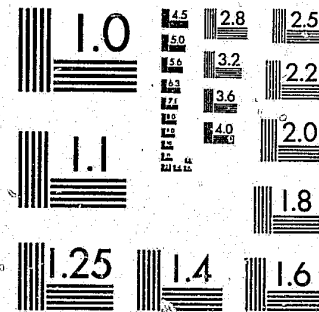


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SOCIAL AND LEGAL FACTORS AFFECTING THE DECISION PROCESS TO
REFER AND PLACE YOUTHS IN MASSACHUSETTS DEPARTMENT
OF YOUTH SERVICES SECURE CARE FACILITIES

Summary Report

By

Richard E. Isralowitz, Ph.D.

The Florence Heller Graduate School for Advanced
Studies in Social Welfare

Brandeis University

November, 1977.

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FOREWORD

As juvenile correctional policy moves from relying solely on training schools to the development of community-based systems characterized by greater diversity of program options, it is important not to forget the serious offender. Recognition that a minimal number of youths must be worked with in small secure programs for a brief period of time is not the deathknell of community-based corrections. The converse is more likely to be true--ignoring the youth who needs secure care is the Achilles Heel of community-based corrections.

Having acknowledged the necessity and importance of secure care, one must be extremely cautious about its use. Who gets in? How long is a youth in? What are the program options? How are community linkages being maintained? Are youths being helped or harmed? These are questions which must be asked and answered continually in order to assure that secure care is not being overused or misused.

This report addresses specifically the question of definition and who gets into secure care within the Massachusetts Department of Youth Service. It serves to remind us who is in secure care and points out why these youths have been designated as secure care youths and not others. The randomness of some of these decisions, however, still leaves the reader with the question "Why?".

Richard Isralowitz has done a very able and conscientious job in addressing these issues. I trust that the findings and implications will not only be helpful to planners in Massachusetts, but will also be of use to policy makers in other states who are addressing this perplexing problem of secure care for youthful offenders.

Robert B. Coates
Harvard Center for Criminal Justice

PREFACE

This document is a summary of dissertation research conducted for the doctor of philosophy degree awarded by The Florence Heller Graduate School for Advanced Studies in Social Welfare, Brandeis University.

The primary objective of the dissertation and this summary report was to examine the effect of selected social and legal factors on the Massachusetts Department of Youth Services (DYS) secure care decision-making process for serious juvenile offenders.

This study was supported by Grant No. 77-NI-99-0036, awarded by the Office of Criminal Justice Education and Training, Law Enforcement Assistance Administration, U.S. Department of Justice. Points of view or opinions stated in this document are those of the author and do not necessarily represent the official position or policies of the U.S. Department of Justice.

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INTRODUCTION

In the realm of social welfare, the issue of juvenile delinquency is perceived by many elected officials, juvenile justice authorities, members of the general public, and others as being in a crisis state of affairs. A facet of juvenile delinquency attracting much attention is that regarding youths who commit acts of violence and/or who are repeat offenders of serious crimes. Numerous states have set up special task forces and study groups to understand this problem, make recommendations, and establish guidelines for appropriately dealing with serious juvenile offenders. Generally, the pervasive attitudes reflected in public statements and reports is that the juvenile delinquency system must be "tightened up" in order to manage this small but difficult group of juvenile delinquents.

In Massachusetts, a state that is often referred to as a model for closing down the network of training schools and substituting community-based care for juvenile offenders, much concern is expressed over whether those youths needing secure care are being properly identified, placed and provided necessary services. Thus, the basic purpose of this study was to examine the issue of identification, i.e., which youths are considered for and placed by the Massachusetts Department of Youth Services (DYS) in secure care facilities.

Specifically, this study is designed to examine social and legal variables that predict: (a) DYS caseworkers' decision to refer youths to the DYS-Secure Care Review Team (SCRT); and (b) the SCRT's decision whether or not to place youths in secure care facilities. From a theoretical perspective, this study develops and tests a conceptual model of decision making for use with secure care facilities. From applied social welfare perspectives, this study is important to determine: (1) whether the DYS secure care facilities are being appropriately used for the care of the state's most serious juvenile offenders, or (2) whether secure care facilities are being indiscriminately used as resources for the removal of youths from their communities because they are troublesome but not necessarily serious juvenile offenders.

In the former situation, secure care should reflect an essential and appropriate component of the community-based system of delinquency services. In the latter situation, secure care may represent a widening crack in the deinstitutionalized reform system established in 1972 by Jerome Miller, then Commissioner of DYS. In essence, then, the use of secure care facilities is a major operational criterion to assess the continuing strength of the DYS/deinstitutionalization effort.

CHAPTER I

THE SERIOUS JUVENILE OFFENDER: A THEORETICAL CONCEPTUALIZATION

What Is Serious Juvenile Delinquency?

A first step toward the formation of an understanding of serious juvenile delinquency is to examine the issue of violence,

The term "violence" is highly charged. Like many terms which carry strong opprobrium, it is applied with little discrimination to a wide range of things which meet with general disapproval. Included in the broad net are phenomena such as toy advertising on television, boxing, rock and roll music and the mannerisms of its performers, fictional private detectives, and modern art. Used in this fashion, the scope of the term becomes so broad as to vitiate its utility severely. Adding the term "crimes" to the designation substantially narrows its focus. It is at once apparent that not all "violence" is criminal, but it is less apparent to some that not all crime is violent. In fact, the great bulk of adolescent crime consists of nonviolent forms of theft and statute violations such as truancy and running away. [Nevertheless], "violent crimes" may be defined as legally proscribed acts whose primary object is the deliberate use of force to inflict injury on persons or objects, and, under some circumstances, the stated intention to engage in such act (Miller, 1969:690).

Generally, it may be concluded from criminology literature that the term "violence" connotes injury inflicted by a person on himself or another person (Rubin, 1972; Palmer, 1972; Board of Directors, National Council on Crime and Delinquency, 1973; Monahan, 1974).¹ Acts of violence may also involve the destruction of property

¹The delinquent (and criminal) acts which are considered the most violent and serious include any of the various types of homicide (a term which may be applied to killing by automobile; forcible rape

(National Commission on the Causes and Prevention of Violence, 1969).

In addition to violent offenses falling under the rubric of serious juvenile delinquency are those offenses which, in the process of their execution, have much potential for causing injury to another person(s). Offenses of this nature may encompass various forms of larceny (e.g., auto theft, breaking and entering into a house to steal, robbery, etc.) which during the perpetration of the offense the offender, if caught in the act, may respond in a physically aggressive or violent manner endangering other people.

While it is recognized that the potential for causing injury to people is present in the commitment of any offense, such potential is considerably enhanced by the offense type and its seriousness. Regarding this point, two factors seem to be particularly important in determining whether the offense committed by a juvenile offender is serious. The first factor involves the manner in which the offense is carried out. In other words, was the act committed with a particular viciousness or wantonness even though no physical injury to persons

and child molesting; armed robbery; and, aggravated assault which implies an intent to kill or do bodily harm. The physical abduction of a person, kidnapping, may also be considered in this category (Berlin, 1972; Targownik, 1970; Glaser, 1966). Many times arson is considered a serious and violent act especially when it endangers the lives of people (e.g., the burning of a tenement house); however, in those cases when arson involves a single isolated incident of minor consequence, consideration should be given to its exclusion from the most serious and violent offense grouping.

occurred. The second is that of chronicity--repetitive delinquency.¹ It must be recognized that chronicity alone, however, should not constitute the labeling of a serious offender. Rather, chronicity is a factor which helps determine whether a youth is a serious offender when the offenses he has committed have the potential for causing injury to people, directly or even indirectly through the destruction of property. A youth who has been charged with a number of minor offenses may reflect a chronicity problem; yet, is that youth a serious offender? For purposes of this study the answer is no.

In Massachusetts, the Department of Youth Services reports that it considers the issue of serious juvenile delinquency and whether a youth needs secure services based upon a number of variables. Among the factors considered are a youth's: (1) present court situation (i.e., the nature or seriousness of a youth's offense); (2) court history; (3) placement history including length of stay, whether the placement was residential or non-residential, reason for discharge, and highlights of a youth's progress while in a program in terms of negative behavior, runs, violations, etc.; (4) social and family history; (5) DYS regional staffing results; (6) psychiatric evaluation

¹In the Marvin Wolfgang, et al. longitudinal study of delinquency in Philadelphia, 18 percent of all juveniles with any type of delinquent record had five or more offenses and thus were classified as "chronic recidivists." These "chronic recidivists" were responsible for 51 percent of all the delinquent acts committed by the cohort group (Mann, 1976:2).

history; (7) educational evaluation; (8) caseworker summary; and (9) secure treatment after care plans. These criteria are then considered in terms of whether: (1) a youth is a danger to the public; (2) a youth can benefit from secure treatment; and (3) there is a lack of other suitable, appropriate available alternatives for placement.

In an effort to determine the extent of serious juvenile delinquency in Massachusetts, the Subcommittee on Data and Definition of the Massachusetts Task Force on Secure Care Facilities (for juvenile offenders) (1976-1977) used criteria broadly categorized as "chronicity" and "violence." "In other words, ...the Subcommittee voted in terms of the need for security as a public protection concern, based on demonstrable objective criteria" ("The Secure Placement Needs of DYS"--Report of the Data and Definitional Subcommittee, Comments, Draft, January 12, 1977, p. 2). Another factor which the Subcommittee found to be a justifiable reason for voting in favor of secure placement was in the case of an extremely self-destructive youth who needed security for his own protection, although this type of youth was viewed as a client for Department of Mental Health services rather than those of DYS.^{1,2}

¹Regarding the issue of the mentally disturbed juvenile offender, in Massachusetts alone, the majority of violent/dangerous/serious juvenile offenders (note: while Sarbin [1967] cogently distinguishes between violence and dangerousness--violence denotes action; danger denotes a relationship--virtually all others hold the two terms synonymous [Monahan, 1974]) are assigned to the Department of Youth

The Serious Juvenile Delinquent: A General Characterization

It may be generally concluded from the multi-dimensional literature available on juvenile delinquency that a male juvenile delinquent who has evidenced serious offensive behavior (and who

Services and not the Department of Mental Health where mentally ill offenders should be referred for services. This point, however, does not negate the fact that some youths are seriously disturbed, inappropriately placed with DYS, and are in need of mental health services. "The small numbers of 'violent children' care for by mental health facilities reflects the resistance of mental health personnel to [deal] with behavioral problems, their uncertainty about what they can achieve, and fear that they will be used as a dumping grounds for social problemsSome mental health professionals explain that they exclude children from their services because they do not know what treatment can prove effective for those who are both delinquent and mentally ill" (Cahill, 1976: Task Force Report II, p. 9).

¹Based on its preliminary report, the Task Force on Secure Facilities expressed the belief that there was a need for more secure care facilities. The official number of secure beds (as of 1976) of 49 or 3 percent of DYS committed youths was viewed as inadequate both for purposes of public protection and "treatment."

From a stratified random sample of DYS committed youths, the Data and Definitional Subcommittee found that 11.2 percent or from 129 to 168 youths (the range depending on the total number of youths committed to DYS at any given time) were in need of secure care at the time of their review of cases in October and November, 1976. Of these figures, at least 29 to 38 of the placements were felt to be the responsibility of the Department of Mental Health, reducing the range of placement slots needed by DYS to 100-130. Additionally, from the Subcommittee's study it was indicated that no females were found to be in need of secure care. "This seems to reflect the fact that the number of girls in need of security is small and might validly not be reflected in a 10 percent random sample" ("The Secure Placement Needs of DYS"--Report of the Data and Definitional Subcommittee, Comments--Draft, January 12, 1977, p. 4).

does not exhibit mental disturbance) comes from a deteriorated neighborhood and low socioeconomic status family. It is expected, however, that some serious juvenile offenders may be from middle- and upper-class environments. If both parents are present, which is not likely the case, the home life of the youths is characterized as being tense, hostile and abusive. Parenting of the youth is poor, marked with inconsistent discipline, lack of affection and rejection. The youth is likely to have adopted the criminally oriented norms and values of his parents and/or his peers. He is an aggressive youth with assaultive tendencies, who initiates fights, and exhibits cruelty, defiance of authority, malicious mischief, inadequate guilt feelings, and a lack of internal inhibitions. He is frequently absent from school, has had few successful experiences there and has a low level of academic functioning. He has a group of friends ranging from one or two to being part of a gang unless he is an "unsocialized loner." His friends are necessary to maintain his self-respect as well as to provide him with a sense of security. Because of his lack of internal inhibitions, he has a poor frustration tolerance and he is impulsive and sometimes quick to act aggressively in a violent manner. He is easily influenced by certain stimuli such as violence on television or in the movies which appeals to his primitive instincts and stimulates his drive to commit delinquent, violent or seriously offensive behavior. He has a poor sense of morality and is not inhibited from injuring or causing suffering

upon others. And finally, he is usually a repeat offender who has had previous encounters with juvenile authorities which serve to strengthen and reinforce his violent or serious offense behavior.

Serious Juvenile Delinquency: A Definition

For purposes of this study, then, serious juvenile delinquency is defined as: (1) the commitment of those offenses which can be categorized as being of a violent nature, i.e., the various types of homicide, forcible rape and child molesting, armed robbery, aggravated assault which involves an intent to kill or do bodily harm, kidnapping, and arson when it endangers the lives of people; and/or (2) the repeated violation (5 or more times) of offenses which have the potential for causing injury to another person(s). Offenses of this nature may encompass various types of larceny (e.g., auto theft, breaking and entering into a home to steal, robbery from a person, etc.).¹

¹Youths with records of five or more offenses of a level 3, 4 or 5 seriousness (see Appendix B, Offense Ratings) are classified as "chronic recidivists" for this study.

CHAPTER II

THE SECURE CARE FACILITIES REFERRAL PROCESS

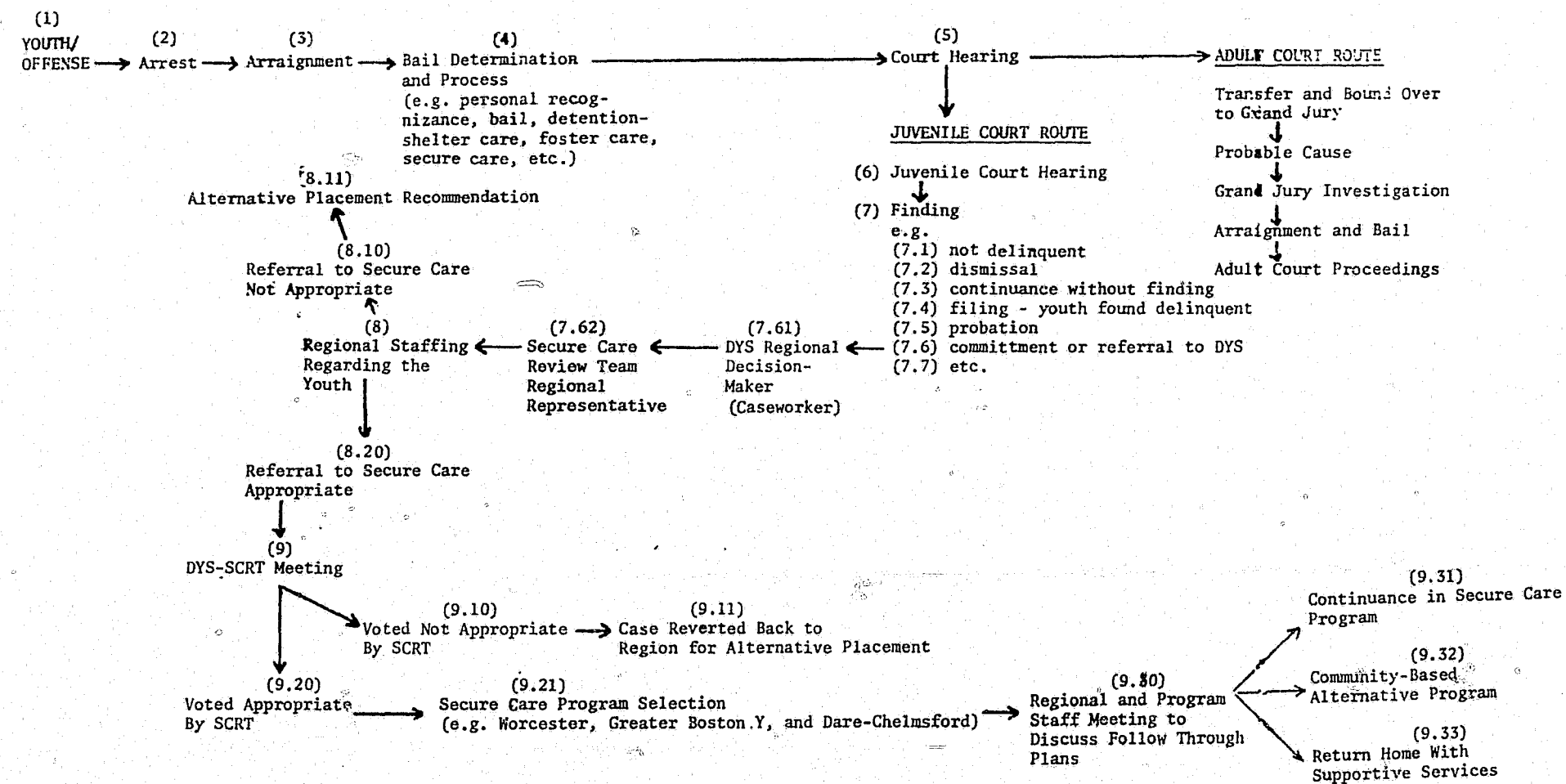
Throughout the Massachusetts DYS's history of deinstitutionalization (1970 to present), much pressure has been exerted by juvenile court judges, the press and others to "tighten up" the system for serious juvenile offenders. In spite of this concern, however, philosophically the DYS leadership has remained committed to the maintenance of a small population of juveniles needing secure care. In order to accomplish this, a ceiling was placed on the number of slots or beds that would be available for serious juvenile offenders.¹ These slots are distributed among the Commonwealth's seven regions and are managed by the DYS Secure Care Review Team (SCRT) and the DYS Central Office Secure Care Unit. The SCRT has the responsibility of deciding which DYS youths to place in a secure setting. While each

¹While the official number of secure care slots under the direct supervision of the DYS-SCRT and Secure Care Unit has ranged from about 40 to 75, Robert Coates of the Harvard Center for Criminal Justice, which has been evaluating the DYS process and reform throughout its deinstitutionalization era--for the past seven years--believes that a larger number of program slots, official and unofficially reported, are available for the state's most serious juvenile offenders. As of March, 1977, Dr. Coates believed that the number was in the neighborhood of 125 (Personal Interview with Robert Coates, Associate Director, Harvard Center for Criminal Justice, March 1977).

region has a number of secure beds reserved for its purposes, it is the SCRT that must approve the placement. Once a youth is referred by a DYS regional caseworker for secure care consideration, accepted by the SCRT and placed in a secure care program, the cost of the youth's services is borne by the DYS Central Office instead of by the youth's region (Smith, 1976). Figure 1 is a flow chart of the DYS secure care process.

FIGURE 1

MASSACHUSETTS JUVENILE COURT--DEPARTMENT OF YOUTH SERVICES SECURE CARE PROCESS



CHAPTER III

FACTORS INFLUENCING DECISION MAKING WITHIN THE JUVENILE
JUSTICE SYSTEM: A LITERATURE REVIEW

The literature on social (e.g., age, sex, race, socioeconomic status, etc.) and legal (e.g., seriousness of offense, prior court history, number of commitments, placement history, etc.) variables that affect decision processes within the juvenile justice system is limited in both volume and scope. What pertinent literature there is reflects efforts to identify factors related to decisions made at various points or steps in the system, up to and including court disposition. Absent from the literature are examinations of decisions made by youth service agencies, agencies which often have the authority to decide where to place a youth for services once the youth has been referred or committed to them by juvenile courts. Even so, the available information does provide a basis for the development of a theoretical framework on how the Massachusetts Department of Youth Services (DYS) decides which youths to place in secure facilities.¹

¹Figures reflecting the studies reviewed and various variables affecting different process stages of the juvenile justice system are provided at the end of this chapter.

Selected Studies on Juvenile Justice Decision Making: A Summary

Many researchers and others in the field of criminology and juvenile delinquency contend that a disproportionately large number of youths with low socioeconomic status, from racial minorities, who are older and female, are officially labeled delinquents. Studies (e.g., Short and Nye, 1957; Gold, 1970; Short and Nye, 1970; and Williams and Gold, 1970) have shown that:

The social distribution of delinquent behavior (i.e., that behavior of a juvenile which if detected by an appropriate authority, could result in legal sanction--Williams and Gold, 1970:209-229) along a number of dimensions does not match that of official delinquency (i.e., the identification and responses to such behavior by the police and the courts--William and Gold, 1970) (Barton, 1976:170).

This statement is the basic premise for much of the research literature reviewed for this research study.

This summary reviews the findings regarding the effect of social and legal variables on three different decision-making stages of the juvenile justice system--(1) detention, (2) probation officers' recommendations, and (3) court judges' dispositions. Specifically, a number of different studies are examined in terms of the variables used for this study, they are: social variables--age, ethnicity, socioeconomic status, family composition, and family stability; and legal variables--number of prior court referrals which for this study's purpose is equated to number of prior DYS recorded offenses, type of prior offense history, history of prior detention, history of prior court commitment to DYS for services, and nature of seriousness of last offense.

Regarding the issue of detention, among social variables, family stability (Sumner, 1971; Cohen, 1975a; Cohen, 1975b), age (Coates, 1975; Sumner, 1971), socioeconomic status (Coates, 1975; Sumner, 1971; Cohen, 1975a) and ethnicity (Coates, 1975; Sumner, 1971) appear to be the best predictors of detention decision outcomes. Among legal variables, number of court referrals (Sumner, 1971; Cohen, 1975a; Cohen, 1975b) and prior disposition history, i.e., commitment to services, probation, etc. (Coates, 1975; Sumner, 1971) appear most related to detention decision outcomes.

For probation officers' recommendations, socioeconomic status (Gross, 1970; Cohn, 1970; Cicourel, 1968) and family stability (Gross, 1970; Cohn, 1970; Cicourel, 1968) seem to be the best predictors among the social variables of recommendation outcomes. Among legal variables, the nature or seriousness of last offense (Gross, 1970; Ariessohn, 1972) appears most related to probation officers' recommendations.

Finally, for court judges' disposition outcomes, socioeconomic status (Cohen, 1975d; Scarpetti and Stephenson, 1970; Thornberry, 1973; Emerson, 1969; Short and Nye, 1970) seems to be the best predictor of disposition outcomes. Ethnicity (Cohen, 1975d; Scarpetti and Stephenson, 1970; Thornberry, 1973) and family stability (Cohen, 1975d; Emerson, 1969; Short and Nye, 1970) also appear to predict court judges' disposition outcomes but not as consistently. Among legal variables, number of court referrals (Cohen, 1975c; Cohen, 1975d; Scarpetti and Stephenson, 1970; Scarpetti and Stephenson, 1971; Terry, 1967), prior

detention history (Cohen, 1975c; Cohen, 1975d) and nature or seriousness of last offense (Cohen, 1975d; Scarpetti and Stephenson, 1971;

Thomas and Sieverdes, 1975; Emerson, 1969) appear most related to disposition outcomes at this level of decision making in the juvenile justice system.

In conclusion, as Barton (1976) points out, it is difficult to draw sweeping generalizations from studies which examine the juvenile justice system's decision-making processes affecting a delinquent youth's disposition since they are conducted at different times, in different places with different methodologies. While the evidence presented does not provide clear resolution of whether legal (e.g., number of prior court referrals, type of prior offense history, history of detention, history of treatment, etc.) or social (e.g., age, sex, family stability, socioeconomic status, etc.) variables most affect juvenile justice decision-making processes (in fact, certain studies contradict each other on the issue), it is believed that "the ultimate fate of a youth who commits a delinquent act may be importantly determined by factors other than the act itself" and "that these [social] factors may differentially apply across [locations], across decision points in the [decision-making system] and probably within a given decision point" (Barton, 1976:478-480).

VARIABLES AFFECTING JUVENILE JUSTICE DECISION MAKING--DETENTION

Code

B-Bivariate Analysis
M-Multivariate Analysis
X-Variable found unrelated to decision outcome
O-Variable found unrelated or insignificantly related to decision outcome

| Social Variables | Detention Studies | | | | | |
|---|-------------------|---|---------------|---------------|---------------|---|
| | Coates (1975) | | Sumner (1971) | Cohen (1975a) | Cohen (1975b) | |
| | B | M | B | M | B | M |
| Age | X | X | X | O | O | O |
| Sex | | X | O | O | X | X |
| Ethnicity (Black, Hispanic, other ethnic minority) | O | O | X | O | O | O |
| Socioeconomic Status | | X | X | X | O | O |
| Family Stability (disruptive home environment) | O | O | X | O | X | X |
| Idleness (youth not in school or working) | O | O | | X | X | X |
| Legal Variables | | | | | | |
| Agency of Referral (e.g. school, welfare agency, etc.) | | | X | X | X | X |
| Number of Court Referrals | | | X | X | X | X |
| Prior Offense History | | | X | | | |
| Prior Detention History | | | X | | | |
| Prior Disposition History (including commitment to services, probation, etc.) | O | O | X | X | | |
| Nature or Seriousness of Offense | O | O | O | O | O | O |
| Youth's Dispositional Status (e.g. labeled incorrigible or runaway) | | | O | X | | |

Notes

- 1 Youths selected for detention
- 2 Youths receiving most restricted detention facility placement
- 3 Memphis-Shelby Counties only
- 4 Memphis-Shelby Counties only
- 5 Montgomery County only
- 6 Denver and Montgomery County only
- 7 Denver, Memphis-Shelby Counties, and Montgomery County
- 8 Denver and Montgomery County only
- 9 Denver, Memphis-Shelby Counties, and Montgomery County
- 10 Memphis-Shelby Counties, and Montgomery County
- 11 Denver, Memphis-Shelby Counties, and Montgomery County
- 12 Denver, Memphis-Shelby Counties

FIGURE 3

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VARIABLES AFFECTING JUVENILE JUSTICE DECISION MAKING--
PROBATION OFFICERS' RECOMMENDATIONS

Code

- B - Bivariate Analysis
M - Multivariate Analysis
X - Variable found related
to decision outcome
O - Variable found unrelated
or insignificantly related
to decision outcome

Probation Officers' Recommendations Studies

| Social Variables | Gross (1970) | | Cohn (1970) | Ariessohn (1972) ³ | Cicourel (1968) ⁴ |
|--|--------------------------|--------------------------|----------------|----------------------------------|---------------------------------|
| | Perceptions ¹ | Perceptions ² | B | B | B |
| Age | | | X | | |
| Sex | | | X | | |
| Ethnicity (Black, Hispanic, other ethnic minority) | | | X | | |
| Socioeconomic Status | X | X | X | | X |
| Family Stability (dis- ruptive home environ- ment) | X | X | X | | X |
| Idleness (youth not in school or working) | | | | | |
| Legal Variable | | | | | |
| Agency of Referral (e.g. school, welfare agency, etc.) | | | | | |
| Number of Court Referrals | | | | | |
| Prior Offense History | X | X | | | |
| Prior Detention History | | | | | |
| Prior Disposition History (including commitment to service, probation, etc.) | | | | | |
| Nature of Seriousness of Offense | X | X | O | X | |
| Youth's Dispositional Status (e.g. labeled incurable or runaway) | X | X | X | | |

Notes

- ¹Probation officers' perceptions of variables most affecting probation decisions
²Probation officers' perceptions of variables most affecting court judges' dispositional decisions.
³Information regarding Ariessohn (1972) has been derived from Barton (1976).
⁴Information regarding Cicourel (1968) has been derived from Barton (1976).

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FIGURE 4

VARIABLES AFFECTING JUVENILE JUSTICE DECISION MAKING--
COURT DISPOSITION

Code

- B - Bivariate Analysis
M - Multivariate Analysis
X - Variable found related
to decision outcome
O - Variable found unrelated
or insignificantly related
to decision outcome

Court Disposition Studies

| Social Variables | Cohn (1975c) | Cohn (1975d) | Scarpetti & Stephenson (1970) | Scarpetti & Stephenson (1971) ¹³ | Thorberry (1975) | Thomas & Sieverdes (1975) | Terry (1967) | Emerson (1969) ¹⁴ | Short & Mye (1970) ¹⁵ |
|--|-----------------|-----------------|-------------------------------------|---|---------------------|---------------------------------|-----------------|---------------------------------|-------------------------------------|
| | B | M | B | B | B | B | B | B | B |
| Age | O | O | O | O | | O | X | | |
| Sex | O | O | O | O | | O | X | | |
| Ethnicity (Black, Hispanic, other ethnic minority) | O | O | X ¹ | O | X | O | O | | |
| Socioeconomic Status | O | O | X ² | O | X | O | O | X | X |
| Family Stability (dis- ruptive home environ- ment) | O | O | X ³ | O | | O | | X | X |
| Idleness (youth not in school or working) | X | O | X ⁴ | X ⁵ | X | | | | |
| Legal Variables | | | | | | | | | |
| Agency or Referral (e.g. school, wel- fare agency, etc.) | X | O | X ⁶ | O | | | | | |
| Number of Court Referrals | O | X | X ⁷ | X ⁸ | X | | X | | |
| Prior Offense History | | | | X | X | | | | |
| Prior Detention History | X | X | X ⁹ | X ¹⁰ | | | | | X |
| Prior Disposition History (including commitment to service, probation, file formal petition, etc.) | X | X | O | X ¹¹ | | | | | |
| Nature or Seriousness of Offense | O | O | X ¹² | O | X | X | O | X | |
| Youth's Dispositional Status (e.g. labeled incurable or runaway) | | | | | | | | | |

Notes

- ¹Montgomery County only
²Montgomery County only
³Montgomery County only
⁴Montgomery County only
⁵Montgomery County only
⁶Denver and Memphis-Shelby Counties only
⁷Denver, Memphis-Shelby Counties, and Montgomery County
⁸Denver and Montgomery County only
⁹Denver, Memphis-Shelby Counties, and Montgomery County
¹⁰Montgomery County only
¹¹Denver and Memphis-Shelby Counties only
¹²Denver and Memphis-Shelby Counties only
¹³Information regarding Scarpetti & Stephenson (1971) has been derived from Barton (1976)
¹⁴Information regarding Emerson (1969) has been derived from Barton (1976)
¹⁵Information regarding Short and Mye (1970) has been derived from Barton (1976)

CHAPTER IV

CONCEPTUAL FRAMEWORK AND HYPOTHESES

Conceptual Framework

The focus of this chapter is on social and legal variables that influence the decision process affecting youths after they have been referred for services by the courts to the Massachusetts Department of Youth Services. The specific decision process to be examined takes place on two levels: (1) first, the DYS caseworkers' recommendations that certain youths should be considered for secure care placement by the Department's Secure Care Review Team (SCRT); and (2) second, the SCRT's decision to accept, or refuse, a youth for secure care services.

Despite the lack of research done on these specific levels within the juvenile justice system, certain generalizations or parallels can be drawn from knowledge available on other levels of decision making in this system. The first stage of generalization, conceptually, is that regarding the process of making recommendations--that is, just as it is the responsibility of probation officers to make recommendations to court judges on youths' dispositions, it is also the responsibility of DYS regional caseworkers to recommend to the SCRT whether certain youths are in need of secure care services.

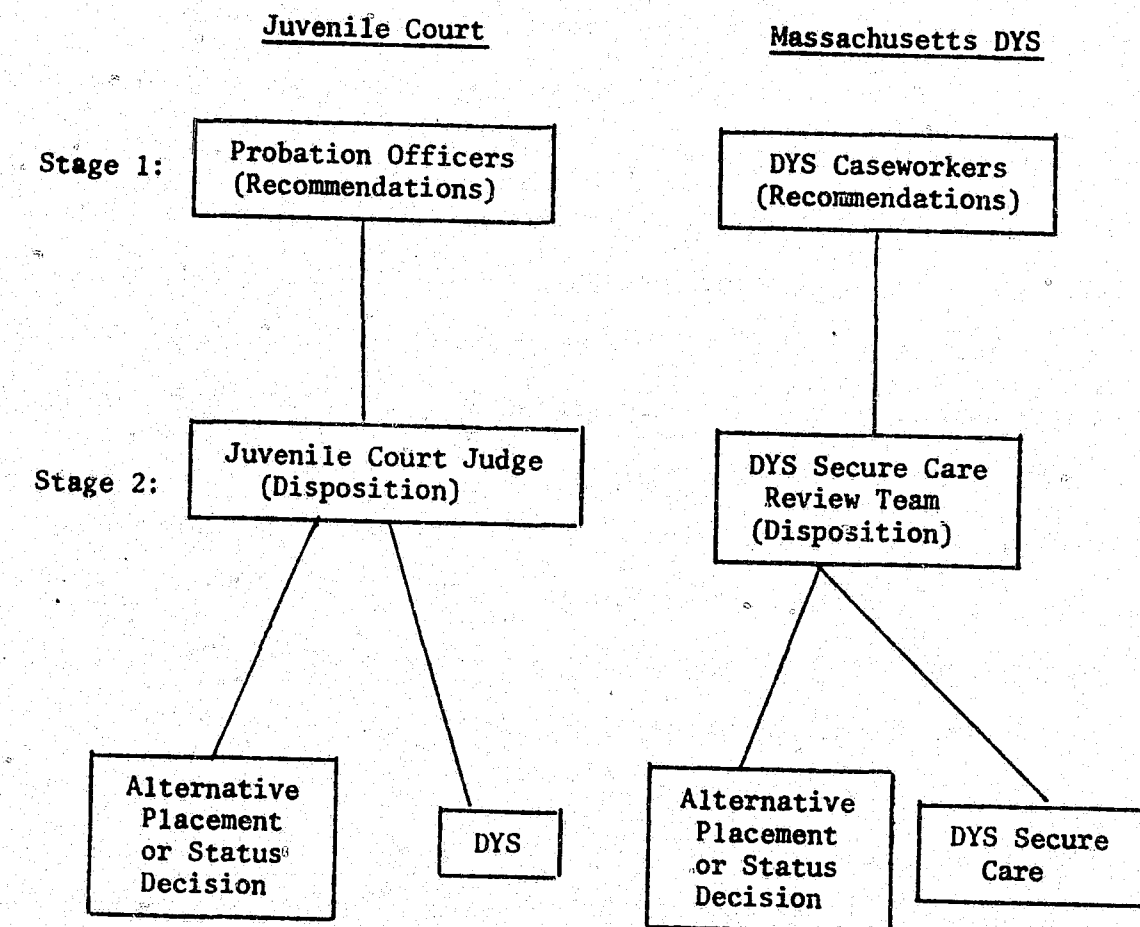
The second stage of generalization is the parallel function of dispositional decision making by juvenile court judges and by the SCRT. Both a juvenile judge and the SCRT are provided recommendations for decision-making purposes and both decision makers have the ability of selecting one of a number of different status or placement options for a youth. Regarding the juvenile court judge, his status or placement options may include finding a youth not guilty, dismissing the case, placing the youth on probation, etc. On the other hand, the judge may commit or refer a youth to DYS for services. The parallel to the juvenile court judge's action within the DYS system is the role of the SCRT which decides whether a youth is appropriate for secure care services. Among the alternative decisions to secure care available to the SCRT are: residential community-based care; non-residential services, mental health services, etc. If one of these alternatives is not accepted, then it is probable that a youth will be chosen for secure care services. Figure 5 shows both parallels of functions at different stages in the juvenile judicial system and the DYS system.

Hypotheses

The major hypothesis of this study is that when all legal variables (i.e., number of DYS recorded offenses, prior offense history--in terms of seriousness of last offense, chronicity or recidivism, and number of violent offenses--detention and secure detention history, history of commitment by juvenile courts to DYS

FIGURE 5

JUVENILE JUSTICE DECISION-MAKING: THE JUVENILE COURT AND THE MASSACHUSETTS DEPARTMENT OF YOUTH SERVICES



for services, and DYS placement "treatment" history) are statistically controlled, social factors as a group--age, ethnicity, socioeconomic status, family composition and family stability--have an effect on caseworkers' decision to refer youths to the DYS-SCRT (Stage 1), and on that team's decision to place youths in secure care facilities (Stage 2). Before testing this major hypothesis, however, two replication hypotheses are tested: (1) first, that each social variable¹ has an effect on the decision outcomes made by DYS caseworkers and the SCRT (i.e., age--older youths and youths who have begun their delinquent careers at an earlier age have a greater chance of being referred by caseworkers to the SCRT and subsequently accepted into secure care by the SCRT; ethnicity--blacks, Hispanics, etc. have a greater chance of being referred by caseworkers to the SCRT and subsequently accepted in secure care by the SCRT; socioeconomic status--youths from low socioeconomic status families with incomes below \$7,000 have a greater chance than youths from middle and high socioeconomic status families with incomes of \$7,000 or more of being referred and subsequently accepted; family composition--youths who do not come from two-parent families have a greater chance than youths who do come from two-parent families of being referred and subsequently accepted; and family stability--youths from disruptive home environments have a greater

¹The variable sex, male and female, is not used in this study because there are no females being provided services in DYS secure care facilities at the time of this study.

chance than youths from stable family environments of being referred and subsequently accepted); and (2) second, that each legal variable has an effect on the decision outcomes made by DYS caseworkers and the SCRT (i.e., number of prior DYS recorded offenses--youths with the most DYS recorded offenses are more likely to be referred by caseworkers to the SCRT and subsequently accepted into secure care by the SCRT; prior offense history (in terms of seriousness)--youths with more serious offense histories, including violent offenses, posing a chronicity problem and nature of last offense, are more likely to be referred and subsequently accepted; detention history--youths who have been detained most often, as well as detained in a secure facility more times are more likely to be referred and subsequently accepted; commitment history--youths who are committed more times to DYS are more likely to be referred and subsequently accepted; and, history of prior "treatment" placement--youths with a greater number of prior DYS placements are more likely to be referred and subsequently accepted into secure care.

CHAPTER V

METHODOLOGY--THE PRESENT STUDY

Purpose

The importance of this study is to develop an understanding of secure care decision-making processes as they relate to serious juvenile offenders. Specifically, this study is designed to research the influence of a youth's social and legal status on decisions made by Massachusetts DYS personnel of whether a youth is a serious juvenile offender in need of secure care services. The conceptual framework and hypotheses for this research are presented in Chapter IV. From an applied perspective, this study provides information and data needed for upgrading, in part, the Massachusetts DYS secure care system. This study also provides data which will assist the DYS in developing specific reference criteria and guidelines for the secure care referral and placement processes. As pointed out in the "Introduction," for both the theoretical and applied perspectives of this study there is a common reason why this study is important. The reason is to determine: (1) whether the DYS secure care facilities are being appropriately used for the care of the state's most serious juvenile offenders, or (2) whether secure care facilities are being indiscriminately used as resources for the removal of youths from their communities because they are troublesome but not necessarily

serious juvenile offenders. In the former situation, secure care should represent an essential component upon which the community-based system of delinquency services rests. In the latter situation, secure care may reflect an ever-widening crack in the deinstitutionalized reform system established in 1972 by Jerome Miller. In essence, then, the use of secure care facilities is a major operational criterion to access the continuing strength of the DYS deinstitutionalization effort.

Sample

The data for this study were gathered from Massachusetts DYS case records of youths from January 1976 to March 1977. One study group consisted of a sample of youths committed or referred to DYS for services by juvenile courts and who represent the DYS general population. A total of 80 cases were selected for this sample population (N = 80). The other study group consisted of all youths chosen from the DYS general population by caseworkers for review by the DYS-Secure Care Review Team (DYS-SCRT) and subsequently accepted or refused secure care services from January 1976 to March 1977. A total of 81 accepted cases and 19 refused cases were used (N = 100). The purpose for these samples is to be able to compare: (1) the DYS general population to youths referred to the DYS-SCRT; and (2) those youths accepted into secure care and those refused this level of services.

Data Collection Procedures

For both the DYS general population and the population of youths referred to the DYS-SCRT and subsequently accepted or refused secure care services, a number of informational sources were used to collect and check the reliability of the data used for this study.¹ One source was a DYS computer printout requested by the investigator that contained youths' detention and treatment placement history, ethnicity, family income and AFDC status. Another source which yielded information was the DYS Central Office's Bureau of Probation; here, information was collected on: (a) the number of times a youth was committed to DYS, and (b) youths in the study but discharged from DYS because of their age. Regarding those youths referred to the SCRT for secure care consideration, case records on file with the DYS Central Office's Secure Care Unit were examined for data collection purposes. And finally, after reviewing the data collection forms prepared for each case, missing and/or inconsistent data were noted and requests for such information were sent to the DYS regional offices. Special data forms were prepared to identify the case in question and the type of information needed from the regional offices.

¹While the DYS general population sample reflects those youths committed to DYS up to September 21, 1977, the SCRT referred population sample (including accepted and refused secure care youths) was collected from January 1976 to March 1977 in order to obtain an adequate number of cases for research purposes.

Measures

The data form used for this study was a five-page instrument designed for the collection of information regarding a youth's:

- (1) DYS identification number; (2) region; (3) date of birth; (4) date of referral to the DYS-SCRT or the date of the computer print-out for the general DYS population; (5) age at time of referral; (6) age as of March 31, 1977; (7) sex; (8) ethnicity; (9) address at time of last offense; (10) family composition; (11) family stability; (12) number of DYS recorded offenses; (13) offense history in terms of date of offense, offense type, and level of seriousness as rated by the SCRT and Worcester juvenile court probation officers; (14) number of commitments to DYS; (15) detention history in terms of date of detention, place of detention and whether the detention facility is considered by DYS as being secure and non-secure; (16) treatment history in terms of date of treatment, place of treatment and whether the treatment facility is considered by DYS as being secure, residential or non-residential; (17) DYS-SCRT's decision to accept or refuse a youth to secure care; (18) history of prior referral to the SCRT; and (19) alternative placement if the youth was refused secure care services.

Statistical Procedures

This study examines the relationship between various social and legal variables and their effect on secure care referral and placement decisions made by the Massachusetts DYS.

The first step in this study's statistical analysis is to cross-tabulate¹ the various social and legal independent variables with the two dependent variables: (1) the decision to refer or not to refer youths to the DYS-SCRT; and (2) the decision to accept or refuse youths to secure care. This initial procedure produces two sets of crosstabs for each independent variable. The chi-square statistic is a test of statistical significance which determines whether a systematic relationship exists between two variables by means of a probability score which indicates how likely the observed outcome is to occur. The smaller the probability, the less likely the results could have occurred by chance alone and the more likely that a systematic relationship exists. Since this study is exploratory, in nature, the chi-square significance level has been set at the 0.10 level. This means that there is one possibility in ten that the prediction of a statistical relationship existing between two variables is occurring by chance alone.

The chi-square statistic only indicates whether the variables in the study are independent or related. It does not indicate the

¹A crosstab is designed to give a complete representation of joint frequency distribution of two or more variables (SPSS, Nie, et al. 1975:237).

strength of the relationship. Thus, measures of association are also used to show the strength of significant relationships. For nominal variables, a lambda is used as the appropriate measure of association. For ordinal variables, a gamma--which ignores ties in scores, and tau b or c--which takes into consideration ties in scores thus causing its score to be usually smaller than gamma--are used as the appropriate measures of association. Each of these measures is a proportional reduction in error (PRE) measure that indicates the percentage of variation in the dependent variable accounted for or explained by the independent variable. The lambda, gamma, and tau b and c take on a value of from +1 to -1, which means that the closer the measure of association is to +1 or -1 the stronger the relationship between the independent and dependent variables.

In sum, by comparing the relative chi-square scores of the various independent variables, it can be determined which variables are related to the dependent variables under analysis. Using the appropriate test for measures of association, the strength of that relationship can be measured.

From Chapter III, "A Literature Review," it is evident that the introduction of appropriate statistical controls often alters the findings observed at the bivariate level of analysis. Thus, after assessing the bivariate relationships among the data, multivariate analytical techniques are used to determine whether multivariate relationships differ from the bivariate findings. The first procedure used is

multiple regression¹ which controls for all other variables in order to evaluate the unique contribution of each specific independent variable on the dependent variable. Multiple regression provides a multiple correlation coefficient (R^2) that indicates the proportion of variation in the dependent variable accounted for or explained by the included independent variable.

Since there are a number of independent variables which are measured in different units (such as age in years and income in dollars), standardized coefficients (beta weights) are reported in order to allow for comparison of each independent variable's relative effect on the dependent variable in the regression analysis.

¹Multiple regression is a general statistical technique which one can analyze the relationship between a dependent or criterion variable and a set of independent or predictor variables. Multiple regression may be viewed either as a descriptive tool by which the linear dependence of one variable on others is summarized and decomposed, or as an inferential tool by which the relationships in the population are evaluated from the examination of sample data....The most important uses of the technique as a descriptive tool are: (1) to find the best linear prediction equation and evaluate its prediction accuracy; (2) to control for other confounding factors in order to evaluate the contribution of a specific set of variables; and (3) to find structural relations and provide explanations for seemingly complex multivariate relationships... (SPSS, 1975:321-323).

CHAPTER VI

DATA ANALYSIS

Part One: Caseworkers' Decision to Refer Youths to
the Massachusetts Department of Youth Services
Secure Care Review Team for Secure Care
Consideration

A. Bivariate Analysis

Table 1 summarizes all independent variable relationships to caseworkers' decision to refer youths to the DYS-SCRT.

In sum, from a bivariate level of analysis the social variables affecting caseworkers' decision to refer youths to the SCRT are: (1) age as of March 31, 1977; (2) ethnicity; and (3) family composition. The legal variables affecting caseworkers' decision to refer youths to the SCRT are: (1) number of DYS recorded offenses; (2) number of violent offenses; (3) number of level 3, 4 and 5 offense types; (4) level of seriousness of last offense; (5) number of detentions; (6) number of secure detentions; (7) number of commitments; and (8) number of placements. While some of the proposed hypotheses for social variables are acceptable (i.e., older youths, black youths and youths from single-parent families are more likely to be referred by caseworkers to the SCRT), the evidence at this level of analysis points to legal variables as most affecting referral decision outcome (i.e., youths with more DYS recorded offenses, violent offenses, level 3, 4 and 5 offense types, serious last offenses, detentions, secure detentions, commitments, and placements are more likely to be referred by caseworkers to the SCRT).

TABLE 1

SOCIAL AND LEGAL VARIABLES AFFECTING DYS CASEWORKERS' DECISION
TO REFER YOUTHS FOR SECURE CARE PLACEMENT
CONSIDERATION

| Independent Variable | Chi-Sq. | Lambda | Gamma | Tau c |
|---|----------|--------|-------|-----------------|
| Age as of 3/31/77 | 8.54** | 0.13 | 0.29 | 0.19 |
| Age as of First Offense | 5.74 | -- | -- | -- ² |
| Ethnicity | 10.42*** | 0.06 | 0.17 | 0.08 |
| Socioeconomic Status | 1.12 | -- | -- | -- |
| Family Composition | 7.32** | 0.07 | 0.37 | 0.20 |
| Family Stability | 1.75 | -- | -- | -- |
| # of DYS Recorded Offenses | 53.59*** | 0.42 | 0.67 | 0.59 |
| # of Violent Offenses | 38.88*** | 0.33 | 0.72 | 0.47 |
| # of Level 3, 4 and 5 Offense Types | 38.71*** | 0.40 | 0.76 | 0.45 |
| Level of Seriousness of Last Offense | 37.96*** | 0.24 | 0.71 | 0.48 |
| # of Detentions | 14.68* | 0.17 | 0.33 | 0.29 |
| # of Secure Detentions | 30.86*** | 0.27 | 0.49 | 0.42 |
| # of Commitments | 33.01*** | 0.27 | 0.47 | 0.35 |
| # of Placements | 22.57*** | 0.21 | 0.23 | 0.20 |

¹ Measures of association are not reported for independent variables indicating no relationship to caseworkers' decision to refer youths to the SCRT.

² Tau b is reported.

P < .01

**P < .05

*P < .10

B. Multivariate Analysis

Social Variables: Effect on the Decision to
Refer Youths to the DYS-SCRT

Table 3 shows the effect of only social variables on case-workers' decision to refer youths to the SCRT. When all social variables are examined a significant relationship exists between them and decision outcome ($F = 2.77$; $R^2 = .10$; $p < .05$) and these variables predict 10 percent of the variance in decision outcomes. Table 3 also shows that age as of March 31, 1977 is the only significant predictor. This result is not surprising, however, because age is highly correlated with the most important legal predictors (see Pearson Correlation Matrix, Table 2). The oldest youths in the DYS system are most likely to have been involved with the greatest amount of delinquency and contact with the juvenile justice system. As the analysis of legal variables will show, legal variables are very strong predictors of decision outcomes. Thus, any social variable closely associated with legal variables is likely to be the strongest predictor of outcomes. This is what appears to have happened with the age variable; in other words, age seems to reflect the strong influence of legal variables and consequently overshadows the impact of other social variables.

The major hypothesis of this study states that when all legal variables are statistically controlled, social variables will still predict DYS caseworkers' decision outcomes. To test this hypothesis,

TABLE 2
PEARSON CORRELATION COEFFICIENTS^{1,2}
(DYS GENERAL and DYS-SCRT REFERRED POPULATIONS)³

| | 1. | 2. | 3. | 4. | 5. | 6. | 7. | 8. | 9. | 10. | 11. | 12. | 13. | 14. | 15. |
|--|----|-------------------|-------|-------------------|-------------------|--------------------|--------------------|--------------------|--------------------|-------------------|--------------------|--------------------|--------------------|--------------------|--------------------|
| 1. Age - 3/31/77 | -- | .318 ^a | -.091 | .050 | -.086 | .042 | .206 ^b | .191 ^b | .184 ^c | .107 ^d | -.079 | -.015 | -.030 | .032 | .186 ^b |
| 2. Age - First Offense | | 1.000 | .002 | .199 ^b | .062 | -.151 ^c | -.411 ^a | -.143 ^c | -.353 ^a | .104 ^d | -.199 ^b | -.247 ^a | -.153 ^c | -.321 ^a | -.059 |
| 3. Ethnicity | | | 1.000 | .271 ^a | .287 ^a | .005 | -.068 | -.211 ^b | -.059 | -.090 | .280 ^a | .142 ^c | .097 ^d | .191 ^b | .124 ^c |
| 4. Socioeconomic Status | | | | 1.000 | .440 ^a | -.139 ^c | -.110 ^d | -.084 | -.096 ^d | -.051 | .118 ^d | .030 | .011 | -.025 | -.020 |
| 5. Family Composition | | | | | 1.000 | -.122 ^d | -.052 | -.130 ^c | -.029 | -.019 | .164 ^c | .060 | .046 | .159 ^c | -.197 ^b |
| 6. Family Stability | | | | | | 1.000 | .183 ^b | .026 | .184 ^b | .032 | .081 | .035 | .129 ^c | .049 | .113 ^d |
| 7. Number of DYS Recorded Offenses | | | | | | | 1.000 | .371 ^b | .950 ^a | .096 ^d | .336 ^a | .356 ^a | .448 ^a | .378 ^a | .477 ^a |
| 8. Number of Violent Offenses | | | | | | | | 1.000 | .406 ^a | .502 ^a | .046 | .230 ^a | -.080 | .003 | .426 ^a |
| 9. Number of Level 3, 4, and 5 Offense Types | | | | | | | | | 1.000 | .157 ^c | .368 ^a | .384 ^a | .478 ^a | .391 ^a | .489 ^a |
| 10. Level of Seriousness of Last Offense | | | | | | | | | | 1.000 | -.032 | .047 | -.034 | -.073 | .459 ^a |
| 11. Number of Detentions | | | | | | | | | | | 1.000 | .838 ^a | .428 ^a | .562 ^a | .211 ^b |
| 12. Number of Secure Detentions | | | | | | | | | | | | 1.000 | .295 ^a | .448 ^a | .288 ^a |
| 13. Number of Commitments | | | | | | | | | | | | | 1.000 | .555 ^a | .329 ^a |
| 14. Number of Placements | | | | | | | | | | | | | | 1.000 | .206 ^b |
| 15. Decision to Refer | | | | | | | | | | | | | | | 1.000 |

¹ Pearson's r serves a dual purpose. Besides its role as an indicator of the goodness of fit of the linear regression, it is a measure of association indicating the strength of the linear relationship between the two variables. Symbolized by r, Pearson's correlation coefficient takes on a value of +1.0 or -1.0. A negative r does not mean a bad fit, rather it denotes an inverse relationship—as X becomes larger, Y tends to become smaller. A positive correlation means that X and Y tend to increase (or decrease) together. When the linear regression line is a poor fit to the data, r will be close to zero. (SPSS, N.H. Nie, et al., New York: McGraw-Hill and Co.; 1975:276-280).

² Significance Levels: a = p < .001; b = p < .01; c = p < .05; d = p < .10

³ N = 180 observations

Table 3
Multiple Regression Analysis¹

Social Variable Effects on the Decision to Refer Youths to
the DYS-SCRT (DYS General Population vs. DYS-SCRT Referred
Population)

| | <u>F</u> ⁽²⁾ | <u>Significance Level</u> ⁽³⁾ | <u>Beta</u> ⁽⁴⁾ | <u>R² Change</u> ⁽⁵⁾ |
|----------------------|-------------------------|--|----------------------------|--|
| Age 3/31/73 | 7.186 | p < .01 | 0.217 | 0.038 |
| Age - First Offense | 3.095 | p > .05 | -0.145 | 0.022 |
| Ethnicity | 1.451 | p > .05 | 0.097 | 0.006 |
| Socioeconomic Status | 0.852 | p > .05 | 0.082 | 0.005 |
| Family Composition | 2.401 | p > .05 | -0.136 | 0.018 |
| Family Stability | 1.184 | p > .05 | 0.085 | 0.006 |

¹
Test Statistics:

Multiple R = 0.30940
 R^2 = 0.09573
 Adjusted R^2 = 0.06117
 Standard Error = 0.48232
 $F(6,157) = 2.77016$ (P < .05)

²
The F score is a test of statistical significance

³The multiple regression significance level is set at the .05 level.

⁴Beta weights are standardized regression coefficients computed to assess the direct effect of each independent variable in the analysis.

⁵ ²R Change indicates the amount of variation in the dependent variable that can be statistically accounted for by a specific predictor variable.

the following F ratio is used:¹

$$F = \frac{(R^2_{y.All} - R^2_{y.Legal}) / (k_1 - k_2)}{(1 - R^2_{y.All}) / (N - k_1 - 1)} = 2.6327$$

where N = total number of cases (164); k_1 = number of social and legal variables (14); k_2 = number of legal variables (8); $R^2_{y.All}$ = the R^2 for all legal and social variables (.52734); and $R^2_{y.Legal}$ = the R^2 for only the legal variables (.47723). Use of this equation enables us to determine whether the difference between $R^2_{y.All}$ and $R^2_{y.Legal}$ (.52-.47 = .05) is significant. If so, then social variables provide a significant increment in predicting decision outcomes that would support the major hypothesis. Since the F score is significant ($F = 2.6327$; $p < .05$), the major hypothesis of this study is supported.

The next question, then, is which social variable(s) is the best predictor of decision outcomes when legal variables are statistically controlled. To answer this question, the same statistical procedure as above is used. First, legal variables are allowed to predict as much as they can and then the F test is used to see if the addition of each social variable adds significantly to the prediction. The results are shown in Table 4.

¹See F. Kerlinger and E. Pedhazur, Multiple Regression in Behavioral Research (New York: Holt, Rinehart and Winston, 1973), pp. 70-72.

Table 4
Multiple Regression Analysis

Social Variable Relationships to the Decision to Refer Youths to the DYS-SCRT When Legal Variables are Statistically Controlled

| | F ¹ | Significance Level ² | Beta ³ | R Change ⁴ |
|----------------------|----------------|---------------------------------|-------------------|-----------------------|
| Family Composition | 5.372 | p < .05 | -0.138 | 0.026 |
| Age of First Offense | 3.472 | p > .05 | 0.123 | 0.006 |
| Socioeconomic Status | 1.409 | p > .05 | 0.070 | 0.001 |
| Age as of 3/31/77 | 1.216 | p > .05 | 0.067 | 0.038 |
| Ethnicity | 0.602 | p > .05 | -0.048 | 0.017 |
| Family Stability | 0.525 | p > .05 | 0.043 | 0.014 |

¹ The F score is a test of statistical significance

² The multiple regression significance level is set at the .05 level.

³ Beta weights are standardized regression coefficients computed to assess the direct effect of each independent variable in the analysis.

⁴ R Change indicates the amount of variation in the dependent variable that can be statistically accounted for by a specific predictor variable.

When legal variables are controlled and each social variable is examined, only family composition is a significant predictor of decision outcome ($F = 5.372$; $R^2 = 0.026$; $p < .05$; $\beta = -0.138$).¹ It is important to note that age as of March 31, 1977 is not a significant predictor here. This latter results supports the prior explanation of age's predictive ability as being simply a component of legal variables. The independent social variables significantly related to decision outcome at the bivariate level of analysis but not at the multivariate level is ethnicity and age as of March 31, 1977. In sum, youths in this study who come from single parent families were most likely to be referred to the SCRT for secure care consideration.

Legal Variables' Effect on the Decision to Refer Youths to the DYS-SCRT

Table 5 shows the effect of only legal variables on caseworkers' decision to refer youths to the SCRT. A significant relationship exists between them and decision outcome ($F = 17.687$; $R^2 = 0.48$; $p < .01$) and these variables predict 48 percent of the variance in decision

¹ A beta weight is a standardized partial regression coefficient computed to assess the direct effect of each independent variable in the analysis, thus indicating the linear relationship between each of these independent variables and a specific dependent variable in turn, controlling simultaneously for the direct effects of the remaining variables. The beta coefficient indicates the amount of unit change in a specified dependent variable that can be attributed to the standardized change in a specific independent variable, while the effects of all other variables in the equation are held constant. H. M. Blalock, Social Statistics (New York: McGraw-Hill, 1972), pp. 450-453.

TABLE 5

Multiple Regression Analysis¹

Legal Variable Effects on the Decision to Refer Youths to the DYS-SCRT (DYS General Population vs. DYS-SCRT Referred Population)

| | F ⁽²⁾ | Significance Level ⁽³⁾ | Beta ⁽⁴⁾ | R ² Change ⁽⁵⁾ |
|--|------------------|-----------------------------------|---------------------|--------------------------------------|
| Number of DYS Recorded Offenses | 7.293 | $p < .01$ | 0.518 | 0.028 |
| Number of Violent Offenses | 0.714 | $p > .05$ | 0.070 | 0.002 |
| Number of Level 3, 4 and 5 Offense Types | 1.387 | $p > .05$ | -0.235 | 0.248 |
| Seriousness of Last Offense | 31.128 | $p < .01$ | 0.402 | 0.152 |
| Number of Detentions | 2.547 | $p > .05$ | -0.194 | 0.008 |
| Number of Secure Detentions | 4.555 | $p < .05$ | 0.242 | 0.010 |
| Number of Commitments | 8.738 | $p < .01$ | 0.233 | 0.028 |
| Number of Placements | 0.200 | $p > .05$ | 0.036 | 0.001 |

¹ Test Statistics:

Multiple R = 0.69082
 $R^2 = 0.47723$
 Adjusted $R^2 = 0.45025$
 Standard Error = 0.36909
 $F(8,155) = 17.687$ ($p < .01$)

- ² The F score is a test of statistical significance
- ³ The multiple regression significance level is set at the .05 level.
- ⁴ Beta weights are standardized regression coefficients computed to assess the direct effect of each independent variable in the analysis.
- ⁵ ² R² Change indicates the amount of variation in the dependent variable that can be statistically accounted for by a specific predictor variable.

outcomes. Table 5 also shows that the following specific legal variables are significantly related to decision outcome: (1) seriousness of last offense ($F = 31.128$; $R^2 = 0.152$; $p < .01$; $\beta = 0.40$); (2) number of commitments ($F = 8.738$; $R^2 = 0.028$; $p < .01$; $\beta = 0.23$); (3) number of DYS recorded offenses ($F = 7.293$; $R^2 = 0.028$; $p < .01$; $\beta = 0.52$); and (4) number of secure detentions ($F = 4.555$; $R^2 = 0.010$; $p < 0.05$; $\beta = 0.24$).¹

The next question, however, is which legal variable(s) is the best predictor of decision outcomes when social variables are statistically controlled. In this situation, social variables are allowed to predict as much as they can and then the F test is used to see if the addition of each legal variable adds significantly to the prediction.

¹In the original regression equation it is recognized that the independent variables "number of DYS recorded offenses" and "number of 3, 4 and 5 offense types" as well as "number of detentions" and "number of secure detentions" are highly interrelated and explain essentially the same variation because of their overlap. This problem is referred to as multicollinearity (Blalock, 1972:457). Realizing that there is a suppression effect of one variable on the other, a second regression analysis was done eliminating the variables, "number of DYS recorded offenses" and "number of detentions" since their subsets (i.e., number of level 3, 4 and 5 offense types and number of secure detentions) were believed to be more critical to this study's examination of serious juvenile offenders. In the second regression analysis the following variables were found to be significantly related to decision outcome: (1) number of level 3, 4 and 5 offense types ($F = 10.852$; $R^2 = 0.25$; $p < .01$; $\beta = 0.26$); (2) seriousness of last offense ($F = 25.966$; $R^2 = 0.15$; $p < .01$; $\beta = 0.37$); and (3) number of DYS commitments ($F = 6.733$; $R^2 = .03$; $p < .01$; $\beta = 0.21$). For further discussion regarding multicollinearity, see Blalock, 1972:450.

The results are shown in Table 6.

When social variables are controlled and each legal variable is examined, all legal variables (ranked in order of their beta weights) are found to be significant: (1) number of DYS recorded offenses ($F = 45.380$; $R^2 = 0.20$; $p < .01$; $\beta = 0.546$); (2) number of level 3, 4 and 5 offense types ($F = 45.675$; $R^2 = 0.20$; $p < .01$; $\beta = 0.524$); (3) seriousness of last offense ($F = 45.221$; $R^2 = 0.20$; $p < .01$; $\beta = 0.458$); (4) number of violent offenses ($F = 23.091$; $R^2 = 0.12$; $p < .01$; $\beta = 0.364$); (5) number of DYS commitments ($F = 23.474$; $R^2 = 0.12$; $p < .01$; $\beta = 0.351$); (6) number of secure detentions ($F = 14.766$; $R^2 = 0.08$; $p < .01$; $\beta = 0.292$); (7) number of placements ($F = 12.300$; $R^2 = 0.07$; $p < .01$; $\beta = 0.284$); and (8) number of detentions ($F = 9.642$; $R^2 = 0.05$; $p < .01$; $\beta = 0.246$). In sum, while all legal variables are significantly related to decision outcome, the degree of their direct effects on decision outcome vary. Those variables most affecting decision outcome are: number of DYS recorded offenses, number of level 3, 4 and 5 offense types and level of seriousness of last offense.

Part Two: The Massachusetts Department of Youth Services
Secure Care Review Team's Decision to Accept
or Refuse Youths Into Secure Care

A. Bivariate Analysis

Table 7 summarizes all independent variable relationships to the SCRT's decision to accept youths to secure care.

TABLE 6

Multiple Regression Analysis

Legal Variable Relationships to the Decision to Refer Youths to the DYS-SCRT When Social Variables are Statistically Controlled

| | ¹ F | Significance Level ² | Beta ³ | R ² Change ⁴ |
|--|-------------------|---------------------------------|-------------------|------------------------------------|
| Number of DYS Recorded Offenses | 45.380 | p < .01 | 0.546 | 0.20 |
| Number of Level 3, 4 and 5 Offense Types | 45.675 | p < .01 | 0.524 | 0.20 |
| Seriousness of Last Offense | 45.221 | p < .01 | 0.458 | 0.20 |
| Number of Violent Offenses | 23.091 | p < .01 | 0.364 | 0.12 |
| Number of Commitments | 23.474 | p < .01 | 0.351 | 0.12 |
| Number of Secure Detentions | 14.766 | p < .01 | 0.292 | 0.08 |
| Number of Placements | 12.300 | p < .01 | 0.284 | 0.07 |
| Number of Detentions | 9.642 | p < .01 | 0.246 | 0.05 |

¹The F score is a test of statistical significance

²The multiple regression significance level is set at the .05 level.

³Beta weights are standardized regression coefficients computed to assess the direct effect of each independent variable in the analysis.

⁴R² Change indicates the amount of variation in the dependent variable that can be statistically accounted for by a specific predictor variable.

TABLE 7

SOCIAL AND LEGAL VARIABLES AFFECTING THE DYS-SCRT'S DECISION TO ACCEPT OR REFUSE YOUTHS TO SECURE CARE

| Independent Variable | Chi-Sq. | Lambda | Gamma | Tau c |
|--------------------------------------|---------|--------|-------|-------|
| Age as of 3/31/77 | 1.47 | -- | -- | -- |
| Age as of First Offense | 3.02 | -- | -- | -- |
| Ethnicity | 0.02 | -- | -- | -- |
| Socioeconomic Status | 1.17 | -- | -- | -- |
| Family Composition | 0.28 | -- | -- | -- |
| Family Stability | 0.00 | -- | -- | -- |
| # of DYS Recorded Offenses | 0.98 | -- | -- | -- |
| # of Violent Offenses | 2.56 | -- | -- | -- |
| # of Level 3, 4 and 5 Offense Types | 4.56 | -- | -- | -- |
| Level of Seriousness of Last Offense | 3.40 | -- | -- | -- |
| # of Detentions | 8.26** | 0.0 | -0.06 | -0.02 |
| # of Secure Detentions | 9.69* | 0.0 | -0.18 | -0.09 |
| # of Commitments | 4.26 | -- | -- | -- |
| # of Placements | 4.73 | -- | -- | -- |

¹ Measures of association are not reported for independent variables indicating no relationship to DYS-SCRT's decision to accept or refuse youths to secure care.

*** P < .01

** P < .05

* P < .10

In sum, from a bivariate level of analysis there are no social variables affecting the SCRT's decision to accept or refuse youths to secure care. On the other hand, only two legal variables--number of detentions and number of secure detentions--affect final disposition outcome. Thus, it is concluded that although the relationships between these two legal variables and the decision to accept or refuse youths to secure care is weak, at the bivariate level of analysis, youths who have been detained most often and detained more times in secure facilities are more likely to be accepted than refused to secure care.

B. Multivariate Analysis

Social Variables' Effect on the Decision to Accept or Refuse Youths to Secure Care

Table 8 shows the effect of only social variables on the DYS-SCRT's decision to either accept or refuse youths to secure care. When all social variables are examined, there is no significant relationship between them and decision outcome ($F = 1.30493$; $R^2 = 0.07$; $p > .05$).

The major hypothesis of this study states that when all legal variables are statistically controlled, social variables will still predict the DYS-SCRT's decision to either accept or refuse youths to secure care. To prove this hypothesis, the following F ratio formula is used:¹

¹Kerlinger, et al., Multiple Regression in Behavioral Research.

TABLE 8

Multiple Regression Analysis¹

Social Variable Effects on the Decision to Accept or Refuse Youths to Secure Care (DYS-SCRT Accepted Population vs. DYS-SCRT Refused Population)

| | F (2) | Significance Level (3) | Beta (4) | R ² Change (5) |
|----------------------|-------|------------------------|----------|---------------------------|
| Age - 3/31/77 | 2.802 | $p > .05$ | 0.177 | 0.023 |
| Age - First Offense | 0.626 | $p > .05$ | -0.088 | 0.006 |
| Ethnicity | 1.820 | $p > .05$ | -0.145 | 0.020 |
| Socioeconomic Status | 2.866 | $p > .05$ | 0.188 | 0.020 |
| Family Composition | --* | $p > .05$ | -- | -- |
| Family Stability | 0.158 | $p > .05$ | -0.043 | 0.002 |

¹ Test Statistics:

Multiple R = 0.26555
 R^2 = 0.07052
Adjusted R^2 = 0.01648
Standard Error = 0.36836
 $F(6, 86) = 1.30493$ ($p > .05$)

² The F score is a test of statistical significance

³ The multiple regression significance level is set at the .05 level.

⁴ Beta weights are standardized regression coefficients computed to assess the direct effect of each independent variable in the analysis.

⁵ R^2 Change indicates the amount of variation in the dependent variable that can be statistically accounted for by a specific predictor variable.

*The F score for "family composition" is insufficient for computational purposes.

$$F = \frac{(R^2_{y.All} - R^2_{y.Legal}) / (k_1 - k_2)}{(1 - R^2_{y.All}) / (N - k_1 - 1)} = 1.0462$$

where N = total number of cases (92); k_1 = number of social and legal variables (14); k_2 = number of legal variables (8); $R^2_{y.All}$ = the R^2 for all legal and social variables (.14147); and $R^2_{y.Legal}$ = the R^2 for only the legal variables (.07148). Use of this equation enables us to determine whether the difference between $R^2_{y.All}$ and $R^2_{y.Legal}$ (.14-.07 = .07) is significant. If so, then social variables provide a significant increment in predicting decision outcomes that would support the major hypothesis. Since the F score reported is not significant at the .05 level, this result, then, does not support the major hypothesis of this study.

When legal variables are controlled and each social variable is examined, Table 9 shows that there is no social variable significantly related to decision outcome.

Legal Variables' Effect on the Decision to Accept or Refuse Youths to Secure Care

Table 10 shows the effect of only legal variables on the DYS-SCRT's decision to either accept or refuse youths to secure care. When all legal variables are examined, there is no significant relationship between them and decision outcome ($F = 0.92380$; $R^2 = 0.07$; $p > .05$).¹

¹ Because of suppression effects (i.e., multicollinearity), the variables "number of DYS recorded offenses" and "number of detentions" were eliminated in a second regression analysis. Even with the exclusion of these variables, legal variables did not prove to be significantly related to decision outcome.

Multiple Regression Analysis

Social Variable Relationships to the Decision to Accept or Refuse Youths to Secure Care When Legal Variables are Statistically Controlled

| | F ¹ | Significance Level ² | Beta ³ | R ² Change ⁴ |
|----------------------|----------------|---------------------------------|-------------------|------------------------------------|
| Socioeconomic Status | 2.741 | p > .05 | 0.181 | 0.020 |
| Family Stability | 1.313 | p > .05 | -0.129 | 0.002 |
| Age as of 3/31/77 | 0.853 | p > .05 | 0.105 | 0.022 |
| Ethnicity | 0.547 | p > .05 | -0.089 | 0.007 |
| Family Composition | 0.390 | p > .05 | 0.068 | 0.000 |
| Age - First Offense | 0.002 | p > .05 | 0.006 | 0.000 |

¹ The F score is a test of statistical significance.

² The multiple regression significance level is set at the .05 level.

³ Beta weights are standardized regression coefficients computed to assess the direct effect of each independent variable in the analysis.

⁴ ² R Change indicates the amount of variation in the dependent variable that can be statistically accounted for by a specific predictor variable.

TABLE 10

Multiple Regression Analysis¹

Legal Variable Effects on the Decision to Accept or Refuse Youths to Secure Care (DYS-SCRT Accepted Population vs DYS-SCRT Refused Population)

| | <u>F⁽²⁾</u> | <u>Significance Level⁽³⁾</u> | <u>Beta⁽⁴⁾</u> | <u>R² Change⁽⁵⁾</u> |
|--|------------------------|---|---------------------------|---|
| Number of DYS Recorded Offenses | 0.541 | P > .05 | 0.090 | 0.006 |
| Number of Violent Offenses | 0.101 | P > .05 | -0.046 | 0.002 |
| Number of Level 3, 4 and 5 Offense Types | * | P > .05 | * | * |
| Seriousness of Last Offense | 0.957 | P > .05 | 0.134 | 0.009 |
| Number of Detentions | 0.140 | P > .05 | -0.085 | 0.001 |
| Number of Secure Detentions | 2.384 | P > .05 | 0.298 | 0.015 |
| Number of Commitments | 0.080 | P > .05 | 0.040 | 0.001 |
| Number of Placements | 1.391 | P > .05 | -0.217 | 0.039 |

¹
Test Statistics:

Multiple R = 0.26736
 R² = 0.07148
 R² Adjusted = -0.00590
 Standard Error = 0.37252
 F (7,84) = 0.92300 (P > .05)

²
The F score is a test of statistical significance

³
The multiple regression significance level is set at the .05 level.

⁴
Beta weights are standardized regression coefficients computed to assess the direct effect of each independent variable in the analysis.

⁵
² R Change indicates the amount of variation in the dependent variable that can be statistically accounted for by a specific predictor variable.

*The F score for "number of level 3, 4 and 5 offense types" is insufficient for computational purposes.

When social variables are controlled and each legal variable is examined, Table 11 shows that there is no legal variable significantly related to decision outcome.

TABLE 11

Multiple Regression Analysis

Legal Variable Relationships to the Decision to Accept or Refuse Youths to Secure Care When Social Variables are Statistically Controlled

| | F ¹ | Significance Level ² | Beta ³ | R ² Change ⁴ |
|--|----------------|---------------------------------|-------------------|------------------------------------|
| Number of Secure Detentions | 2.134 | p > .05 | 0.169 | 0.023 |
| Seriousness of Last Offense | 1.091 | p > .05 | 0.111 | 0.011 |
| Number of Placements | 0.647 | p > .05 | -0.100 | 0.007 |
| Number of Detentions | 0.581 | p > .05 | 0.095 | 0.006 |
| Number of Violent Offenses | 0.388 | p > .05 | 0.068 | 0.004 |
| Number of Level 3, 4 and 5 Offense Types | 0.223 | p > .05 | 0.062 | 0.002 |
| Number of DYS Recorded Offenses | 0.010 | p > .05 | 0.014 | 0.000 |
| Number of Commitments | 0.000 | p > .05 | -0.002 | 0.000 |

¹ The F score is a test of statistical significance.

² The multiple regression significance level is set at the .05 level.

³ Beta weights are standardized regression coefficients computed to assess the direct effect of each independent variable in the analysis.

⁴ R² Change indicates the amount of variation in the dependent variable that can be statistically accounted for by a specific predictor variable.

CHAPTER VII

SOCIAL POLICY IMPLICATIONS AND DISCUSSION

Social Policy Implications of Data Analysis

The social policy implications derived from this study's data analysis are focused on two key facets of the secure care system: (1) the decisions made by DYS regional caseworkers to refer youths to the DYS-SCRT for secure care consideration, and the SCRT's decision to accept or refuse youths to secure care; and (2) the serious juvenile delinquent.

Decisions to Refer, Accept or Refuse Youths to Secure Care

The analytical results (i.e., the multivariate data analysis) of this study point to the DYS regional caseworkers as the principal decision makers in the secure care process. Once the DYS regional office staff has decided that a youth should be referred to the DYS-SCRT, it is highly probable that the youth will be accepted to secure care.

The regional caseworkers' decisions regarding the secure care needs of youths appear to be primarily based upon youths' legal characteristics, i.e., number of DYS recorded offenses, number of level 3, 4 and 5 offense types, level of seriousness of last offense, number of

violent offenses, number of DYS commitments, number of secure detentions, number of placements, and number of detentions. This result is as it should be for the secure care decision-making process. Thus, in Massachusetts at this time, the decisions made regarding youths' placement into secure care facilities appear to be made on the appropriate criteria. If, however, legal variables were secondary in importance to social variables, then this would be a critical index of whether the secure care decision-making process was inappropriately managed. While it is not surprising that seriousness of last offense is among the strongest predictors of decision outcome, it is somewhat surprising that chronicity variables (i.e., number of DYS recorded offenses and level of 3, 4 and 5 offense types) are the strongest predictors. This view is taken because chronicity is a problem that occurs over time and thus the juvenile justice system should be able to intervene appropriately to stem the tide of youths' delinquent behavior. In contrast, seriousness of last offense reflects the culmination of a growing problem in a discrete event which the juvenile justice system can only react to on a crisis basis rather than through procedural services intervention.

Also, this study's data indicate that social factors influence the decisions being made by regional caseworkers. Specifically, family composition, which is the most significantly related social variable, implies that at least at the regional level the view is held by caseworkers that youths' serious juvenile delinquency cannot be managed

in single-parent environments and thus the state must impose its parens patriae doctrine.

The major implication of the DYS regional office being the hub of the secure care decision-making process is its greater susceptibility to pressure by the community and juvenile court for having youths sent to secure care facilities. This pressure has been observed in a number of cases presented by regional caseworkers to the SCRT.¹ At these presentations, regional personnel have on occasion indicated that their decision to refer a youth to the SCRT was influenced by a juvenile court judge's threat to "bind over" the youth to the adult court system unless he is accepted to secure care.

The absence of significant relationships between social and legal variables and the decision to accept or refuse youths to secure care leads one to believe that the SCRT's decision outcomes are idiosyncratic in nature. This finding seems to be consistent with another observation of the SCRT:

There does not seem to be any one factor, or any combination of factors, that can predict which children will be voted into secure programs by the (SCRT). Presentations varied in completeness and in points of emphasis. Some characteristics which one might see as predictive of a youth's violent propensities (e.g., complete criminal history, description of offenses, and history of violent behavior) were included in the most general and inexplicit fashion. Other characteristics which seemed to have little predictive value for behavior, compared with their clinical value for treatment (e.g., family history, psychological evaluation) were emphasized in many presentations.

¹The DYS-SCRT meetings were observed from January 1977 through March 1977.

If the [SCRT's] voting procedure does screen out those youths who do not need to be incarcerated, it is not clear what characteristics of a youth signal a need for secure care (Linda Smith, "Secure Care Referral Process: A Field Study," May 1976:30).

While the SCRT's role in deciding whether youths are to receive secure care appears to be secondary when compared with that of the regional caseworker's, the prime purpose of the SCRT is critical to the secure care process and must not be understated. Essentially, the purpose of the SCRT (as well as the DYS Central Office's Secure Care Unit) has been observed as being a bulwark against permitting the secure care system from becoming a dumping ground for youths who are troublesome to communities, courts and DYS regional offices but who are not serious juvenile offenders. The SCRT process is seemingly an effective mechanism for providing the regional office staff and caseworkers with specific definition and direction as to which youths will be permitted to secure care. Among the centralized DYS-SCRT's responsibilities which particularly lend structure to the secure care system are: (1) intake control of all youths entering secure care programs, and its ability to protect against hasty and improper decisions; (2) development of standardized rules and regulations around the use and management of secure care; and (3) development and implementation of standardized policies regarding youths' progress into and through the secure care system.

In sum, the DYS regional office staff appear to be most important in determining whether youths are to receive secure care services.

While the SCRT provides a check on the regional selection process, it appears that if measures are necessary for ameliorating the identification, referral and acceptance of youths to secure care, then the focus should be on the regional level where the decisions are actually being made.

Serious Juvenile Delinquency

Regarding serious juvenile delinquency in Massachusetts, the issues of chronicity, violence and the labeling process raise important policy implications.

Among the various legal attributes of the juvenile offenders examined in this study, it appears that chronicity (i.e., the number of DYS recorded offenses and the number of level 3, 4 and 5 offense types) is a pervasive problem throughout the DYS system. Not only is chronicity highly characteristic of the DYS-SCRT referred population--84 percent of the youths in this group are found to be chronic offenders--but it is also indigenous to a large proportion of the DYS general population--37 percent of those youths committed to DYS but never referred to the SCRT for secure care consideration are found to be chronic offenders. While the extent of this problem questions the effectiveness of Massachusetts' community-based service effort for juveniles, it has been pointed out by the Harvard Center

for Criminal Justice that youths participating in community programs do no worse than those in institutional settings (Coates, 1976:34).

The relationship between chronicity and secure care may be viewed as the result of the juvenile justice system's inability to curb youths' delinquency at the time of their first penetration of the system. Furthermore, the relationship appears to be reflective of a system geared to crisis intervention. That is to say, the juvenile justice system including the police, probation officers, judges, and youth caseworkers are often only responsive to youths' problems and delinquent behaviors when they reach crisis proportions. This "state of the art" leads one to believe that effort should be directed to a broader assessment of the effectiveness of the juvenile justice process including those DYS service programs whose goals are to deter youths from ending up in secure care.

For many persons, the issue of serious juvenile delinquency is synonymous with juvenile violence. Examining the problem from this perspective (i.e., violent juvenile delinquency), the findings of this study indicate that juvenile violence is highly correlated with chronicity. In other words, youths who commit the most offenses are likely to commit a violent offense. While the statistical results of this study point out that as much as 20 percent of the DYS general population and 63 percent of the DYS-SCRT referred population have committed at least one violent offense, it is believed that the actual extent of violent juvenile delinquency is disproportionate to the

amount of attention given to it and secondary to the problem of chronicity.

In the context of this study and related to the issue of violent delinquency, it is important to briefly note a problem that seems to be endemic throughout the juvenile justice system, namely inappropriate offense labeling and case record entries. In a number of case records examined for this study, it appeared that youths' offense charges were the result of subjective labeling on the part of police and subsequently filtered through the system as permanent case record entries. In more than one instance, for example, youths' offense records reflected charges of assault and battery with a deadly weapon--a violent offense--when in fact the deadly weapon was a shoe, stick, foot, etc. Oftentimes, case records are not thoroughly examined before a youth's disposition is decided. It should be recognized, therefore, that youths may be subjected to juvenile justice processing inconsistent with the exact nature of their offense violation. Furthermore, the "labeling problem" affects research since findings may be misrepresentative of the actual condition of the issues under examination such as violent juvenile delinquency.¹ In juvenile justice policy terms, consideration should be given to the standardization of offense interpretation, recording and review.

¹While the labeling problem is briefly discussed for purposes of drawing attention to this often neglected issue, the impact of this problem on the major findings of this study is negligible.

In sum, the findings of this study regarding serious juvenile delinquency point to the issue of chronicity as the principal problem for policy and decision makers to focus on because it is reflective of the efficacy of the juvenile justice system as a whole and its various interrelated parts. While the problem of juvenile violence must not be neglected, the actual extent of this facet of serious juvenile delinquency appears to be overstated, often shadowing basic corrective measures of the juvenile justice system which should be taken up as opposed to the myopic efforts usually adopted for the secure care process.

Social Policy Implications of the Secure Care System

The issue of serious juvenile delinquency affects social policy on three levels: the delinquency system, the secure care services organizations, and the individual youth.

The Delinquency System

From a macro perspective, the delinquency system will continue to be scrutinized as long as issues like serious juvenile delinquency remain a public concern. Legislators and other policy and decision makers will attempt to examine the situation and formulate a solution to the problem. Such a solution is likely to be reactionary in the sense that the principal focus will be on the public's safety, the need for removing serious juvenile offenders from the community, and

the inability of youth service agencies to adequately cope with the problems at hand. An example of approaching the problem from this direction is Massachusetts (proposed) legislation House Bill No. 1662-- First Session, 1977, which would enable the juvenile courts to sentence youths directly to secure facilities, thus bypassing the DYS and its responsibility to place youths in appropriate "treatment" facilities.

If the Bill becomes law, it will deliver a body blow to DYS, the youth authority concept, and to community-based care. It will create havoc with DYS' intake system. It will place additional burden on the "overloaded" court system as judges will have to become case managers. The Bill stipulates that judges will have the power to sentence kids to secure institutions. Changes in treatment plans will have to be approved by the judges. As it stands now, judges can only commit to DYS. DYS makes the specific placement decision. This is the youth authority concept. H. 1662 represents a massive erosion of that concept. The additional financial cost to the Commonwealth will be staggering (John A. Calhoun, Commissioner of DYS, Memo to DYS Advocates, February 23, 1977).

Additional Massachusetts proposed legislation related to the issue of serious juvenile delinquency include:

- S686 - Legislation to permit judges to impose minimum period of custody in juvenile cases.
- S687 - Legislation to permit criminal complaints against juveniles whether or not they have been previously committed.
- H. 1663 - Legislation for an investigation by a special commission (including members of the general court) relative to setting up comprehensive guidelines in dealing with and in sentencing of youthful offenders.
- H. 3162 - Legislation to regulate the confinement and correction of juvenile offenders.
- H. 4471 - Legislation requiring a mandatory minimum sentence for a first offense of use of a motor vehicle without authority for juvenile delinquents and adults.

S.508 - Legislation to direct the Department of Correction to establish a youthful offenders facility.

H. 1222- Legislation that provision be made for a maximum security facility for male juvenile offenders and a maximum security facility for female juvenile offenders.

While the concerns expressed by people and their legislators for public safety must be recognized as a primary issue affecting the juvenile delinquency system, it must also be recognized that as long as the state uses the power to commit serious juvenile offenders for treatment under parens patriae then it must provide "treatment" services with the intent of meeting youths' needs and ameliorating their problem behavior. Certainly, the state's ability to provide treatment is not facilitated by the chronic lack of information on the type(s) of treatment which are most effective for juvenile offenders, the lack of exemplary programs to be used as models of treatment for services to juvenile offenders, the limited resources appropriated the delinquency system, etc.¹

¹"A needs assessment conducted this year by the DYS estimated that the department should have \$22 million to meet the current demand for DYS services. Yet, Massachusetts Human Services Secretary Gerald Stevens has requested only \$18.3 million for the department." The Boston Globe Editorial--"Youth Services...II," November 16, 1976, p. 24.

On March 1, 1977, DYS Commissioner John Calhoun stated before the Governor's Task Force on Secure Facilities that "the fiscal crumbs from the Department of Mental Health's table is the Department of Youth Services' budget."

Among all the issues raised, the most critical consideration of the serious juvenile delinquency problem is its impact on the delinquency system as a whole. It appears that the issue of serious juvenile delinquency has the potential for instigating a restrictive, regressive, inflexible and oppressive approach toward juvenile delinquency in total and negating progressive measures such as Massachusetts' deinstitutionalization/community-based facilities approach to providing juvenile services.

Secure Care Services Organization

At this level, social policy is related to input (i.e., those elements which influence planning activities and manipulate the development of a secure care program--it includes a society's or community's important cultural and values orientation toward serious juvenile delinquency, historic traditions of dealing with the issue, individuals' ideologies of the problem's nature and how it should be ameliorated, economic, social and political constraints, etc. which must be examined from a particular set of circumstances and a specific time period); process (i.e., those functions involving the identification, selection and development of key issues and resources necessary for meeting the needs of serious juvenile offenders--essentially process may be viewed as a twofold operation reflecting: (1) basic program dimensions of target population needs assessment, alternative solutions development, goal setting, function assessment, policy formation and

administration, information and data collection, procedures assessment, manpower development, physical facilities development and cost analysis (Howlett and Hurst, 1971); and (2) specific individual client diagnosis and direct treatment services); output (i.e., the "treated" youth who has graduated from a secure program); and, evaluation (i.e., feedback on the success of the secure care program in providing the needs of a serious juvenile offender.

Basically, the mechanism for providing secure care services must be viewed as a well planned--"designing a course of action to achieve ends" (Myerson and Banfield, 1955:314)--system, "a complex of elements in mutual interaction" (Griffiths, 1964:115). Rather than reflecting a heap of parts like most service strategies, the secure care system should have its elements operating mutually interdependently if quality and cost effective services are to be provided. Unfortunately, however, the delivery of juvenile delinquency services in Massachusetts does not reflect a coordinated, systematic, well-organized or continuous approach to meeting youths' needs. Rather, examination of the organization of youth services seems to point out that those people providing services are their own worst enemy. High recidivism rates, poor coordination and utilization of services-resources, lack of statistical data, absence of definitive operational rules and regulations, etc. are characteristics which seem to undermine the success of youths' "treatment" and erode whatever support may exist for youth

services from legislators, government officials and community representatives.¹ The secure care service organization needs specific guidance and direction which if not forthcoming within its network of operations must come from policy makers, either in the form of court decrees or explicit legislation with monitoring capabilities.

The Serious Juvenile Offender

The third social policy level deals with the individual youth.

As pointed out by Dale Mann (1976:95):

Most of the time most people would prefer to forget about these young people, especially as long as they are "safely" locked up....The public is not clamoring to be of assistance to juveniles who have been found guilty of murder, armed robbery, rape, aggravated assault, and arson. Correctional institutions are near the bottom of the public's social welfare shopping list. If that list also had on it aid to physically handicapped children, or free lunches for poor children, or circular enrichment for college-bound youth, then serious juvenile offenders will be moved further down the list.

It is likely that if problems or inadequacies exist at the first and second policy levels (i.e., the delinquency system as a whole and

¹Based on personal observation, during the first fifteen months as DYS Commissioner John A. Calhoun and his chief advisors spent much time attempting to assure the Task Force on Secure Facilities, legislators and child advocacy groups that the general chaotic situation at DYS, apparently fostered to a large extent by the issue of serious juvenile offenders, was being ameliorated. Such reassurances and the mandate of the Task Force on Secure Facilities to examine and make specific recommendations on the serious juvenile delinquency/secure facilities issue, however, did not deter State Representatives Paul White and Jerald Cohen (members of the Task Force) from expressing their views, through press releases and proposed legislation--H. 1662--that critical issues were being skirted by DYS and the Task Force leadership.

the secure care services organization), then those problems will manifest themselves in the nature of services to be provided the individual youth.

In sum, as a result of the serious juvenile delinquency issue, the delinquency system as a whole and secure care "treatment" intervention strategies in particular are being subject to: (1) criticism regarding their effectiveness as a means of habilitating youths and curbing their recidivism; (2) the demands of the public for law and order as well as the need to "tighten-up" the delinquent/criminal judicial, sentencing, and placement-treatment process; and (3) the reluctance of fiscal decision makers to appropriate the level of funding called for by program people to maintain adequate services for delinquent youths. These three factors, unless reversed, point to a reactionary approach to dealing with the problem of delinquency by policy and decision makers. Such an approach is likely to be contrary to the philosophy adopted by Massachusetts which reflects a deinstitutionalized/community-based services mechanism for meeting youths' needs. Specifically, among the approaches which may be accepted in order to cope with serious juvenile delinquency are: (1) lower the minimum age at which a youthful offender can be prosecuted as an adult criminal; (2) sentence a youth to a secure facility for a determinant period of time or until such time it can be determined that he is suitable for re-entry into the community; (3) the divestiture of power and responsibilities for serving youths from youth

service agencies like DYS to direct management of the system by the courts; (4) regulate youth services through administrative reorganization--both within the youth services agency and the merging of youth and adult correctional agencies under one auspices; and/or (5) the incremental return from a system primarily built upon small, open, community-based facilities to a network of larger, more restrictive, institutional-like facilities, with the rationale being the need to centralize service delivery in order to be more cost effective in meeting the needs of delinquent youths.

Suggestions for Future Research

The most important suggestions for future research emanate from the correlational design (i.e., the research design and methodology used to examine the secure care decision-making process) of the present study and its limited focus. The first step in future research would be to replicate the present study in a few years to determine the shifting trends of the secure care system and its population of serious juvenile offenders. Also, this type of study could be replicated by using a different type of juvenile service population (e.g., detention, probation, community-based residential services, community-based non-residential services, adult court referred youths, etc.).

The Massachusetts Department of Youth Services, and this state's juvenile justice system offers much opportunity for substantive research in the field of juvenile delinquency. It has been pointed out that

Massachusetts is one of the nation's leaders in the deinstitutionalization of services for youths; yet, in order to understand the full impact of this effort, research studies must be conducted on longitudinal and/or regular interval bases covering a broad spectrum of facets and issues of the Massachusetts DYS system. Only by researching the system in this manner can sufficient information be gathered to make qualitative improvements in the providence of services to juveniles in need of assistance.

The present research study must be considered a first step in further explication of the secure care decision process for juveniles. It is a rather unique study in the sense that few research efforts have been focused on serious juvenile delinquents or secure care; yet, the results clearly indicate that more research must be done. Future research efforts must approach this issue in ways that will reflect, as closely as possible, the "true" state of affairs of serious juvenile delinquency rather than responding to the problem from an emotional, reactionary perspective. It is believed that the present study provides a model which lays the groundwork for future research in this area.

CHAPTER VIII

SUMMARY AND FINAL REMARKS

Summary

The primary objective of this study has been to examine the effect of selected social and legal variables on the Massachusetts Department of Youth Services (DYS) secure care decision-making process for serious juvenile offenders. The decision process was examined at two levels: (1) DYS caseworkers' decision to refer youths to the DYS-Secure Care Review Team (SCRT) for secure care consideration, and (2) the SCRT's decision to accept or refuse youths to secure care.

At the caseworker decision level the bivariate analysis indicates that youths' age, ethnicity, family composition, number of DYS recorded offenses, number of level 3, 4 and 5 offense types, number of violent offenses, level of seriousness of last offense, number of detentions, number of secure detentions, number of commitments to DYS, and number of placements are related to the decision to refer youths to the SCRT. Multivariate regression analysis indicates that when legal variables are controlled the only social variable related to decision outcome is family composition. When social variables are controlled, all legal variables related to decision outcome at the bivariate level of analysis are also related to decision outcome at the multivariate level of analysis.

At the second decision level, i.e., the SCRT's decision to accept or refuse youths to secure care, bivariate findings indicate that youths' number of detentions and number of secure detentions are significantly related to decision outcome. Multiple regression analysis indicates, however, that there is no relationship between either social or legal variables and the decision to accept or refuse youths to secure care.

While the findings of this study indicate that secure care decision outcomes at the caseworker level are primarily influenced by youths' legal background, the social variable "family composition" suggests that caseworkers view single-parent family environments as incapable of managing youths' serious delinquency problems thereby necessitating the state's intervention by placing youths in secure care facilities. The fact that legal variables are the strongest predictors of secure care decision outcomes indicates that in Massachusetts, at this time, appropriate criteria are being used to determine which youths are to be placed in secure care facilities.

At the SCRT level, there does not appear to be a pattern of decision making based on either social or legal variables. As such, decisions made at this level may be viewed as idiosyncratic.

Among the study's findings, the issue of chronicity (i.e., number of DYS recorded offenses--youths' commitment of 5 or more level 3, 4 or 5 offense types) stands out as the primary factor affecting the DYS secure care decision process, as well as influencing the scope

of serious juvenile delinquency including violent offenses. Basically, this study's finding implies that the issue of serious juvenile delinquency should be examined from a broad juvenile justice system perspective as opposed to a limited focus on only the secure care process.

Figure 6 provides a summation of social and legal variables' relationship to: (1) DYS caseworkers' decision to refer youths to the SCRT for secure care consideration; and (2) the DYS-SCRT's decision to accept or refuse youths to secure care.

Final Remarks

While the purpose of this thesis is to examine the DYS secure care decision process, in order to fully discuss this complex subject, it has been necessary to broaden this study's focus to include facets of serious juvenile delinquency. Through the cooperation of the Massachusetts Department of Youth Services, it is believed that a fairly comprehensive examination has been given to this topic area which is of much public concern throughout the United States.

FIGURE 6

**SOCIAL AND LEGAL VARIABLE EFFECTS ON THE SECURE CARE
DECISION-MAKING PROCESS**

| | <u>Decision to Refer</u> | | <u>Decision to Accept or Refuse</u> | |
|---|--------------------------|----------------------|-------------------------------------|----------------------|
| <u>A. Social Variables</u> | <u>B¹</u> | <u>M²</u> | <u>B¹</u> | <u>M²</u> |
| Age - 3/31/77 | X | 0 | 0 | 0 |
| Age - First Offense | 0 | 0 | 0 | 0 |
| Ethnicity | X | 0 | 0 | 0 |
| Socioeconomic Status | 0 | 0 | 0 | 0 |
| Family Composition | X | X | 0 | 0 |
| Family Stability | 0 | 0 | 0 | 0 |
| <u>B. Legal Variables</u> | | | | |
| # of DYS Recorded Offenses | X | X | 0 | 0 |
| # of Violent Offenses | X | X | 0 | 0 |
| # of Level 3, 4, and 5 Offense Types | X | X | 0 | 0 |
| Level of Seriousness of Last Offense | X | X | 0 | 0 |
| # of Detentions | X | X | X | 0 |
| # of Secure Detentions | X | X | X | 0 |
| # of Commitments | X | X | 0 | 0 |
| # of Placements | X | X | 0 | 0 |

1 Bivariate level of analysis

2 Multivariate level of analysis

X = related to decision outcome

0 = not related to decision outcome

APPENDIX A

GLOSSARY OF SELECTED TERMS

Adjudicated³:

Having been the subject of completed criminal or juvenile proceedings, and convicted, or adjudicated a delinquent, status offender or dependent.

Adjudicatory Hearing³:

In juvenile proceedings, the fact finding process wherein the juvenile court determines whether or not there is sufficient evidence to sustain the allegations in a petition.

Arraignment³:

The appearance of a person before a court in order that the court may inform him of the accusation(s) against him and enter his plea.

Arrest³:

Taking a person into custody by authority of law, for purposes of charging him with a criminal offense or for the purpose of initiating juvenile proceedings, terminating with the recording of a specific offense.

Bind-Over Status¹:

A youth who is placed in a facility pending a trial in Superior Court as an adult.

Chronic Juvenile Offender (Chronicity):

For purposes of this study, a youth who has committed five or more offenses of a level 3 (4.66 - failure of a motorist to stop at a stop sign to 6.00 - breaking and entering to commit a crime), level 4 (6.05 - falsely reporting a bomb to 7.25 - unlawful possession of heroin) or level 5 (7.66 - possessing a molotov cocktail to 9.00 non-negligent murder) seriousness. (See Chapter V--Methodology.)

Commitment³:

The action of a judicial officer ordering that an adjudicated delinquent, who has been the subject of a juvenile court hearing, be admitted into a placement facility of DYS.

Community Facility³:

A "treatment" facility where residents are regularly permitted to depart, unaccompanied by any official, for the purpose of daily use of community resources such as schools, (recreation services), and seeking or holding employment.

Crimes of Violence:

For purposes of this study, crimes of violence include: various types of homicide, forcible rape, child molesting, armed robbery, assault which involves an intent to kill or do bodily harm, kidnapping, and arson when it endangers the lives of people.

Criminal Proceedings Against Children²:

A child of 14 years or older may be subject to criminal proceedings, if a (Massachusetts) District or Juvenile Court is of the opinion that the interests of the public require that the person not be treated as a delinquent (Mass., G. L., c. 119, s. 61, 74). For example, "a delinquent who commits his offense after his 14th birthday and who is considered a serious offender who has not profited by previous treatment as a delinquent child could be denied his treatment, but it is not necessary that he be a second offender. In such cases, the judge must first commence delinquency proceedings, then dismiss the complaint and order a criminal complaint and if there is 'probable cause' the child is bound over to the Superior Court" (Mass., G. L., c. 119, s. 74).

Delinquent Child²:

A child between 7 and 17 who violates any city ordinance or town by-law or who commits any offense against a law of the Commonwealth of Massachusetts (Mass., G.L., C. 119, §. 52).

Detention Hearing³:

In juvenile proceedings, a hearing by a judicial officer of a juvenile court to determine whether a juvenile is to be detained, continue to be detained, or released, while juvenile proceedings are pending in his case.

Detention (Secure)¹:

The short-term care and custody necessary to ensure that those youths most dangerous to themselves or to the community who have been charged with committing a delinquent act are available for arraignment, hearing and disposition. The sole purpose of secure care detention is to hold youths for as brief a time as possible under humane, fair and decent conditions.

Disposition Hearing³:

A hearing in juvenile court, conducted after an adjudicatory hearing and subsequent receipt of the report of any predisposition investigation to determine the most appropriate disposition of a juvenile who has been adjudicated a delinquent.

Disposition (Juvenile Court)³:

The decision of a juvenile court, concluding a disposition hearing that a juvenile be committed to a correctional facility, or placed in a care or treatment program, or required to meet certain standards of conduct, or released.

Double Status¹:

A youth who is placed pending a case but also has a previous outstanding commitment.

Foster Care¹:

A youth's placement with individuals.

Intake³:

The process during which a juvenile referral is received and a decision is made by an intake unit either to file a petition in juvenile court, to release the youth, to place him under supervision, or to refer him elsewhere.

Massachusetts Department of Youth Services (DYS)²:

Prompted by a series of studies and reports, for the most part adversely critical, from 1966 to 1968, the General Court in 1969 abolished the Youth Services Board, the Division of Youth Services and the Advisory Committee and in a new chapter of the General Laws (Chapter 18A) created a Department of Youth Services, under the control of a Commissioner with broad powers to develop a program of delinquency prevention and services to delinquent children, within or outside of the traditional institutions.

Petition³:

A document filed in juvenile court alleging that a juvenile is a delinquent, a status offender, or a dependent, and asking that the court assume jurisdiction over the juvenile, or asking that the juvenile be transferred to a criminal court for prosecution as an adult.

Predisposition Report³:

The document resulting from an investigation by a probation agency or other designated authority, which has been requested by a juvenile court, into the past behavior, family background and personality of a juvenile who has been adjudicated a delinquent, status offender or a dependent, in order to assist the court in determining the most appropriate disposition.

Probable Cause (Hearing)³:

A proceeding before a judicial officer in which arguments, witnesses or evidence is presented and in which it is determined whether there is sufficient cause to hold the accused for trial or the case should be dismissed.

Probation²:

In lieu of commitment to DYS, the court may suspend execution of the sentence and return the youthful offender to his home under the supervision of a probation officer for such time and upon such conditions as the court deems proper. The underlying theory of probation is, that in selected cases, commitment to DYS should be avoided if the offender can be allowed to remain in his community under supervision for a given period of time, without too great a risk that he will continue his delinquent behavior.

Reception/Transfer Status¹:

A youth who is already committed to DYS and is waiting a program placement or a transfer of the placement.

Recidivism³:

The repetition of criminal behavior; habitual criminality.

Referral to Intake³:

In juvenile proceedings, a request by the police, parents, or other agency or person, that a juvenile intake unit take appropriate action concerning a juvenile alleged to have committed a delinquent act, status offense, or to be dependent.

Residential Treatment Center³:

A facility which serves juveniles whose behavior does not necessitate the strict confinement of a secure facility, often allowing them greater contact with the community.

Secure Care Program¹:

A program that provides care, services and containment for youths who have demonstrated that they are: (1) dangerous to themselves and that there is no other agency facility available to care for them; (2) a threat to the physical harm of individuals in the community; and, (3) a chronic and serious threat to people or property.

Secure Care (and Treatment Services)¹:

The rendering of appropriate services in a secure environment is an extremely complex issue, covering a wide range of philosophical points and practical responsibilities. In accordance with the mandated requirement for individualized justice for youths, the Massachusetts Department of Youth Services must perceive its role as a provider of differential services geared to the special needs of each youth. These services include, but are not limited to: a full range of medical and psychiatric care, educational and vocational training, counselling (individual, group, family), trained supervision and guidance, recreational programming, minimum nutritional requirements, those services necessary to ensure the reintegration of the child into the community, and a physical environment suited to the rendering of these services.

Security³:

The degree of restriction of a youth's movement within a secure care "treatment" facility, usually divided into maximum, medium (moderate), and minimum levels.

Serious Juvenile Delinquency:

For purposes of this study, serious juvenile delinquency is defined as: (1) the commitment of those offenses which can be categorized as being of a violent nature, i.e., the various types of homicide, forcible rape and child molesting, armed robbery, aggravated assault which involves an intent to kill or do bodily harm, kidnapping, and arson when it endangers the lives of people; and/or (2) the repeated violation (5 or more times) of offenses which have the potential for causing injury to another person(s). Offenses of this nature are included as level 3, level 4 and level 5 offense types as categorized by the DYS--Secure Care Review Team. (See Appendix G for offense ratings.)

Transfer Hearing³:

A preadjudicatory hearing in juvenile court for the purpose of determining whether juvenile court jurisdiction should be retained or waived over a juvenile alleged to have committed a delinquent act(s) and whether he should be transferred to criminal court for prosecution as an adult.

Transfer to Adult Court³:

The decision by a juvenile court, resulting from a transfer hearing, that jurisdiction over an alleged delinquent will be waived and that he should be prosecuted as an adult in a criminal court.

¹Massachusetts Task Force on Secure Facilities, "Subcommittee on Data and Definition Report," July 1976. (Mimeographed.)

²Massachusetts Correctional Association, The Basic Structure of the Administration of Criminal Justice in Massachusetts, Boston, 1973.

³U.S. Department of Justice, LEAA, "Dictionary of Criminal Justice Data Terminology," Washington, D.C., 1976.

CONTINUED

1 OF 2

APPENDIX B
OFFENSE RATINGS

The following list of offenses are ranked from least serious to most serious based on the average score they received from the Massachusetts Department of Youth Services - Secure Care Review Team. The offenses are grouped into five levels of seriousness (i.e. level 1 - least serious... level 5 - most serious). Each offense has four columns after the offense name. Those columns include the following information:*

- Column 1: DYS-SCRT average score
- Column 2: Brandeis/Worcester Probation Officers' (B/W) average score
- Column 3: DYS-SCRT level of seriousness
- Column 4: Brandeis/Worcester Probation Officers' (B/W) level of seriousness

*Blank space represents no score obtained for a particular offense.

Level 1 Offenses

| Name of Offense | Col 1 DYS-SCRT x Score | Col.2 B/W x Score | Col.3 DYS-SCRT Level of Serious- ness | Col.4 B/W Level of Serious- ness |
|---|------------------------------|-------------------------|---|--|
| 1. Obstructing a sidewalk | 1.66 | 2.5 | 1 | 1 |
| 2. Disturbing the peace | 1.91 | 1.8 | 1 | 1 |
| 3. Walking on a railroad track | 2.00 | 1.4 | 1 | 1 |
| 4. Lewd or indecent language | 2.08 | 2.1 | 1 | 1 |
| 5. Possession of liquor in a public park | 2.08 | 1.3 | 1 | 1 |
| 6. Trespassing | 2.08 | 2.1 | 1 | 1 |
| 7. Truancy | 2.16 | 2.8 | 1 | 2 |
| 8. Escaping from a foster home | 2.41 | 1.4 | 1 | 1 |
| 9. A child's running away from home | 2.50 | 3.2 | 1 | 2 |
| 10. CHINS offenses | 2.54 | - | 1 | - |
| 11. Disturbing a school assembly | 2.66 | 2.8 | 1 | 2 |
| 12. A child's being chronically stubborn or uncooperative with his parents | 2.90 | 3.1 | 1 | 2 |
| 13. Malicious mischief | 2.91 | 3.7 | 1 | 3 |
| 14. Larceny of a dog | 3.00 | 3.4 | 1 | 2 |
| 15. Driving an uninsured motor vehicle | 3.00 | 2.4 | 1 | 1 |
| 16. Opening a fire hydrant | 3.00 | 2.3 | 1 | 1 |
| 17. A motorist violating a traffic signal | 3.00 | 2.1 | 1 | 1 |
| 18. Operating an uninspected motor vehicle | 3.00 | 2.4 | 1 | 1 |
| 19. Rude and disorderly behavior | 3.083 | 2.1 | 1 | 1 |

Level 2 Offenses

| Name of Offense | Col.1 DYS-SCRT x Score | Col. 2 B/W x Score | Col. 3 DYS-SCRT Level of Serious- ness | Col. 4 B/W Level of Serious- ness |
|--|------------------------------|--------------------------|--|---|
| 20. Operating an unregistered motor vehicle | 3.16 | 2.1 | 2 | 1 |
| 21. Driving without a license | 3.16 | 3.0 | 2 | 2 |
| 22. Possession of marijuana | 3.25 | 1.5 | 2 | 1 |
| 23. Drunkenness | 3.25 | 2.1 | 2 | 1 |
| 24. Operating a motor vehicle without lights | 3.33 | 2.3 | 2 | 1 |
| 25. Leaving an inn, restaurant, or hotel without paying | 3.33 | 3.0 | 2 | 2 |
| 26. Failure of a motorist to keep right | 3.41 | 3.0 | 2 | 2 |
| 27. Failure of a motor vehicle to stay within marked lanes | 3.41 | 2.0 | 2 | 1 |
| 28. Operating a motor vehicle with missing or defective equipment | 3.50 | 2.2 | 2 | 1 |
| 29. Failure of a motorist to yield the right of way | 3.50 | 2.9 | 2 | 2 |
| 30. Carrying of alcoholic beverages by a minor | 3.58 | 1.8 | 2 | 1 |
| 31. Failure to use care in stopping, starting, or turning a motor vehicle | 3.66 | 2.3 | 2 | 1 |
| 32. Breaking and entering into a railroad car | 3.75 | 4.5 | 2 | 3 |
| 33. Illegal transfer of registration plates | 3.75 | 3.3 | 2 | 2 |
| 34. Operating a motor vehicle contrary to restriction on the driver's license | 3.83 | 2.8 | 2 | 2 |
| 35. Illegal entry without breaking in | 4.00 | 3.6 | 2 | 3 |
| 36. Driving above the speed limit | 4.00 | 2.2 | 2 | 1 |
| 37. Failure of a motorist to follow the directions of a police officer | 4.00 | 4.2 | 2 | 3 |
| 38. Attempting to commit larceny | 4.00 | 4.3 | 2 | 3 |
| 39. Driving the wrong way down a one-way street | 4.16 | 3.4 | 2 | 2 |
| 40. Larceny of less than \$100 | 4.25 | 3.2 | 2 | 2 |
| 41. Defacing or damaging property | 4.33 | 3.8 | 2 | 3 |
| 42. Possession of burglary tools | 4.41 | 4.2 | 2 | 3 |
| 43. Being present where narcotic drugs are kept | 4.41 | 2.5 | 2 | 1 |
| 44. Attempting to commit a crime | 4.44 | 4.3 | 2 | 3 |
| 45. Escaping from DYS jurisdiction | 4.58 | 3.2 | 2 | 2 |

Level 3 Offenses

| Name of Offense | Col. 1 DYS-SCRT x Score | Col. 2 B/W x Score | Col. 3 DYS-SCRT Level of Serious- ness | Col. 4 B/W Level of Serious- ness |
|---|-------------------------------|--------------------------|--|---|
| 46. Failure of a motorist to stop at a stop sign | 4.66 | 2.8 | 3 | 2 |
| 47. Being an accessory, before and after a crime | 4.90 | 4.2 | 3 | 3 |
| 48. Larceny of more than \$100 | 5.00 | 5.4 | 3 | 4 |
| 49. Forgery | 5.08 | 4.8 | 3 | 3 |
| 50. Using a motor vehicle without the owner's authority | 5.16 | 6.1 | 3 | 4 |
| 51. Failure of a motorist to stop when directed by a police officer | 5.16 | 4.2 | 3 | 3 |
| 52. Attempting to break open a safe | 5.25 | 5.7 | 3 | 4 |
| 53. Buying, receiving, or concealing stolen goods | 5.25 | 4.4 | 3 | 3 |
| 54. Larceny | 5.33 | 4.2 | 3 | 3 |
| 55. Breaking, entering and larceny during the day | 5.66 | 5.6 | 3 | 4 |
| 56. Attempting to break, enter and commit larceny | 5.66 | 5.4 | 3 | 4 |
| 57. Threatening of a person with bodily harm | 5.66 | 5.3 | 3 | 4 |
| 58. Possession of barbituates or amphetamines | 5.83 | 5.1 | 3 | 4 |
| 59. Breaking and entering with the intent to commit a larceny | 5.83 | 5.8 | 3 | 4 |
| 60. Larceny of a motor vehicle | 5.91 | 6.3 | 3 | 4 |
| 61. Unarmed robbery | 5.91 | - | 3 | - |
| 62. Breaking and entering night time | 6.00 | 6.8 | 3 | 5 |
| 63. Breaking and entering in the attempt to commit another crime | 6.00 | 5.8 | 3 | 4 |

Level 4 Offenses

| Name of Offense | Col. 1 DYS-SCRT x Score | Col. 2 B/W x Score | Col. 3 DYS-SCRT Level of Serious- ness | Col. 4 B/W Level of Serious- ness |
|--|-------------------------------|--------------------------|--|---|
| 64. Falsely reporting a bomb | 6.08 | 5.5 | 4 | 4 |
| 65. Assault | 6.08 | 6.0 | 4 | 4 |
| 66. Larceny from a person | 6.16 | 4.6 | 4 | 3 |
| 67. Aiding escape from a police officer | 6.16 | 5.0 | 4 | 4 |
| 68. Attempting to extort money by threat | 6.58 | 6.2 | 4 | 4 |
| 69. Operating a motor vehicle to endanger | 6.58 | 6.2 | 4 | 4 |
| 70. Assault and battery | 6.75 | 6.6 | 4 | 5 |
| 71. Unlawful possession of benthropine | 6.80 | - | 4 | - |
| 72. Operating a motor vehicle under the influence of intoxicating liquor | 6.83 | 6.1 | 4 | 4 |
| 73. Assault and unarmed robbery | 7.00 | 6.6 | 4 | 5 |
| 74. Leaving the scene of an automobile accident | 7.08 | 4.8 | 4 | 3 |
| 75. Carrying a weapon without a license | 7.16 | 5.8 | 4 | 4 |
| 76. Assault and battery on a police officer | 7.18 | 6.5 | 4 | 5 |
| 77. Unlawful possession of heroin | 7.25 | 6.9 | 4 | 5 |

Level 5 Offenses

| <u>Name of Offense</u> | <u>Col. 1</u> <u>DYS-SCRT</u> <u>Score</u> | <u>Col. 2</u> <u>B/W</u> <u>x Score</u> | <u>Col. 3</u> <u>DYS-SCRT</u> <u>Level of</u> <u>Serious-</u> <u>ness</u> | <u>Col. 4</u> <u>B/W</u> <u>Level of</u> <u>Serious-</u> <u>ness</u> |
|---|--|---|---|--|
| 78. Possession of a molotov cocktail | 7.66 | 6.8 | 5 | 5 |
| 79. Armed robbery | 7.91 | - | 5 | - |
| 80. Unlawful possession of nitroglycerine | 7.91 | 6.4 | 5 | 4 |
| 81. Assault and robbery | 7.91 | 7.4 | 5 | 5 |
| 82. Manslaughter | 8.00 | - | 5 | - |
| 83. Assault and battery with a dangerous weapon | 8.08 | 8.5 | 5 | 5 |
| 84. Assault and armed robbery | 8.41 | 8.2 | 5 | 5 |
| 85. Arson | 8.50 | 8.9 | 5 | 5 |
| 86. Assault on a female under age 16 with an intent to rape | 8.66 | 8.7 | 5 | 5 |
| 87. Raping a child | 8.83 | 8.9 | 5 | 5 |
| 88. Kidnapping | 8.83 | 8.5 | 5 | 5 |
| 89. Murder (non-negligent) | 9.00 | - | 5 | - |

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