatest amount of variation in the severe disposition rate. In general, those who had formal petitions filed against them, youths who were detained, and those with previous court referrals were more likely to have been accorded severe dispositions than were their counterparts. In addition, those referred by miscellaneous agencies, rather than the police, were ~~\_\_\_\_\_~~ substantially more likely to have been accorded severe dispositions in Denver among multiple combinations of the above predictor variables.

In Memphis-Shelby County, those who had formal petitions filed against them were more likely to have been accorded severe dispositions if they were referred to the court by the police. This finding is in contrast to that observed in Denver, where miscellaneous referrals were accorded more severe dispositions. Among the Memphis-Shelby County juveniles who received formal petitions after being referred to the court by the police, nonwhite youths were more apt to be accorded severe dispositions than comparable white youths. However, these comparable white youths were more likely to be placed on formal probation or incarcerated if they were below the age of 16, whether or not they had been before the court previously.

Finally, detained youths were the most likely objects of severe disposition in Montgomery County, particularly if they were male and referred to the court by the police. Among those who were not detained



by the Montgomery County Juvenile Court, youths were most apt to have been accorded a severe disposition if they were idle. Youths who were working and/or in school but not detained were substantially more apt to be accorded severe disposition if they were nonwhite or if they were white and had <sup>previously</sup> been before the court.

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Summary And Conclusion

We began this study with a review of the literature that has attempted to account (either empirically or on the basis of anecdotal evidence) for the variation in the nature and severity of case dispositions accorded in various juvenile courts. Anthony Platt has suggested that the juvenile court movement in this country began as an attempt to regulate the behavior of certain ethnic and socioeconomic groups by reformers who were intent upon imposing their own "middle-class" values through the manipulation of law. More recently, scholars such as Martin (1970) and Schur (1973) have contended that the biases that presumably gave rise to the "child saving" movement continue to operate, ensuring that minorities and members of lower socioeconomic groups will be the objects of discriminatory treatment accorded by the courts, not due to the nature of the offenses for which they are charged, but

because they fit the stereotype of the delinquent that the "middle-class"

juvenile court functionaries have formed.

Our data offer very little support for this contention. Our analysis has shown that the greatest amount of variation in the nature and severity

of "treatment" meted out in three courts appears to be accounted for by prior processing decisions. Children who had formal petitions filed against them (in Denver and Memphis-Shelby Counties) and those who were placed in detention prior to adjudication (in Montgomery County) were most apt to have been accorded severe dispositions, and these prior "treatment" decisions by far account for the greatest amount of explained variation in the criterion. Clearly then, of interest would be an analysis of the factors related to the prior treatment decisions.

Tables 23 and 24 present stepwise multiple regression solutions for the case treatment decisions (formal petition vs. informal handling of the case) in Denver and Memphis-Shelby Counties, respectively, while Table 25 presents the same solution for the detention decision outcome in Montgomery County. As demonstrated by the multiple correlation coefficients at the bottom of each table, we are unable to explain more than 14 percent of the variance in each criterion using the variables available for study. Using the same criteria for substantiality as when severity of accorded disposition was utilized as the dependent variable, Table 23 shows that in Denver, the seriousness of offense ( $B = .24$ ), the number of previous court referrals ( $B = .18$ ) and the detention decision outcome ( $B = .18$ ) are all substantially related to the decision to file a formal petition.

Table 24 shows that for Memphis-Shelby County, the seriousness of the offense ( $B = .39$ ), referral agency ( $B = -.19$ ) and the detention decision outcome ( $B = .18$ ) are substantially related with the decision

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