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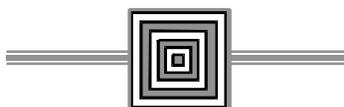
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# **Juvenile Justice in Texas: Factors Correlated with Processing Decisions**

**In fulfillment of the requirements of  
the Juvenile Justice and Delinquency  
Prevention Act  
(42 USC 5601 Et Seq.)**

**April 1997**

**Public Policy Research Institute  
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## FOREWORD

Juvenile Justice in Texas: Factors Correlated with Processing Decisions, reports the results of a research study conducted by the Public Policy Research Institute of Texas A&M University. The research is one component of a comprehensive, multi-year effort by the Criminal Justice Division (CJD), Office of the Governor, to investigate the processing of juvenile delinquency cases through the various agencies of the juvenile justice system in Texas, and to utilize the statewide study as a basis to develop appropriate program initiatives. This research project was conducted on behalf of the Criminal Justice Division to meet the requirements of federal rules and guidelines surrounding the processing of juveniles through the various stages of the juvenile justice system.

The federal government, through specific subdivisions of the United States Department of Justice, makes funding available to the states for criminal justice and juvenile justice programs. The federal agency that has jurisdiction over and provides formula funding to the states with respect to juvenile delinquency, juvenile justice, and related issues is the Office of Juvenile Justice and Delinquency Prevention (OJJDP). The enabling legislation under which OJJDP functions is the Juvenile Justice and Delinquency Prevention Act of 1974 (the Act), as amended.

OJJDP has mandated various requirements with which states must comply in order to receive federal funds under the Act. One of these requirements concerns the issue of disproportionate minority representation in the juvenile justice system. The operative factors concerning the issue of minority overrepresentation in the juvenile justice system may be found in Title II, Section 223 (a) (23), of the Juvenile Justice and Delinquency Prevention Act of 1974, as amended. This section of the Act provides that states should address efforts to reduce the proportion of juveniles detained or confined in secure detention facilities, secure correctional facilities, jails, and lockups who are members of minority groups, if such proportion exceeds the proportion such groups represent in the general population.

In order that states would approach the determination of minority overrepresentation in a focused and comprehensive manner, OJJDP published in the Federal Register, August 8, 1989, a set of rules or requirements for implementing Title II, Section 223 (a) (23). The OJJDP guidelines call for a two-stage process to address the issue of minority representation.

First, states must provide documentation in their program plans indicating whether minority juveniles are disproportionately detained or confined in secure detention or correctional facilities, jails, or lockups, in relation to their proportion of the at-risk youth populations.

Second, if documentation on the specific issues listed above is unavailable, or alternatively, if it is available and demonstrates that minorities are disproportionately detained or confined in relation to their proportion in the at-risk youth population, states must provide a strategy for addressing the disproportionate representation of minority juveniles in the juvenile justice system.

The Criminal Justice Division, Office of the Governor, is the state agency that has responsibility for administering federal funding under the Juvenile Justice and Delinquency Prevention Act of the Office of Juvenile Justice and Delinquency Prevention (OJJDP), United States Department of Justice. As indicated above, the Act requires that states assess the extent of minority overrepresentation in the juvenile justice system. The Criminal Justice Division, through its Juvenile Justice and Delinquency Prevention Advisory Board, and a special subcommittee on Minority Youth in the Juvenile Justice System, completed the required assessment and provided a plan for addressing minority overrepresentation. These issues were addressed in a previous report, Balancing the Scales, which was conducted over six years ago during a previous gubernatorial administration.

After reviewing Balancing the Scales, OJJDP determined that Texas was not in full compliance with Section 223(a), (23) of the JJDP Act. OJJDP had determined that the state plan had not provided the required assessment of the differences across minority groups concerning arrest, diversion, court disposition, commitment, and transfer to adult court. Consequently, since August 1994, the Criminal Justice Division has been engaged in ongoing remedial actions to address the issue of noncompliance. These actions clearly indicate the extent to which the Criminal Justice Division has implemented strategic initiatives to comply with OJJDP guidelines. It is instructive to review briefly the history of these efforts.

First, in September 1994 the Criminal Justice Division contacted the Texas Criminal Justice Policy Council (CJPC), the state agency with a statutory mandate to conduct studies and make recommendations concerning policy issues in the criminal and juvenile justice systems, seeking assistance in conducting research on minority overrepresentation. The Criminal Justice Division was advised that the CJPC was conducting an offender-based study in Dallas County consisting of 1,500 case referrals. In October 1994 the Criminal Justice Division contacted OJJDP to determine if the CJPC study could be supplemented and then replicated statewide to meet OJJDP guidelines.

Second, OJJDP officially responded to the Criminal Justice Division in January 1995 advising that the Dallas County study and the Criminal Justice Division's plans for a statewide study were acceptable and further asked for a time-limited plan for the FY 95 formula grant application.

Third, in April 1995 the Criminal Justice Division requested technical assistance of OJJDP through Community Research Associates, Inc. (a national contractor chosen by OJJDP to provide assistance to the states), with respect to anticipated surveys for Phase II of the minority overrepresentation assessment.

Fourth, in May 1995 the Criminal Justice Division, together with the Criminal Justice Policy Council and the Texas Youth Commission, met with representatives of Community Research Associates. The meeting constituted a comprehensive review of the overrepresentation issue and the development of a specific plan for subsequent action, including the formulation of a Request for Applications (RFA) for an outside contractor to conduct required data collection in support of the overrepresentation assessment.

Fifth, later in May 1995 the Criminal Justice Division advised OJJDP of the meeting with Community Research Associates, Inc., and also submitted a task list and timetable for the revised study of minority overrepresentation.

Sixth, in May 1995 the Criminal Justice Division sought approval from the General Counsel to publish the Request for Applications for a minority overrepresentation study in the Texas Register. The RFA was subsequently published with a 3 July 1995 submission date. Two applications were received in response to the RFA. The Criminal Justice Division assembled an applications scoring team who subsequently competitively evaluated the two proposals. In late August 1995, the application from the Public Policy Research Institute of Texas A & M University was awarded the grant to conduct the research on minority overrepresentation.

Seventh, in early September 1995, the Criminal Justice Division appointed a Minority Confinement Study Group to meet with the Texas A&M representatives, and thus, provide an advisory mechanism which would ensure that the research would be well planned and monitored in an ongoing fashion. Further, Professor Paul E. Tracy, a criminologist in the School of Social Sciences, University of Texas - Dallas was engaged as a technical consultant to the Criminal Justice Division to assist the Texas A&M researchers in conducting the study.

The on-going efforts of the Criminal Justice Division have been guided by a single overriding concern--that given the importance of juvenile justice processing, the present research should represent a comprehensive, objective, and scientifically defensible study. The citizens of Texas, government officials, the press, and other interested parties should expect no less than a study that is as definitive as possible in informing programmatic and policy initiatives.

Juvenile Justice in Texas: Factors Correlated With Processing Decisions, is the final report of the Texas A&M study. The study produces findings that will greatly assist the Criminal Justice Division in responding to the issue of minority overrepresentation in the Texas juvenile justice system and the attendant OJJDP guidelines. In order to appreciate fully the value of the research, it is useful to highlight here the design of the research and how the various components of the study fit together to provide a comprehensive assessment of juvenile justice processing in Texas.

First, the study design called for the selection of three Texas counties in which data collection would occur. The three counties selected represent a useful basis for comparative analyses--two of the largest urban counties in the state are included and a small rural county was also chosen.

Second, the research collected and analyzed two kinds of juvenile justice system data in the three counties. The first set of data collected and analyzed were aggregate statistics pertaining to arrests of juveniles as recorded by the Texas Department of Public Safety for the period 1990-94. These arrest statistics were supplemented by a second set of aggregate data from the Texas Juvenile Probation Commission concerning the delinquency cases that were referred to probation departments for further processing. These aggregate counts of arrests and referrals were then merged with population data so that prevalence rates across gender, and race/ethnicity categories could be computed and analyzed. Moreover, because these aggregate data cover the period 1990-94, they comprise a useful baseline period with which to assess the differential involvement of juveniles in various categories of crime. Clearly, Texas has been experiencing population growth over the past several years, and as of 1994, Texas became the second most populous state after

California. It is thus crucially necessary to document the extent to which population growth and the trends in juvenile crime are related.

In addition to aggregate data, the study conducted data collection and analysis on a random sample of offenders in each county using county automated case-management systems. This procedure facilitated the tracking of individual cases through the various processing points of the juvenile justice system. Through the application of multivariate statistical models, the research was able to investigate and determine if particular categories of youth were being processed differently as their cases moved from stage to stage of the juvenile justice system.

The use of client tracking data provided two major advantages to the study. First, the assessment could directly calculate differences in the handling of youths with reference to stage-specific transition probabilities as opposed to the imprecise inferences that must be drawn from summary data. Second, client tracking permitted the establishment of relationships between case characteristics (i.e., prior record, instant offense severity, etc.) to processing decisions and thereby permitted the determination of whether there are any race or ethnicity biases in these relationships.

A second, and highly important, prong of the research project was the use of survey methodology to conduct a statewide study of juvenile justice practitioners. The surveys address a range of significant issues concerning the processing of delinquency cases, factors related to the genesis of delinquency, and general concerns about delinquency and resources available in the juvenile system to respond to the problem of delinquent behavior.

The use of the survey methodology is very appropriate to tap into the underlying factors that various juvenile justice decision makers may be using in rendering processing decisions as a juvenile moves through the system. Further, the use of a statewide telephone survey to supplement the case-level data collection in the three study counties provided very useful comparative data that enhanced the determination of whether minority overrepresentation occurs and the identification of factors correlated with overrepresentation.

The last aspect of the research concerned the collection and analysis of data pertaining to the victims of juvenile crime. A secondary data-collection process was implemented in Counties One and Two which concentrated on the victim-offender relationships across various kinds of crime. Data were collected on the type of victim (individual vs. establishments), age of victim, and race/ethnicity of victim. The analysis of these data produced valuable findings pertaining to whether juvenile offenders victimize persons of like race/ethnicity and the type of offenses they commit against these persons.

In conclusion, Juvenile Justice in Texas: Factors Correlated With Processing Decisions was a well-conceived and professionally conducted research study. It utilized a multi-focused data-collection strategy that permitted the integration of various kinds of data. The findings are based on a range of appropriate statistical analyses, including the use of highly sophisticated multivariate prediction models. The research was a highly collaborative and cooperative effort between the Public Policy Research Institute of Texas A&M University and Professor Paul E. Tracy of the University of Texas - Dallas. This collaboration facilitated the conduct of the research and enhances the validity of the findings. Most important, the results reported herein provide the required statistical assessment of delinquency case processing through the stages of the juvenile justice system, and the research thus provides a meaningful basis for policy and program development in the future.

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*April 1997*

## INTRODUCTION

In the summer of 1995, the Criminal Justice Division (CJD) of the Governor's Office in Texas requested proposals for a study that would determine if minorities are overrepresented in the juvenile justice system. The Public Policy Research Institute (PPRI) submitted a proposal, which included three components:

- (1) An analysis of aggregate data on arrests and of referral data across race/ethnicity and gender lines to determine which groups commit more offenses;
- (2) An outline for an individual-level study of cases from three counties (two urban and one rural), focusing on decisions at different processing-points within the system. The study included an examination of differential processing for racial/ethnic groups controlling for all relevant background characteristics (e.g., criminal antecedents, age, gender, race/ethnicity);
- (3) A survey of juvenile justice practitioners to determine their perceptions of, and attitudes toward, minority overrepresentation and relevant issues.

PPRI was selected to conduct the study. At the request of the Criminal Justice Division, PPRI also included a study of the victims of juvenile offenses.

This report summarizes the objectives, methodology, and findings of this study, "Juvenile Justice in Texas: Factors Influencing Processing Decisions." Following the Introduction, Chapter 1 presents a literature review. Chapter 2 outlines data on arrests and referrals, grouped by race/ethnicity and gender. Chapters 3 and 4 discuss the sample and the variable descriptions used in the multivariate analyses, respectively. Chapters 5, 6, and 7 present the substantive findings for the county-level analyses, followed by an assessment in Chapter 8 of victims of juvenile offenses. The methodology and findings of the statewide telephone survey of juvenile justice practitioners are set forth in Chapter 9.

A Supplemental Appendix, bound separately, contains the survey instrument and the cross-tabulations.

Several groups and individuals assisted PPRI staff in conducting the study. Dr. Paul E. Tracy from the University of Texas, Dallas, contributed valuable ideas and comments at various stages of the study. Staff from the Texas Juvenile Probation Commission, the Texas Youth Commission, the Texas Criminal Justice Policy Council, and the District and County Attorneys' Association; judges, prosecutors, and probation department staff from the three targeted counties; and social service professionals and members of the Governor's Juvenile Justice Advisory Board all provided assistance with data collection and interpretation. Karen Greene, Nancy Hugon, Glenn Brooks, Jim Kester, Melissa Foley, and Ed Santiago from the Criminal Justice Division of the Governor's Office supervised all administrative and financial matters with admirable efficiency. This report has been enriched by their input and patience.

At Texas A&M University, Dr. J. Randy Booher, Dr. Radmila Prislin, Dr. Rickie Fletcher, along with Jeffrey A. Jordan, Lisa Halperin, Mark Bell, and Carla Glover assisted at various stages of the research, from writing the original proposal to conducting the actual research. Drs. Ben Crouch and Guy Whitten assisted in resolving many substantive questions and methodological issues. Greg Muller, Elaine Jude Leyda, Linda A. Baez, and Ross Blakely helped prepare the report and provided editorial assistance. Dr. Ramdas Menon was the Principal Investigator on the project.

## **CHAPTER 1: BACKGROUND AND BASIS OF THE STUDY**

The state of Texas receives federal funds awarded under the provisions of the Juvenile Justice and Delinquency Prevention Act (42 U.S.C. 5601 et seq.). As a condition of funding, Section 223(a)(23) of the Act and federal rules require all 50 states to do the following:

- (1) Identification. Document whether minority juveniles are disproportionately detained or confined in secure detention and correctional facilities in relation to their proportion of the state juvenile population. Minorities are juveniles who are African American, Hispanic American, Asian American, or Native American.
- (2) Assessment. Identify and explain differences in arrest, diversion, and adjudication rates, court dispositions other than incarceration, rates and periods of pre-hearing detention in, and dispositional commitments to, secure facilities of minority youth in the juvenile justice system, and transfers to adult court.
- (3) Intervention. Where disproportional confinement has been documented, provide a time-limited plan of action for reducing the disproportionate confinement of minority juveniles in secure facilities. The intervention plan shall be based on results of the assessment (see item 2 above).

The first of these three federal requirements set forth above has been met (see Balancing the Scales, published by the Criminal Justice Division of the Governor's Office). The second of the three requirements is the subject of the following report. The third of the three requirements will be addressed as part of the state's FY1997-1999 Plan for Implementing the Juvenile Justice and Delinquency Prevention Act.

### **LITERATURE REVIEW: FACTORS INFLUENCING PROCESSING DECISIONS**

Despite a consensus that the proportion of minorities in the Texas juvenile justice system exceeds that in the general population, the extent and causes of this racial disparity remain topics of serious debate (Jeffords & McNitt, 1993, p.86; State of Texas, 1993). While some research suggests that race/ethnicity is a significant factor in how dispositions are handled within the juvenile justice system (Bishop & Frazier, 1998a, 1996; Bortner, Sunderland, & Winn, 1985; Fagan, Slaughter, & Hartstone, 1987; Feyerherm, 1981; Johnson & Secret, 1992), other research

examining the influence of race/ethnicity on dispositions has shown little or no race/ethnicity effect (Bailey & Peterson, 1981; Bortner & Reed, 1985; Cohen & Kluegel, 1978, 1979; Horwitz & Wasserman, 1980; Kowalski & Rickicki, 1982).

Pope & Feyerherm (1991), along with other researchers (Kempf, Decker, & Bing, 1990; Bridges, Conley, Beretta, & Engen, 1993; Leonard, Pope, & Feyerherm, 1995), have offered a number of explanations for the inconclusiveness of previous research efforts. One reason suggested for the different findings is that many earlier studies of disproportionality focused on only one specific stage of the juvenile justice decision-making process. Restricting the scope to include only one decision-point limits the capacity to detect differential treatment at different stages of the system (Pope, 1984; Pope & Feyerherm, 1990; Leonard & Sontheimer, 1995). Few studies have examined the treatment of youth at multiple process points. Recent research has focused on four general decision-points within the juvenile justice system where racial bias may occur: (1) Police/referral Decision; (2) Detention at Intake; (3) Prosecutor's Decision; and (4) Court Dispositions. In the present study, researchers focus on the latter three decision areas. In order to shed light on police arrest decisions as an underpinning for the data on juvenile justice processing, the present study analyzed aggregate data by race/ethnicity and gender to determine trends in arrests and referrals for juvenile justice processing statewide, and in the three counties under investigation.

A discussion of the trends in the literature examining race/ethnicity and discrimination at these three decision-points follows.

## **DETENTION AT INTAKE**

At the detention stage in juvenile justice processing, cases are typically reviewed by an intake officer, who decides whether to detain or release the juvenile. Youth who are released are often placed in the custody of their parents or other responsible adult(s). Some youth are detained temporarily, pending transfers to other agencies or jurisdictions; others are detained in secure facilities. In Texas, as in other states, a juvenile may be held in detention (incarceration) after intake for up to two working days before being brought before a judge or referee. While in detention, a juvenile is brought before a judge or referee, who determines if continued detention is warranted, or if the juvenile will be placed in (protective) custody or released (often to parents), pending adjudication and disposition of the case.

The decision to detain has significant implications for subsequent stages of the decision-making process (Bridges et al., 1993). Consequently, it is one of the most important factors in the process. Youth who are detained are more likely than youth who are not detained to have their cases forwarded for prosecution.

A number of studies have found that a juvenile's race/ethnicity is a significant predictor of the decision to detain. In their study of juvenile justice processing in Washington State, which included 1,777 juvenile justice cases, Bridges et al. (1993) reported that older non-Anglo youth were more likely than Anglo youth to be detained, even when researchers controlled for a number of differences between cases and personal characteristics of the youth. This study also suggested that youth with irregular school attendance and from single-parent households were significantly more likely to be detained than youth with good attendance and from two-parent households. To the extent that minorities are more likely than Anglos to come from single-parent families and are more likely to have irregular school attendance, they are at greater risk than Anglos for being detained for committing similar offenses.

In addition to race/ethnicity, family structure has been shown to have an effect on a juvenile's processing outcomes. Researchers suggest that youth from female-headed households—particularly minority households—may receive more intrusive treatment and sanctions, due to a perceived lack of adequate parental supervision (Pope & Feyerherm, 1991). Black & Smith's (1980) research suggests that a juvenile's living arrangements (not living with natural parents) and prior record were the two most important variables in the decision to detain a juvenile.

A juvenile's criminal history can also influence the manner in which subsequent offenses are handled. A number of recent studies provide evidence that findings of racial discrimination at various processing stages have been confounded by the effects of a juvenile's previous detention (Bishop & Frazier, 1988a; Johnson & Secret, 1992; Kempf et al., 1990; Lockhart, Kurtz, Stutphen, & Gauger, 1991; Leiber, 1992). This research suggests that, as youth with multiple offenses typically receive harsher treatment than first-time offenders, studies of racial disparity must take into account the number and severity of past offense for each juvenile record examined. Bortner & Reed (1985) found that the two strongest predictors of the assignment of youth to detention at intake were the number of prior referrals that a juvenile had accumulated and his/her access to legal counsel. Youth with prior referrals were more likely to be detained for the current

offense than were youth without prior referrals. Other research confirms the importance of prior referrals and the presence of counsel in the decision to detain (Bishop & Frazier, 1995).

Among youth processed in the juvenile justice system in Missouri, Kempf et al. (1990) found that prior referrals had the greatest impact on disposition outcomes. In similar urban courts, Anglo youth were less likely than African-American youth to be detained. A juvenile's prior referrals and the presence of legal counsel were the strongest predictors of detention, followed by the absence of parents in court, felony referrals, violence, race/ethnicity, status offenses, and non-police referrals. In Kempf et al's study, a juvenile's gender had a significant influence on detention: in general, female youth received more lenient outcomes. However, other studies have shown that females do not receive more lenient treatment (Johnson & Secret, 1992; Leiber, 1992).

Bishop & Frazier (1988b) examined the disposition of 161,369 juvenile justice cases in Florida between 1985 and 1987 and found that race/ethnicity was predictive of being held in secure detention, even after researchers controlled for prior record, offense severity, and other important background variables. The typical non-Anglo juvenile in this study had a 16% probability of being placed in detention, compared to a 12% probability for Anglo youth. Like other researchers, they also found that the presence of a prior record was one of the leading predictors of detention.

Other researchers, however, have found little evidence that race/ethnicity affects how youth are assigned to detention (McCarthy, 1985; McCarthy & Smith, 1986). Using case records from Alabama (Jefferson County), McCarthy (1985) found that a juvenile's prior offenses and the severity of the current offense explained detention status, whereas race/ethnicity was not a significant predictor.

## **PROSECUTOR'S DECISION**

Further penetration in the juvenile justice system is implied when petitions are filed by the prosecuting attorney. The decision to file petitions to the court for adjudications of youth is made by the prosecuting attorney. The most consistent finding at this decision-point is that, regardless of their race/ethnicity, youth who are detained prior to adjudication are much more likely to be charged with offenses than youth who are not detained (Bridges et al., 1993; Kempf, 1992).

Research has documented an association between race/ethnicity and the decision to file court petitions. Kempf (1992) found that, in both urban and rural juvenile justice jurisdictions, petitions were filed more often for African-American youth than for Anglo youth. In addition, youth from single-parent households or youth with alcohol abuse problems were more likely to have petitions filed against them. Bridges et al. (1993) examined factors associated with court referrals of felonies and violent offenses and found that non-Anglo youth were more likely than their Anglo peers to be charged with an offense, even when controls for case-specific differences were taken into account. However, other findings in this same study suggested that, in some instances, non-Anglo youth were less likely to have petitions filed against them. Non-Anglo youth—especially Hispanics—with prior records of being diverted (away from prosecution) were more likely than Anglo youth to be diverted for subsequent offenses.

Bishop & Frazier's (1996) examination of juvenile cases in Florida indicates that, like the decision to detain, prosecutorial decision making is significantly influenced by the seriousness of the offense and by prior records for a given juvenile case, yet it is only slightly influenced by race/ethnicity. They report that in relation to its impact on detention status, "The impact of race is very modest: the typical white youth has a 32% chance of being referred to court, compared to a 34% chance for the typical nonwhite youth" (p. 404). They also indicate that both gender and age influence the probability of court referrals.

## **DISPOSITION**

A review of the literature suggests that the disposition of sentences resulting in confinement is disproportionately higher for minority youth than for Anglo youth. Researchers have found that, when compared with Anglo youth, African-American youth are more likely to have their cases adjudicated (Huizinga & Elliot, 1987; Fagan et al., 1987) and are less likely to have their cases dismissed (Kempf et al., 1990).

Among a sample of juvenile cases examined by Fagan et al. (1987), African Americans were less likely than Anglos to have their cases dismissed, except in more serious offenses. Kempf et al. (1990) suggest that the differential treatment of youth might be explained by the type of counsel they have access to, and that "there is evidence that black youths who commit serious offenses are more likely to admit their guilt, while their white counterparts may plead to lesser charges with a private attorney" (p. 17).

Race/ethnicity has been found to be a predictor of dispositions, even with controls for relevant legal criteria such as prior record, severity of the offense, and the type and level of injury or damage (Bishop & Frazier, 1988, 1996; Sunderland & Winn, 1985; Fagan et al., 1987). Bridges et al. (1993) found that race/ethnicity was directly related to confinement sentences, a pattern that persisted even after adjustments were made in the seriousness of offenses, prior record, juvenile's age, and other legally relevant characteristics.

As in the analysis of other stages of juvenile justice processing, higher rates of detention among minority youth increase the likelihood of their being sentenced to confinement following adjudication. Bridges, Conley, Engen, & Price-Spratlen (1995) found that minority youth in their sample were, on average, prosecuted at substantially higher rates than Anglos. They attributed this finding to the significantly increased likelihood of prosecution for minority youth with prior records of juvenile court referral, and for youth detained prior to adjudication. As minority youth are much more likely than their Anglo counterparts to be detained prior to adjudication, they are at greater risk for more serious punitive measures, including confinement, within the juvenile justice system.

Besides prior offenses and the seriousness of the current offense(s), other personal and demographic characteristics can influence outcomes. The location of the juvenile court (Leonard & Sontheimer, 1995) can make a difference. In some cases, urban courts have been found to be more even-handed in their processing of minorities than were rural courts (Bridges et al., 1993; Leonard & Sontheimer, 1995).

Much of the previous research has neglected the broader context within which processing decisions are carried out. The focus has been almost exclusively on the characteristics of cases and their outcomes, without consideration of the views and perceptions of juvenile justice administrators and personnel (Kempf, 1992; Leonard et al., 1995; Bridges et al., 1995). Because the views, perceptions, policies, and practices of juvenile justice practitioners may affect the processing of youth accused of offenses, not accounting for this information in their analyses limits previous studies to only partially addressing the issue of racial disparity. The present report includes qualitative insights gleaned from a survey of juvenile justice practitioners statewide.

The inconclusiveness of earlier research has been exacerbated by the methodology used. Previous research has relied primarily on bivariate statistical techniques and has thereby been restricted to examining associations between race/ethnicity and other variables. Furthermore, the findings from these studies have often been confounded by the uncontrolled variance of other key variables. For instance, while researchers could empirically verify racial differences among youth in court dispositions, they were unable to determine whether (1) these differences were attributed to racial bias within the courts; (2) they were due to differences in the severity or the types of offenses that Anglo and non-Anglo youth were accused of; or (3) they collectively represented an artifact of disparities that occurred during earlier stages in juvenile justice processing. In order to address these and other questions, recent research has incorporated more rigorous statistical techniques, such as multivariate analyses, that allow researchers to control for a number of critical variables and to examine and explain outcomes at individual decision-points.

Finally, previous research has analyzed the administration of juvenile justice only in selected jurisdictions in a particular area (e.g., Kempf et al., 1990), revealing considerable variation among jurisdictions regarding how juvenile justice is administered to minorities. This is a serious limitation. By overlooking important regional and area differences in how juvenile justice cases are processed, the generalizability of these studies has been severely constrained (Bridges et al., 1995). Like others before it, the current study is necessarily selective in scope—it is restricted to three counties. However, researchers have relied on aggregate arrests and juvenile referral data compiled by state agencies, as well as on survey data, to provide a comprehensive picture of juvenile processing in Texas.

This review of the current literature underscores significant gaps in our understanding of the juvenile justice system, in general, and the nature and extent of racial disparity, in particular. In attending to many of the suggestions and limitations of previous studies, researchers for this study have:

- (1) examined juvenile processing at various stages (Detention at Intake, Referral to the Prosecutor, Prosecutor's Decision, and Disposition);
- (2) included both quantitative data (juvenile archival) and qualitative data (from open-ended responses to survey questions);
- (3) focused on African-American, Hispanic, and Asian-American minority youth;

- (4) employed multivariate statistical techniques (logistic regression);
- (5) included gender, age, and school status variables in the analyses; and
- (6) examined juvenile justice processing in both rural and urban jurisdictions of Texas.

## CHAPTER 2: ANALYSES OF AGGREGATE ARRESTS AND REFERRAL DATA

Data for the juvenile justice processing project were obtained from three Texas counties: two urban, referred to throughout this report as County1 and County2, and one rural, referred to as County3. Prevalence estimates were developed from Uniform Crime Reports (UCR), which were obtained from the Department of Public Safety, and the Texas Juvenile Probation Commission (TJPC) Reports. The analyses are broken down by race/ethnicity and gender for the 1990-96 period.

A disproportionate representation index (DRI), similar to that used in (1993), was calculated. The DRI was calculated in the following manner:<sup>1</sup>

$$\left( \frac{\text{No. of specific offenses committed by race x gender group/No. of specific offenses by gender}}{\text{Population of ethnic x gender group/Gender population}} \right)$$

Tables 2.1 and 2.2 are based on the average rates for offenses committed in the targeted counties (County1, County2, and County3) and statewide over the five-year period (1990-1994). As illustrated by the formula, the DRI is a comparison, in percentage terms, of the proportion of a specific racial or ethnic youth group processed at a certain point in the juvenile justice system, compared to the proportion of this group in the youth population. For example, if 10% of the 12- to 16-year-old population is represented by African Americans, and they account for 25% of the arrests for property offenses, the index would have a value of 2.5 (or 25% divided by 10%), indicating that this group is 2.5 times more likely than their numbers in the population would suggest to be represented among those arrested for property offenses.

The DRI ratio was chosen because of its ease of interpretation. The value “1” represents parity, which means that members of a racial/ethnic or gender group commit a particular offense at a rate that is consistent with that group’s proportion of the population. Numbers less than 1 reflect underrepresentation, whereas numbers greater than 1 indicate overrepresentation.

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<sup>1</sup> Baseline numbers used to calculate the DRI and prevalence rates in the three counties and statewide are included in Appendix A.

**TABLE 2.1: Disproportionate Representation Index (DRI) for UCR Data by Offense, Gender, Race/ethnicity, and County (1990-1994)**

<b>Offense Categories for Males</b>		<b>County1</b>	<b>County2</b>	<b>County3</b>	<b>Statewide</b>
<i><b>Index</b></i>	Af. American	1.73	2.24	1.83	1.95
	Anglo	0.61	0.47	0.46	0.68
	Hispanic	1.16	1.47	0.98	1.17
<i><b>Violent</b></i>	Af. American	2.75	3.61	1.83	3.13
	Anglo	0.29	0.24	0.47	0.41
	Hispanic	0.97	1.26	0.99	1.12
<i><b>Property</b></i>	Af. American	1.48	2.09	1.78	1.77
	Anglo	0.70	0.49	0.46	0.72
	Hispanic	1.20	1.49	1.00	1.18
<i><b>Drugs</b></i>	Af. American	2.73	3.80	2.71	2.87
	Anglo	0.39	0.38	0.31	0.48
	Hispanic	0.85	0.88	0.31	1.13
<i><b>Weapons</b></i>	Af. American	2.18	2.53	1.93	2.32
	Anglo	0.37	0.45	0.56	0.53
	Hispanic	1.23	1.34	0.53	1.27
<b>Offense Categories for Females</b>		<b>County1</b>	<b>County2</b>	<b>County3</b>	<b>Statewide</b>
<i><b>Index</b></i>	Af. American	1.57	2.01	1.75	1.87
	Anglo	0.65	0.54	0.52	0.71
	Hispanic	1.19	1.39	1.14	1.19
<i><b>Violent</b></i>	Af. American	2.45	3.32	1.14	3.00
	Anglo	0.34	0.23	0.24	0.47
	Hispanic	1.08	1.33	0.56	1.06
<i><b>Property</b></i>	Af. American	1.49	1.95	1.71	1.78
	Anglo	0.68	0.37	0.54	0.72
	Hispanic	1.32	1.39	0.91	1.15
<i><b>Drugs</b></i>	Af. American	2.40	2.89	N/A	2.26
	Anglo	0.47	0.45	N/A	0.60
	Hispanic	0.93	1.14	N/A	1.18
<i><b>Weapons</b></i>	Af. American	2.14	2.42	N/A	2.35
	Anglo	0.37	0.46	N/A	0.54
	Hispanic	1.24	1.32	N/A	1.23

Source: 1990-1994 Texas Uniform Crime Reports. Population estimates are from the State Data Center at Texas A&M.

In most instances, the UCR data in Table 2.1 show that Anglos have a DRI of less than 1 for both males and females. African Americans have DRIs greater than 1, and, in most instances, Hispanics have DRIs greater than 1.2.<sup>2</sup> Both male and female African-American youth are disproportionately arrested for all offenses, particularly those involving violence and drug and weapons charges. The inter-ethnic differentials are greatest between African-American and Anglo youth. Excluding drug offenses, the DRIs for Hispanic youth are generally larger than 1. However, the DRIs for Hispanic female youth are greater than 1 in both the state and urban counties, but not in the rural county (County3). Too few females were arrested for drug and weapons offenses in County3 for DRIs to be calculated. Hispanic male and female overrepresentation is highest for offenses involving weapons possession.

The inter-ethnic differentials in DRIs are greatest between African Americans and Anglos. Generally, the Hispanic/Anglo differential is smaller than the African-American/Anglo differential.

Finally, except for violent and weapon offenses, the DRIs for African-American and Hispanic males are higher in the urban counties than they are in the rural county. Another noteworthy finding featured in Table 2.1 is that the DRIs for African-American youth are lower than the state average in both County1 and County2.

The TJPC data presented in Table 2.2 on the following page pertain to referrals made to juvenile probation departments during the 1990-94 period. Based on the average rates for the five-year period, the DRIs are remarkably consistent in both the UCR and TJPC data tables. The Pearson product correlation between the two datasets is .99. Moreover, the inter-ethnic and other differences reported for the UCR data also hold true for the TJPC data.

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<sup>2</sup> The number of Hispanics is estimated according to the formulae used by the Texas Criminal Justice Policy Council.

**TABLE 2.2: Disproportionate Representation Index (DRI) for TJPC Data by Offense, Gender, Race/ethnicity, and County (1990-1994)**

Offense Categories for Males		County1	County2	County3	Statewide
<i>Index</i>	Af. American	1.80	2.30	1.69	2.06
	Anglo	0.57	0.43	0.48	0.65
	Hispanic	1.15	1.49	1.13	1.13
<i>Violent</i>	Af. American	2.53	3.17	1.77	2.99
	Anglo	0.38	0.33	0.57	0.48
	Hispanic	0.96	1.30	0.79	1.05
<i>Property</i>	Af. American	1.60	2.16	1.68	1.87
	Anglo	0.62	0.45	0.46	0.69
	Hispanic	1.19	1.52	1.20	1.14
<i>Drugs</i>	Af. American	2.71	4.16	2.74	3.08
	Anglo	0.36	0.31	0.16	0.41
	Hispanic	0.86	0.85	0.22	1.13
<i>Weapons</i>	Af. American	2.01	2.52	1.83	2.16
	Anglo	0.43	0.37	0.62	0.50
	Hispanic	1.23	1.51	0.59	1.35
Offense Categories for Females		County1	County2	County3	Statewide
<i>Index</i>	Af. American	1.68	1.93	1.79	2.00
	Anglo	0.74	0.48	0.55	0.71
	Hispanic	0.94	1.56	0.73	1.07
<i>Violent</i>	Af. American	2.74	2.73	1.15	3.45
	Anglo	0.43	0.39	N/A	0.53
	Hispanic	0.74	1.32	N/A	0.80
<i>Property</i>	Af. American	1.53	1.87	1.68	1.86
	Anglo	0.78	0.48	0.55	0.73
	Hispanic	0.97	1.58	0.95	1.09
<i>Drugs</i>	Af. American	1.60	2.39	N/A	1.70
	Anglo	0.89	0.60	N/A	0.74
	Hispanic	0.88	1.09	N/A	1.17
<i>Weapons</i>	Af. American	2.93	3.81	N/A	2.83
	Anglo	0.46	1.74	N/A	0.49
	Hispanic	0.52	0.88	N/A	1.09

Source: 1990-1994 Texas Juvenile Probation Statistical Reports. Population estimates are from the State Data Center at Texas A&M.

## PREVALENCE RATES FOR ALL OFFENSES

Prevalence rates per 1,000 population are presented by type of offense (see Tables A-12 through A-21 in Appendix A). The rates per 1,000 population are represented in Figures A-1 through A-30 in Appendix A). The prevalence rate, grouped by race/ethnicity and gender, for each county and for the state was calculated using the following formula:

$$\left( \frac{\text{No. of specific offenses committed by ethnic group}}{\text{Population of ethnic group}} \right) * 1000$$

**UCR Data Summary.** The rates for County3 vary considerably from year to year, due to low population totals. In some years, no arrests of females were made for certain offense categories. Consequently, they cannot be used as reliable trend indicators.

Generally, rates in County2 are higher than those for County1. Compared to statewide averages, County2 has higher prevalence rates, whereas County1 has lower rates. The County2 rates for African-American youth vary from year to year, based, again, on low population totals.

UCR data suggest that minority youth are arrested for, or are associated with, more severe criminal activities than Anglo youth are. Based on statewide data, the inter-racial/ethnic differences between Anglo and African-American youth are particularly pronounced for violent offenses and drug and weapon arrests. Statewide, between 1990 and 1994, African-American youth were 5.4 times more likely than Anglo youth to be arrested for drug offenses (calculated from data in Table A-15 in Appendix A). With respect to violent offenses, African Americans were 7.3 times more likely than Anglos to be arrested (Table A-13 in Appendix A).

The African-American/Anglo differences within the targeted counties were even larger, whereas the differences between Anglos and Hispanics were generally smaller. For example, based on average rates over the five-year period statewide, Hispanic youth were 2.6 times more likely than Anglo youth to be associated with violent offenses (calculated from Table A-13 in Appendix A). In County1 and, to a certain extent, in County 2 violent index arrest rates of African-American males climbed steadily during the period under study, whereas index arrest rates of Anglo and Hispanic males declined (see Figures A-2 and A-12 in Appendix A). Drug arrests for all males in

County1 and County2 increased between 1990 and 1995 (see Figures A-4 and A-14 in Appendix A). Weapon arrests of African-American and Anglo youth declined in both urban counties during the same time period (see Figures A-5 and A-15 in Appendix A).

Arrests of female youth occur at much lower rates than those of male youth. Among offenses, index and property crimes have the highest prevalence among females. Minority female youth have higher arrest rates than do Anglo female youth, but the inter-racial/ethnic differences are generally smaller than those for males. Finally, arrest rates for offenses among females involving drug possession and violence increased among all three ethnic groups in both counties during the 1990-1994 time period (see Figures A-7, A-9, A-17, and A-19 in Appendix A). Similar to the trend observed for males, weapon arrests for females declined in the two urban counties (see Figures A-10 and A-20 in Appendix A).

***TJPC Data Summary.*** Consistent with the UCR data, County2 generally has higher referral rates for minorities than either of the other two counties or the state. County1 generally mirrors the statewide data well. The referral rates in County3 vary a great deal from year to year, due in large part to the low baseline population.

The TJPC data show the same trends documented in Balancing the Scales: African-American youth were referred at higher rates than their Anglo and Hispanic peers. This particular trend is especially apparent with respect to drug (male youth only) and violent offenses (male and female youth), where the African-American-to-Anglo referral ratio is 6:1 (calculated from data in Tables A-18 and A-20 in Appendix A). Like the UCR data, the TJPC data show that the number of drug and violent offense referrals has risen over the last five years.

Referrals of female youth occur at lower rates than those for males. Minority females have higher referrals than Anglo females, but the inter-racial/ethnic differences are generally smaller than those for males. Finally, females generally commit more index offenses—especially those involving property—and fewer drug, weapon, or violent offenses. However, although current prevalence rates are still low, statewide referrals for drug and violent offenses among all three ethnic groups increased during the 1990-1994 time period.

## CONCLUSION

These trends in offenses committed by youth were calculated from aggregate data compiled by the TJPC and the DPS. Based on the DRI, minority youth are arrested for committing a disproportionate number of crimes. One limitation involved in using aggregate data is that it does not allow for the use of statistical controls for background factors to determine if youth from different racial/ethnic backgrounds, but with similar criminal histories (severity of current offense, number and severity of past offenses), matching socio-demographic (e.g., age, youth from single-parent households), and involvement in similar activities (e.g., gangs, drug or alcohol use), are treated in the same manner after having been referred to the juvenile justice system.

The juvenile justice system usually deals with the youth after their referral to county probation departments. Information on alleged new offenses; decisions about detention, adjudication, and disposition; and updated information about social and economic factors are then entered into databases and matched with information that is already on the Management Information System (MIS).

In order to address other issues, three Texas counties were selected and data on individual juveniles were analyzed. The kinds of data that are available in these county databases are discussed in Chapters 3 and 4, and the county-specific analyses are presented in Chapters 5, 6, and 7.

### CHAPTER 3: DESCRIPTION OF THE SAMPLE

In Texas, juvenile cases are normally processed at the county level, as juvenile probation departments and courts are organized along county lines, rather than on urban/rural or urban/suburban bases. Data for the juvenile justice processing project were obtained from three Texas counties: two urban, referred to throughout the report as County1 and County2, and one rural, referred to as County3. These particular counties were chosen because each had the following: (1) a representative proportion of racial/ethnic minorities, as compared to the state;<sup>3</sup> (2) a sufficient number of annual juvenile referrals; and (3) a computerized database. Furthermore, because each county was easily accessible from Texas A&M University, the data collection process was facilitated with minimal travel expense.

The original plan entailed investigating, in each of the three counties, referrals to the juvenile justice system from 1990 through 1994. However, when researchers learned that County2 had updated its computer system in late 1992, a revised data collection plan was adopted: County1 and County2 would be sampled from 1993 through 1994, and County3 data would be collected from 1990 through 1995. The longer collection period for the rural county was due to lower numbers of referrals.

The purpose of this section is to report the proportion of referrals of youth who are processed through the juvenile justice system during the time periods indicated above. A general approach is described and the actual numbers for each county are provided below. The first step in selecting a sample for analysis was to determine the number of overall referrals and youth (a juvenile could have multiple referrals) for the specified time period. Each county MIS contained all referrals, including administrative referrals, in that county for the specified time period. The most serious offense was always listed as the reason for referral.

The next step involved selecting youth whose last referrals fell within the indicated time period. This was necessary for two reasons. First, the socio-demographic data available were accurate only for the most recent referral. By selecting youth whose last referral occurred during the indicated time period, researchers could be more confident about the accuracy of the socio-demographic data. This sampling strategy also precluded the sampling of youth who were in the

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<sup>3</sup> According to the 1990 Census, the proportions of African Americans and Hispanics are these: (1) **Statewide**: 11.9% and 25.5%; **County1**: 19.2% and 22.4%; **County2**: 11.9% and 25.3%; and **County3**: 27.5% and 11.9%.

system during the 1993-1994 period, but who had referrals after 1994. By sampling in this way, all of the final dispositions for cases processed during 1993-1994 were available by the time data collection efforts began in 1995. In County3, researchers had to access all cases processed during 1990-1995 to obtain a large enough sample. Second, to avoid bias created by the presence of a few multiple offenders, researchers allowed only one referral per juvenile in this sample. If a juvenile had multiple referrals during the specified time period, only the last was selected.

From the non-duplicate sample, a subsample containing 2,000 youth was created, when possible. This subsample was restricted to male and female Anglo, African-American, and Hispanic youth who had been referred for a misdemeanor or felony offense. A similar subsample was also created for youth who had been referred for status offenses. In this study, a status offender is “a child who is accused, adjudicated, or convicted for conduct that would not, under state law, be a crime if committed by an adult, including truancy, running away from home...and violati[ng] a juvenile curfew ordinance or order” (Texas Family Code, 3, § 51.03, 1995). Asian-American youth were analyzed separately.

Subsamples were randomly generated in the following manner. First, data were sorted by juvenile number. Second, each juvenile number was assigned a random number produced by the RANUNI function in SAS, the statistical analysis software used for data analysis. Third, data were sorted by the assigned random numbers. Finally, the first 2,000 youth generated from this sorting procedure were output to a new dataset.

Specific descriptions of the data obtained from each county immediately follow. Due to county-specific data collection methods and definitions, cross-county comparisons must be made cautiously. These differences among the counties also precluded merging the individual county datasets into one comprehensive dataset.

From the county databases, researchers identified the number of referrals made during the targeted time frame. Due to the possibility of multiple referrals per juvenile, it was necessary to identify the number of youth referred. From these individual referrals, researchers focused on the most recent referral for the time period, for reasons outlined above. Finally, researchers identified non-duplicate referrals for misdemeanors and felonies committed during the study period. A sample of 2,000 was drawn from each county. Similar steps were taken to generate 2,000 status offense cases. In the rural county, all referrals from 1990 through 1995 were included to generate an adequate sample.

For County1, 62,101 referrals were accessed from 35,583 youth, representing 1.8 referrals per juvenile. Researchers identified 27,591 individuals whose last referral occurred between 1993 and 1994. In other words, at the time the study was initiated in 1995, none of these youth had any subsequent referrals, and the most recent referral in 1993 or 1994 appeared as the last entry in the database. From this pool of individuals, 2,000 non-duplicate cases involving felonies and misdemeanors were randomly selected (see Table 3.1).

**TABLE 3.1: Referral Data from the Targeted Counties (1993-1994)**

	<b>County1</b>	<b>County2</b>	<b>County3</b>
<b><i>Number of Referrals</i></b>	<b>62,101</b>	<b>15,142</b>	<b>763</b>
Percent African-American	33.6%	30.4%	55.6%
Percent Anglo	30.5%	25.7%	27.1%
Percent Hispanic	34.1%	42.7%	17.0%
Percent Female	28.9%	24.0%	12.5%
Percent Male	71.1%	76.0%	53.5%
<b><i>Number of Juveniles</i></b>	<b>35,583</b>	<b>7,089</b>	<b>386</b>
Percent African-American	31.2%	25.6%	43.8%
Percent Anglo	33.9%	31.8%	33.7%
Percent Hispanic	32.9%	40.8%	22.0%
Percent Female	34.2%	31.6%	17.9%
Percent Male	65.8%	68.3%	82.1%
<b><i>Last Referral Data</i></b>			
Non-duplicates - juveniles	<b>27,591</b>	<b>4,857</b>	<b>381</b>
Percent African-American	29.3%	24.3%	43.6%
Percent Anglo	35.8%	35.8%	33.6%
Percent Hispanic	32.7%	37.8%	22.3%
Percent Female	36.7%	34.6%	18.1%
Percent Male	70.1%	67.8%	82.2%
<b><i>Sample of Misdemeanors/Felonies</i></b>			
Non-duplicates - juveniles	<b>2,000</b>	<b>2,000</b>	<b>371</b>
Percent African-American	34.3%	26.5%	44.2%
Percent Anglo	31.3%	36.5%	33.7%
Percent Hispanic	34.5%	37.0%	22.1%
Percent Female	30.0%	32.3%	17.8%
Percent Male	70.1%	67.8%	82.2%
<b><i>Sample of Offense Data</i></b>			
Non-duplicates - juveniles	<b>2,000</b>	<b>506</b>	<b>6</b>
Percent African-American	22.0%	13.0%	16.7%
Percent Anglo	52.8%	48.6%	50.0%
Percent Hispanic	25.3%	38.3%	33.3%
Percent Female	66.9%	71.3%	50.0%
Percent Male	33.2%	28.7%	50.0%

Another 2,000 non-duplicate cases involving status offenses were also selected. Details on the racial/ethnic and gender composition are provided in Table 3.1. Generally, for misdemeanors and felonies, each racial/ethnic group represented approximately one-third of all juvenile referrals. The majority of cases involved males. For status offenses, however, Anglo youth accounted for about 50% of the cases in the dataset. Similar breakdowns are presented for County2 and County3.

For County2, 15,142 referrals were accessed from 7,089 youth, representing 2.1 referrals per juvenile. Researchers identified 4,857 individuals whose last referral occurred between 1993 and 1994. In other words, at the time the study was initiated in 1995, none of these youth had any subsequent referrals, and the most recent referral in 1993 or 1994 appeared as the last entry in the database. From this pool of individuals, 2,000 non-duplicate cases involving felonies and misdemeanors were randomly selected (see Table 3.1). Also, 2,000 non-duplicate cases involving status offenses were selected.

For County3, 763 referrals were accessed from 386 youth, representing 2.0 referrals per juvenile. Due to fewer referrals, all cases in the County3 database were included in the analyses. Details of the variables obtained from the county databases are presented next.

## CHAPTER 4: DESCRIPTIONS OF THE VARIABLES

### DEPENDENT VARIABLES

All relevant data were drawn from county MIS databases. PPRI staff used the hierarchical datasets developed for administrative purposes to develop a sequential flow of events and were able to identify the key processing-points identified below. Project personnel in all three counties were consulted to ensure that our understanding of the process was realistic.

One goal was to standardize the analyses in all counties and to create comparable variables, whenever possible. The following dependent (or outcome) variables were analyzed: (1) whether the juvenile is detained at intake; (2) whether the juvenile's case is informally adjusted by the intake juvenile probation officer or is sent to the District Attorney (DA) for possible prosecution; (3) whether a petition is filed by prosecutors; and (4) whether prosecution results in secure placement in a TYC facility or some other alternative (probation, acquittal, dismissal, or administrative order). In the rural county, PPRI staff were unable to obtain information on the activity of the DA. Consequently, the results for County3 do not include an analysis of the DA's decision to prosecute.

A multivariate analysis was conducted on a random sample of 2,000 youth (African Americans, Hispanics, and Anglos) who committed offenses during 1993-1994 in both County1 and County2. For County3, a multivariate analysis was done on 371 youth who had been processed by the county juvenile probation system from 1990 through 1995. Multivariate analyses were done for each stage of the process mentioned above, using logical regression in SAS (version 6.11).

Regression models do not necessarily reflect causal relationships. They predict associations or correlations between a set of independent predictor variables and a specified dependent variable. Unlike standard least-squares regression, logistic regression deals with dichotomous dependent variables. A dichotomous variable is one for which there are only two alternatives. For example, gender is a dichotomous variable because one must either be male or female. At each of the stages described above, researchers constructed a dichotomous variable and determined the likelihood of youth moving to the next stage, when all factors were controlled for. As an example

of an outcome or decision-point, a dependent dichotomous variable was developed where the DA filed a petition against the juvenile, deferred prosecution, or dropped the case.

**Data Definitions.** In the County1 dataset, the intake decision category (*INDECAT*) was coded as a unique variable with six categories. Each category represents the job position of the person who made the final decision for that referral. These categories are (1) receiving; (2) intake Juvenile Probation Officer (JPO); (3) Legal Screening Officer/DA (LOS/DA); (4) court JPO; (5) judge; and (6) Texas Youth Commission (TYC). By matching these stages with final dispositions (*DISPCODE*), PPRI staff were able to develop a sequence of events within the juvenile justice system in this county.

In the County2 data, all of the final dispositions were coded as one variable (*DISPCODE*) and ordered in sequence with the decision process. *DISPCODE* was numerically organized to reflect stages in the decision process. The higher the number in *DISPCODE*, the further into the process the juvenile had advanced. County3 used the CaseWorker/3 system; key differences between this rural county and the urban counties are discussed below.

In this study, county cases were coded as missing if they were sent to other agencies or to other criminal jurisdictions, were dropped for a lack of evidence, or involved youth who either had escaped or were too old. When a case entailed any kind of “service” at intake, such as counseled and released, that case was coded as an active referral and the disposition was coded as an informal adjustment.

**Detention.** The first measurable event after a juvenile is referred to the Probation Office (PO) is the decision to detain the juvenile. There are as many as three ways of defining detention. Because Texas Family Code statutes require that a probable cause hearing be held within two working days after detention, two kinds of detention data are present in the MIS systems: (1) detentions of less than 48 hours and (2) court-ordered detentions. In County1 and County2, researchers also obtained a computerized record of court-ordered detentions. In County3, a proxy for court-ordered detentions was used (i.e., detentions that are more than two days in duration). Here, if a juvenile was detained for more than two days, researchers assumed that a hearing had been held, which resulted in continued detention.

***Informal Adjustment/File Sent to the DA.*** The next stage in processing is determining whether to make an informal adjustment in the case; that is, a juvenile may be placed in the custody of family/guardian, pay a fine, be diverted to a community service program, or receive counseling. The probation staff usually make the decision to arrange an informal adjustment. Decisions made by anyone other than a probation officer are treated as cases sent to the DA.

Some cases were coded as missing because the juveniles involved were (1) too old to be classified as juveniles; (2) sent to other state agencies (such as Child Protective Services); (3) sent to other criminal jurisdictions; or (4) escapees. Also coded as missing were cases involving youth whose value for the final disposition was missing from the original dataset.

Since County3 used the Texas Juvenile Probation Commission's CaseWorker/3 MIS program, the operating definition of informal adjustment is a bit different for this county than that for either County1 or County2. In County3, CaseWorker/3 allowed only two options: (1) adjusted informally or (2) sent to court. The data for County3 do not indicate who made the informal adjustment; it could have been the DA or the intake JPO. This step was modeled as a yes/no decision. In other words, did the juvenile obtain an informal adjustment, or was the case referred to the DA for prosecution? At this point, some cases were coded as missing for various reasons (i.e., counseled and released, too old, diverted to another agency, escaped, or insufficient evidence). All youth who had their cases decided by the court were coded as having been sent to court.

***The DA's Decision.*** If the final outcome of the case was decided by the DA or by the court, that case was coded as having been sent to the DA for review. As mentioned earlier, in the rural county (County3), PPRI staff were unable to obtain information on the activity of the DA.

The DA usually decided to arrange deferred prosecution, to drop the case entirely, or to file a petition and prosecute the case. If the case went to court, it was assumed that the DA prosecuted the case. In instances where a petition was filed and the DA moved for a non-suit, staff coded the case as having been prosecuted, because it appeared that both the defense and the prosecution made some sort of arrangement, such as a plea bargain, for a less serious offense. If the DA made the final decision about a case that was not prosecuted, the case was coded either as an adjustment or as a dropped case.

In County2, one variable contained the final disposition for all youth who entered the system. If the case was handled by the DA but not prosecuted, it was coded as an adjustment by the DA. If the DA adjusted or dropped the case, researchers coded it as a case that was not prosecuted. If any kind of court-ordered disposition was reported, researchers treated it as a prosecuted case. If the DA filed a non-suit after filing a petition, or if some court-ordered disposition was found, researchers coded the case as having been prosecuted.

If the intake JPO informally adjusted the case, it was coded as missing and not considered in the DA portion of the analysis. If the case was coded as missing for the informal adjustment decision stage (i.e., the juvenile was too old, or was sent to another agency or jurisdiction), it was also coded as missing for the DA's decision to prosecute.

***The Court's Decision to Place a Juvenile in TYC.*** The court makes a decision regarding each case; if the juvenile is convicted of committing an offense, the court must decide if the juvenile is to be given secure placement or some other disposition. If the juvenile was sent to TYC, that juvenile was coded as having been sent to a secure facility. If the juvenile was acquitted or placed on some type of probation, the case was dropped, or the court handed down an administrative order, researchers coded those cases as not having been sent to a secure facility (TYC).

In County3, only one person went to TYC. The CaseWorker/3 program coded dispositions of the court into administrative dispositions, probation, or secure placement. Researchers conducted an analysis on the decision to grant probation to youth. If the court's disposition was administrative in nature, it was coded as no probation. If the court's disposition was to order probation or to modify an existing probation order, project staff coded that juvenile as having been placed on probation. If the court ordered secure placement in a TYC facility, project staff coded that juvenile as one who did not receive probation.

Interestingly, a number of youth in both urban counties were coded as having their initial decision made by the TYC. All of these youth were under TYC jurisdiction and had violated parole arrangements. If the juvenile's referral had a petition number and a TYC disposition code, the juvenile was defined as having gone through the county juvenile system. If there was no petition number, it was determined that the juvenile was handed over to TYC and was not processed by the county. In both urban counties, a number of youth were processed by county courts and

returned to TYC. In addition, if the court ordered other youth (non-TYC intakes) to TYC, they were coded as having been placed in TYC. All other dispositions of the court, where the DA filed a petition, were coded as not having been sent to secure placement (TYC).

## **INDEPENDENT VARIABLES**

Researchers focused on a set of independent variables present in all three counties. Each county defined some of these variables in a unique fashion. In addition, each county has its own unique independent variables. A description of the independent variables present in all three datasets follows, as well as how they were defined and operationalized by research staff.

***Race/ethnicity.*** Two dichotomous variables were established for race/ethnicity. The first variable, comparing African-American and Anglo youth, coded *AFRICAN-AMERICAN* yes, whereas all others were coded no. For a comparison of Hispanic and Anglo juveniles, *HISPANIC* was coded yes, whereas all others were coded no. The comparison or reference category is *ANGLO/WHITE*.

***Gender.*** Females were coded 1; males were coded 0.

***Age.*** The age of an individual was calculated by subtracting the year of his or her birth from the year of the referral being analyzed. *AGE* is the number of years in whole numbers, ranging in value from 10 to 17 years.

***School Enrollment.*** If a juvenile was enrolled in school, then *SCHOOL*, a dummy variable, was coded yes, whereas all others were coded no. In the County1 data, *SCHOOL* was coded 1 (yes) if a juvenile was attending school, was enrolled but not attending, was held back, or had irregular attendance. In County2 and County3, the only information available was whether the juvenile was enrolled in school.

***Family Characteristics.*** Researchers did not find similar information on family characteristics for all three counties. In County1, researchers constructed a dummy variable, where 1 indicated that the juvenile lived with two parents and 0 indicated other situations. Additionally, parental marital status was coded 1 when parents were married and 0 when they were not. In County2, the

marital status of the juvenile's parents was easy to determine. However, determining with whom the juvenile lived was problematic. After reviewing the coding provided by county staff, PPRI researchers decided to use only the marital status of the juvenile's parents. In County3, the marital status of the parents was not available. Therefore, researchers conducted the analysis with a dummy variable, where 1 meant that the juvenile lived with both parents and 0 denoted other situations.

***Severity of the Last Offense.*** Following Frazier & Bishop (1995), researchers adopted a six-point scale to measure the severity of the offense. As a juvenile can have multiple referrals—each of which can, in turn, involve multiple offenses—only the most severe offense of the referral was included in the analysis. If the offense was a felony committed against a person, it was given a value of 6. If the offense was a felony committed against property, it was given a value of 5. If the offense was a felony of any other type (drugs, public order), it was given a value of 4. If the offense was a misdemeanor committed against a person, it was coded 3. If the offense was a misdemeanor committed against property, it was coded 2. If the offense was a misdemeanor of any other type (drugs, public order), it was coded 1. Status offenses were also given a value of 1.

***Criminal History.*** Two variables were constructed to provide measures of criminal history. All past offenses were coded for severity using the six-point scale described above. In addition, researchers totaled all past offenses, which was also used as a predictor. All of these values were summed and divided by the number of referrals, and they ranged from 0 to 15. This variable, called the severity of past offenses, captures the average severity of offenses that have occurred in the past. The number of past offenses was the second measure of criminal history; it had a correlation of .60 with the severity of past offenses (average) in County1. In County2 and County3, the correlation was .50. Researchers examined multicollinearity and found that it was not a factor.

Descriptive statistics for the sample from the three counties are presented in Table 4.1 on the following page.

**TABLE 4.1: Descriptive Statistics of Samples from Targeted Counties  
(Felonies and Misdemeanors)**

	County1	County2	County3
Percent African-American	34.0	26.5	44.2
Percent Anglo	31.0	36.5	22.1
Percent Hispanic	35.0	37.0	33.7
Percent Male	70.0	67.8	82.2
Percent in School	45.0	32.2	87.1
Percent Parents Married	11.0	9.4	NA
Percent Living with Two Parents	12.2	NA	27.5
Percent in Gangs	NA	10.5	9.4
Mean Age (std. deviation)	15.3 (1.6)	15.3 (1.7)	14.9 (1.6)
Mean Severity of Current Offense (std. deviation)	2.4 (1.6)	2.8 (1.7)	3.3 (1.8)
Average Severity of Past Offenses (std. deviation)	0.9 (1.7)	1.1 (1.8)	1.3 (2.2)
Average Number of Previous Referrals (std. deviation)	1.3 (3.1)	1.5 (3.2)	1.4 (3.2)
N	2,000	2,000	371

**Other Variables of Interest.** Some of the counties had additional variables of interest to the project. In the County2 dataset, there is a unique variable (*GANG*) that identifies the gang with which a juvenile might be affiliated. If the *GANG* variable was not missing, *GANG* was coded 1, whereas all others were coded 0. Approximately 10% of the youth sample in County2 and County3 were identified as gang members. In County3, the CaseWorker/3 program provided information on the level of gang activity. A variable in the County3 dataset was coded for the following information: (1) if the juvenile is a gang member; (2) if the juvenile was a gang member; or (3) if the juvenile wants to be a gang member. Also, the CaseWorker/3 program provided a yes/no variable indicating whether the last offense was gang related. Researchers developed a dummy variable, where 1 meant the offense was gang related or the juvenile was in a gang, and 0 denoted other situations.

***Interaction Terms.*** The role of two-way interactions, particularly those involving race/ethnicity and measures of criminal behavior, was also examined. Interaction terms enable researchers to determine if the relationship between main effects, such as race/ethnicity and an outcome, is conditioned or mediated by a third factor, such as the number of prior referrals. After preliminary analyses, researchers determined that the interaction between race/ethnicity and the number of prior referrals had a significant impact on a limited number of outcomes and improved the overall fit of the models being tested (e.g., Table 5.3). Interaction models were tested where a main race/ethnicity effect was evident, and the results are discussed only when including these interaction terms improved the fit of the models in question.

***Measurement Problems.*** In large datasets maintained for administrative purposes, it is not uncommon for variable measurement to be a problem. The validity and reliability of the data are often questioned. Project researchers had no control over how and when information was collected. Researchers attempted to minimize measurement errors by selecting youth whose last referral occurred during 1993-1994, because many background variables were updated at the time of the last referral. Of primary concern was the measurement of “social background” variables (i.e., the education level of youth, with whom they lived, their parents’ marital status, and their gang affiliation). First, there was the issue of missing values. It was unclear whether the information on youth had been obtained from the source in the first place, or whether the information was simply omitted from the database. Second, it was unclear who had supplied the information—the juvenile, a parent, or someone else—because, in many instances, staff in probation departments often contacted someone other than the juvenile for the information. The likelihood of probation department staff verifying information about a juvenile increases as a juvenile traverses further through the system. In other words, when a juvenile appears in court, it is quite likely that at least one probation officer—probably a Court Juvenile Probation Officer—will have verified his/her background and made a report to the judge. This is not likely to occur in the case of a juvenile brought in for a minor offense and sent home immediately.

It is impossible to discern which methods were used to gather information on a juvenile. Furthermore, the reliability of the information that was gathered is unclear. Nevertheless, the variables were included in our models because there were theoretically valid reasons to use them, and they improved our understanding of the juvenile probation process. In logistic regression

models, the models fit better when these variables were included. However, in our multivariate analyses, some of the social variables in our models had counter-intuitive signs, which PPRI researchers feel may be due in part to the measurement problems.

## **SAMPLE SELECTION BIAS**

When modeling the juvenile justice system, one must view that system as stages of a process. In the first stage, some youth are arrested, while others are not. There are at least three other stages in the juvenile justice process within the three counties: (1) receiving an informal adjustment; (2) having a case sent to the DA and the case being prosecuted; and (3) being sent to secure placement. At each of these four stages (arrest, informal adjustment, prosecution, and secure placement), the characteristics of the juvenile population are significantly and qualitatively different from the preceding stage. This often leads to a situation called “sample selection bias.” The demographic changes in the juveniles as they move through these stages in the three targeted counties are outlined in Figures B-1, B-2, and B-3, located in Appendix B.

Some researchers have argued that the sample selection bias imposed on the data by this multistage process should be corrected with an econometric method called the Heckman procedure (Leonard & Sontheimer, 1995) (see Appendix C). After a thorough review of the literature and consultations with statisticians, researchers felt that it was inappropriate to use a Heckman correction on the models used in this study.

The results of the county-specific analyses are presented in Chapters 5, 6, and 7, which correspond to County1, County2, and County3, respectively.

## **CHAPTER 5: FINDINGS IN COUNTY1**

### **INTRODUCTION**

Two thousand felonies and misdemeanors processed in County1 from 1993 through 1994 were examined. Figure B-1 shows the various stages of juvenile justice processing in County1 (see Appendix B). It was possible to highlight a number of different stages within the juvenile system: (1) decision to detain at intake; (2) decision to refer a case to the DA; (3) decision to file a petition; and (4) decision to place a juvenile in TYC.

About 68% of the cases were handled at intake. Of the 2,000 individuals, only 641 (32%) were referred to the DA. Of that number, 286 (44.6%) had petitions filed. Among the 286 youth with petitions, 97 (34%) of the cases were dismissed or the individuals were found not guilty. Another 9 (3.1%) were certified as adults and 42 (14.7%) were sent to TYC. The remainder received some other type of court disposition.

Figure B-1 presents the race/ethnicity and gender characteristics of youth as they are processed through the system. Comparisons can be made between the demographic profile at intake and at subsequent stages. In this chapter, the analyses will determine if differences due to race/ethnicity and gender are apparent among youth facing similar charges in the juvenile system in County1, once background factors are held constant.

### **FACTORS CORRELATED WITH DETENTION**

In Texas, a juvenile may be held in detention (incarceration) after intake for up to two working days before being brought before a judge. When he/she is brought before the judge or referee, at least one of five statutory criteria must be met to detain him/her for a longer period of time. In County1, detention data were measured in three ways: (1) ever detained; (2) detained for longer than two days; and (3) detained by order of a judge or referee. Two hundred and forty-four (12.2%) youth were detained at intake. Of these youth, 101 (5.1%) were detained for more than two days. Fifty-six youth (2.8%) were detained after a court hearing. The last measurement of detention is clearly the most accurate. The variable “detained for more than two days”

corresponds with court-ordered detention approximately 75% of the time. The reasons for detention were not available on computer records in County1; therefore, researchers conducted a separate analysis of the reasons for detention.

We examined the role of each of the following factors in detention decisions: (1) being African-American; (2) being Hispanic; (3) being female; (4) age; (5) school enrollment; (6) living with two parents; (7) parents' marital status; (8) severity of past offenses; (9) number of previous offenses; and (10) severity of the alleged criminal offense.

Table 5.1 on the following page presents the results of the logistic regression, modeling the decision to detain a juvenile at intake. Like all the regression tables, this one lists the unstandardized coefficients (b) and the standard error (s.e.), which allow readers to determine the significance of the relationships.<sup>4</sup> Usually, a positive coefficient means that that factor is associated with a more severe outcome at a particular decision-point. The importance of the variables in the model is based on the maximum predicted effect (MPE) of the independent variable on the probability of being in one category of the dependent variable.<sup>5</sup> For dummy variables, for example, race/ethnicity, it is the maximum predicted effect of being of that race versus the baseline, Anglo. For continuous variables (e.g., severity of the offense), the MPE is the maximum predicted effect of a two-standard-deviation shift in that variable on the probability of being in one category of the dependent variable. The MPE is interpretable as a percentage. We report MPE percentages only when a significant racial/ethnic or gender finding is apparent. The sample size and the goodness-of-fit statistic are also provided for each model. Results are presented for models with all cases, for males only, and for females only (where applicable).

**All Cases.** The statistically significant correlates of court-ordered detention status are listed in order of their importance: (1) severity of the alleged criminal offense; (2) being Hispanic; (3) number of previous offenses; and (4) severity of past offenses. Each of these components has a positive correlation with detention status. If the juvenile is alleged to have committed a severe offense, is Hispanic (rather than Anglo), has past offenses, and has relatively serious past offenses, that juvenile is more likely to be detained.

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<sup>4</sup> An asterisk denotes a significant relationship between the variable or factor and the outcome. Variables that are not asterisked are neither statistically significant nor direct correlates of the outcome.

<sup>5</sup>  $MPE = (1 / (1 + \exp(-b * \text{standard deviation}))) - .5$ , where MPE is the maximum predicted effect, and b is the unstandardized coefficient (standard deviations of continuous variables are presented in Table 4.1). The MPE is interpretable as a percentage.

**Males.** A similar model was applied only with males in the dataset. The variables that have an impact on the decision to detain are these (in order of importance): (1) severity of the alleged offense; (2) being Hispanic; (3) number of previous offenses; and (4) severity of past offenses. If a male who is alleged to have committed a relatively severe offense, is Hispanic, has committed more offenses in the past, and has committed comparatively serious past offenses, he will probably be placed in detention.<sup>6</sup>

**TABLE 5.1: Factors Correlated with Detention Decisions**

	<b>All Cases</b>	<b>Males</b>
	<b>Unst. Coefficient (s.e.)</b>	<b>Unst. Coefficient (s.e.)</b>
African-American	.35 (.46)	.44 (.49)
Hispanic	.90* (.46)	1.03* (.48)
Female	-1.3 (.74)	N/A
Age	.10 (.12)	.08 (.12)
School Enrollment	.15 (.35)	.04 (.37)
Parental Marital Status	.08 (.24)	.09 (.24)
Live with Both Parents	.08 (.22)	.08 (.23)
Offense Severity	.87** (.12)	.90** (.13)
Severity of Past Offenses	.13* (.07)	.14* (.07)
Number of Past Offenses	.12* (.02)	.12** (.03)
Intercept	-9.6 (.20)	-9.5 (2.1)
N	1,992	1,394
-2Log L (df)	189.7 (10)	161.9 (9)

\* $p < .05$

\*\* $p < .01$

<sup>6</sup> Based on the MPE, Hispanics are 24% more likely than Anglos to be detained, once all factors are held constant. In contrast, a two-standard-deviation shift in offense severity produces a 44% shift in the dependent variable.

**Females.** In the female-only model, only two females in the sample were detained with a court order—too few to conduct multivariate analyses.

**Conclusion.** The severity of the current alleged offense is the strongest correlate of detention decisions. Hispanic males are more likely than Anglo males to be detained, and the number and severity of past offenses are also significant correlates of detention decisions. Researchers were unable to control for gang membership in the County1 analysis, due to the lack of reliable gang information in the dataset.<sup>7</sup> Gang membership may mitigate the impact of being Hispanic. A separate analysis of detention records is discussed elsewhere in this chapter.

## **FACTORS CORRELATED WITH THE DECISION TO FORWARD A CASE TO THE DA**

An informal adjustment is a means of resolving a juvenile's case through community service, counseling, or release under parental supervision, among other things. Other cases are forwarded to the prosecutors. We examined the role of each of the following factors in the decision to refer cases to the DA/prosecutors: (1) being African-American; (2) being Hispanic; (3) being female; (4) age; (5) school enrollment; (6) living with two parents; (7) parents' marital status; (8) severity of the alleged criminal offense; (9) severity of past offenses; and (10) number of previous offenses. The results are presented in Table 5.2 on the following page.

**All Cases.** The factors that are correlated with the decision to forward a case to the DA for possible prosecution are these (in order of importance): (1) severity of the alleged offense; (2) living with two parents; (3) number of previous offenses; (4) school enrollment; and (5) being female. All these variables, except for gender, increase the likelihood of the case being sent to the DA. Female youth are less likely to have their cases sent to the DA (MPE=7%). Committing serious offenses, having more prior offenses, not living with two parents, and school status are factors which ensure that the case is reviewed by the DA. Race/ethnicity is not correlated with detention decisions.

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<sup>7</sup> In the victim dataset, coded from police reports, it was determined that 35% of the Hispanic offenders were alleged to have gang affiliations, as opposed to 6.4% of African-Americans and 13.2% of Anglo juveniles. This supports the hypothesis that Hispanics are more likely to be identified with gangs.

**TABLE 5.2: Factors Correlated with the Decision to Send a Case to the DA**

	All Cases Unst. Coefficient (s.e.)	Males Unst. Coefficient (s.e.)	Females Unst. Coefficient (s.e.)
African-American	.03 (.16)	.19 (.19)	.35 (.29)
Hispanic	-.16 (.16)	.21 (.19)	-1.2** (.33)
Female	-.30** (.15)	N/A	N/A
Age	-.06 (.04)	.06 (.05)	.08 (.09)
School Enrollment	.40** (.13)	.48** (.16)	.34 (.27)
Parental Marital Status	.19 (.11)	.20 (.12)	.05 (.99)
Live with Both Parents	.28* (.11)	.24 (.12)	1.9 (1.2)
Offense Severity	.94** (.04)	.98* (.05)	.83** (.10)
Severity of Past Offenses	.06 (.05)	.08 (.05)	-.06 (.13)
Number of Past Offenses	.08** (.03)	.07* (.02)	.22* (.10)
Intercept	-4.5 (.67)	-4.7 (.76)	4.5 (1.5)
N	1,921	1,348	573
-2Log L (df)	854.4 (10)	700.9 (9)	143.0 (9)

\* $p < .05$

\*\* $p < .01$

**Males.** In the male-only dataset, the factors that are correlated with the decision to forward a case to the DA for possible prosecution, as opposed to obtaining an informal adjustment at intake, are these (in order of importance): (1) severity of the alleged offense; (2) number of previous offenses; and (3) school enrollment. Each of these components is positively correlated with the decision to refer a case to the DA for possible prosecution. Race/ethnicity is not correlated with this decision.

**Females.** In the female-only dataset, the factors that are correlated with the decision to refer a juvenile's case to the DA for possible prosecution, as opposed to obtaining an informal adjustment at intake, are these (in order of importance): (1) severity of the alleged criminal offense; (2) being Hispanic; and (3) the number of prior offenses. Being Hispanic, as opposed to being Anglo, has a negative influence. In other words, Hispanic females are less likely than Anglo females to be referred to the DA's office (MPE=27%). Youth who have committed relatively serious offenses and who have prior referrals are more likely to have their cases sent to the DA. Interaction terms were not significant for this model.

**Conclusion.** The severity of the current offense is the most important factor in all three models, although the number of prior offenses and school enrollment also play significant roles at this decision-point. Generally, females—particularly Hispanic females—are less likely to have their cases referred to the DA.

## **FACTORS CORRELATED WITH THE DA'S DECISION TO PROSECUTE A CASE**

The DA's decision to prosecute a case was modeled as a simple yes/no question. The DA chooses either to prosecute a case or to follow another course of action, such as deferring prosecution and authorizing an informal adjustment to drop the case altogether.

We examined the role of each of the following factors correlated with the decision to prosecute a case: (1) being African-American; (2) being Hispanic; (3) being female; (4) age; (5) school enrollment; (6) living with two parents; (7) parents' marital status; (8) severity of the alleged criminal offense; (9) severity of past offenses; and (10) number of previous offenses. The results are presented in Table 5.3 on the following page.

**All Cases.** The factors that are correlated with the DA's decision to prosecute a case, rather than to defer prosecution, are these (in order of importance): (1) severity of the alleged offense; (2) school enrollment; and (3) being male. Youth who are alleged to have committed serious offenses, are enrolled in school, and are male are more likely to have petitions filed by the DA.

**TABLE 5.3: Factors Correlated with the Decision to Prosecute a Case**

	All Cases Unst. Coefficient (s.e.)	Males Unst. Coefficient (s.e.)	Males Unst. Coefficient (s.e.)
African-American	.41 (.22)	.52* (.24)	.94** (.27)
Hispanic	.36 (.22)	.51* (.25)	-.63** (.28)
Female	-.60** (.24)	N/A	N/A
Age	.07 (.06)	.05 (.06)	..04 (.06)
School Enrollment	.70** (.19)	.66** (.21)	.67** (.21)
Parental Marital Status	.23 (.11)	.20 (.13)	.68 (.41)
Live with Both Parents	.001 (.11)	.04 (.12)	-.08 (.43)
Offense Severity	.20** (.05)	.19** (.05)	.21** (.06)
Severity of Past Offenses	.04 (.05)	.04 (.05)	-.01 (.05)
Number of Past Offenses	.01 (.02)	.007 (.03)	.30 (.12)
Number of Prior Offenses * Af. A	N/A	N/A	-.33** (.12)
Numbers of Prior Offenses * Hisp	N/A	N/A	-.22 (.12)
Intercept	-2.8 (.94)	-2.6 (.99)	-2.4 (5.1)
N	616	502	502
-2Log L (df)	78.5 (9)	49.8 (9)	60.6 (11)

\* $p < .05$

\*\* $p < .01$

**Males.** In the male-only dataset, the factors that are correlated with the DA's decision to prosecute a case, rather than to defer prosecution, are these (in order of importance): (1) school enrollment;<sup>8</sup> (2) severity of the offense; (3) being African-American; and (4) being Hispanic. All

<sup>8</sup> There are a number of instances where the findings are counterintuitive. As reported earlier, these cases may be attributes of measurement issues over which the researchers had no control. Dropping these variables did not change the findings. However, these variables were kept in the model for theoretical reasons and to achieve a better "fit" statistically.

of these components are positively correlated with the DA's decision to prosecute. Compared to similarly situated Anglo males, African-American (MPE=13%) and Hispanic (MPE=12%) youth are more likely to be prosecuted. The relationship between race/ethnicity and the DA's decision to prosecute is conditioned or mediated by the number of prior referrals a juvenile has.

Once controls for the interaction between race/ethnicity and the number of prior referrals is included in the model (see Model 3 of Table 5.3), based on the MPE, African Americans and Hispanics are 22% and 15% more likely to be prosecuted by the DA, respectively. The number of prior referrals has a critical mediating effect in the DA's decision to prosecute.

**Females.** In the female-only dataset, only 31 cases were prosecuted. The logistic model did converge.<sup>9</sup> However, due to the small sample size, the results should be interpreted with caution. The only factor that is correlated with the DA's decision to prosecute a case, rather than to defer prosecution, is the severity of the alleged criminal offense. Race/ethnicity is not correlated with the decision to file a petition or to prosecute the case.

**Conclusion.** The severity of the offense and school status are the strongest correlates of the decision to file a petition. When the variables in our model are taken into account, there is a correlation between being an African-American or Hispanic male and the decision to prosecute in the male-only model. This relationship between race/ethnicity and the decision to prosecute appears to be conditioned by the number of prior referrals. As noted previously, the absence of a gang variable may also be a critical factor, since it may mitigate the race/ethnicity effect reported here. Gender is also correlated with this decision; fewer females have petitions filed against them.

## **FACTORS CORRELATED WITH PLACEMENT BY THE COURT**

Placement is generally considered to be any kind of court-ordered relocation of a juvenile to a "new" environment. In the context of this report, placement means being sentenced to the Texas Youth Commission (TYC). The decision for court-ordered placement is modeled as an either/or decision (two alternatives). Either the juvenile is placed in TYC or another disposition is meted out. The latter possibility includes probation, community service, acquittal, dismissal, or an administrative order.

We examined the role of each of the following factors in the decision to place youth in TYC facilities: (1) being African-American; (2) being Hispanic; (3) being female; (4) age; (5) school enrollment; (6) living with two parents; (7) having parents who are married; (8) severity of the alleged criminal offense; (9) severity of past offenses; and (10) number of previous offenses. The results are presented in Table 5.4.

**TABLE 5.4: Factors Correlated with Placement in TYC**

	<b>All Cases Unst. Coefficient (s.e.)</b>	<b>Males Unst. Coefficient (s.e.)</b>
African-American	.13 (.53)	.26 (.57)
Hispanic	-.07 (.57)	.11 (.60)
Female	.63 (.81)	N/A
Age	.20 (.18)	.21 (.19)
School Enrollment	-.10 (.46)	.02 (.48)
Parental Marital Status	.19 (.25)	.24 (.26)
Live with Both Parents	-.12 (.25)	-.14 (.25)
Offense Severity	.38** (.14)	.43** (.15)
Severity of Past Offenses	.07 (.10)	.08 (.10)
Number of Past Offenses	.25** (.06)	.24** (.06)
Intercept	-7.6 (3.0)	-8.3 (3.1)
N	271	240
-2Log L (df)	55.9 (10)	50.8 (9)

\* $p < .05$

\*\* $p < .01$

<sup>9</sup> In this process, the SAS program estimates the coefficients through maximum likelihood estimations. If the available information is insufficient, the procedure stops. With small samples, the coefficient estimates that are generated are not robust.

**All Cases.** The factors that are significant when the court orders placement are these (in order of importance): (1) number of previous offenses and (2) severity of the alleged criminal offense. These components of the judicial decision are positive. A juvenile with more past offenses who has committed a serious current offense is likely to be committed to a TYC facility. Race/ethnicity is not correlated with TYC placement decisions.

**Males.** In the male-only dataset, the variables that are significant correlates of the decision to order placement are these (in order of importance): (1) number of previous offenses and (2) severity of the alleged criminal offense. The results are identical to those for all cases. There is no racial impact at this stage of juvenile processing.

**Females.** In the female-only dataset, two females were sent to TYC. Consequently, no multivariate analyses were conducted.

**Conclusion.** The number of previous offenses and the severity of new offenses are the most important components of the court’s decision to place a juvenile in a TYC facility. There is no direct race/ethnicity effect.

**DETENTION RECORDS**

In addition to conducting analyses based on MIS datasets, PPRI staff also obtained detention orders for youth to determine why they had been detained. Reasons for detention were not available from the MIS in all counties. Using records of individuals who had ever been detained, PPRI staff attempted to obtain paper detention orders. Of the 125 randomly selected records, 103 records were tracked (i.e., where offense characteristics matched detention orders). In the remaining cases, records had been deleted or misplaced. The sample of 103 records consisted of 51% African Americans, 36% Hispanics, and 13% Anglos, proportions similar to the overall 1993-1994 detention trends in County1 (see Table 5.5).

**TABLE 5.5: Detentions in County1**

	<b>African-American (%)</b>	<b>Hispanic (%)</b>	<b>Anglo (%)</b>	<b>N</b>
All Detentions, 1993-1994	49.4	38.1	12.5	512
Detention Study Sample	51.0	36.3	12.8	103

In Texas, there are five statutory reasons why juveniles may be detained at intake. In our sample, the overwhelming reason (82%) for detaining youth was “lack of suitable supervision, care, or protection for the youth.” The next most frequently stated reason (8%) was that the juvenile had committed a felony offense and would be in danger to him- or herself or to others if released.

Thirty-four of the detention orders indicated more than one reason for detention. In 74% of the cases, the secondary reason was that the juvenile had serious past offenses. For these cases, 76% of the records documented a “lack of suitable supervision” as the first reason. In this sample of 103 cases, there were no significant differences by race/ethnicity.

In the survey conducted as part of this study, researchers were able to identify unique issues that juvenile justice practitioners dealt with in working with minority youth. The analyses of these key issues, presented in Chapter 9, should clarify some of the findings reported here.

## **STATUS OFFENSES**

A separate analysis was conducted on 2,000 randomly selected individuals in County1 who committed status offenses. In this study, a status offender is “a child who is accused, adjudicated, or convicted for conduct that would not, under state law, be a crime if committed by an adult, including truancy, running away from home...and violati[ng] a juvenile curfew ordinance or order” (Texas Family Code, 3, § 51.03, 1995). Of the 2,000 status cases, only one was detained by court order. Researchers examined the probability of a juvenile being processed by the DA’s office, as opposed to receiving an informal adjustment at intake. Only 62 cases were forwarded to the DA’s office. The factors that are correlated with the decision to send the case to the DA are these (in order of importance): (1) age; (2) school enrollment; and (3) number of previous offenses. Older youth with more previous offenses who were not enrolled in school were more likely to have their cases referred to the DA. The results are presented in Table 5.6 on the following page.

Race/ethnicity and gender are not correlated with the decision to send a case to the prosecutor. Subsequently, only one case was sent to court. The remaining cases were settled by the DA. This clearly shows that in County1, although the DA scrutinizes the files of youth with prior offenses, only one petition was filed.

**TABLE 5.6: Factors Correlated with the Decision to Send Status Cases to the DA**

	<b>All Cases Unst. Coefficient (s.e.)</b>
African-American	.23 (.32)
Hispanic	.09 (.33)
Female	-.32 (.27)
Age	.25* (.110)
School Enrollment	-.73* (.36)
Parental Marital Status	.19 (.14)
Live with Both Parents	.10 (.13)
Severity of Past Offenses	.04 (.06)
Number of Past Offenses	.11* (.05)
Intercept	-7.2 (1.8)
N	1,989
-2Log L (df)	33.1 (9)

\* $p < .05$ \*\* $p < .01$ **OFFENSES COMMITTED BY ASIAN-AMERICAN YOUTH**

The main analyses were restricted to Anglo, African-American, and Hispanic youth. In County1, only 582 Asian-American youth were referred to the county probation department during the 1993-1994 period. Of these, only 9 (1.5%) youth were detained after a hearing. Only 25% of the youth had prior records. Separate analyses were conducted on Asian-American youth to determine what factors were correlated with their processing.

One hundred and fifty-five cases were sent to the DA. Another 62 cases were prosecuted by the DA. We examined the role of each of the following factors in the decision to refer cases to the DA/prosecutors: (1) being female; (2) age; (3) school enrollment; (4) living with two parents; (5) parents' marital status; (6) severity of past offenses; and (7) number of previous offenses. The results are presented in Table 5.7.

**TABLE 5.7: Factors Correlated with the Processing of Asian-American Cases in County1**

	<b>Case sent to the DA</b>	<b>DA Files Petition</b>
	<b>Unst. Coefficient (s.e.)</b>	<b>Unst. Coefficient (s.e.)</b>
Female	-.75* (.32)	-.38 (.60)
Age	.16 (.10)	.25 (.15)
School Enrollment	-.06 (.29)	1.5** (.45)
Parental Marital Status	.80** (.24)	-.49 (.36)
Live with Both Parents	-.02 (.22)	.26 (.34)
Offense Severity	1.1** (.10)	.15 (.10)
Severity of Past Offenses	.15 (.14)	-.13 (.12)
Number of Past Offenses	-.09 (.09)	.32** (.12)
Intercept	-5.6 (1.5)	-6.1 (2.5)
N	570	155
-2Log L (df)	29.3 (8)	35.7 (8)

\* $p < .05$

\*\* $p < .01$

The statistically significant correlates of the decision to refer a case to the DA's office are these (in order of their importance): (1) severity of the alleged criminal offense; (2) parents' marital status; and (3) being female. With the exception of being female, each component is positively correlated with detention. The MPE for females is 18%.

The factors that are correlated with the DA's decision to prosecute are these (in order of their importance): (1) number of previous offenses and (2) school enrollment. Each component mentioned is positively correlated with the DA's decision to prosecute. If the Asian-American juvenile has relatively more previous offenses and is enrolled in school, he/she will be detained. There were only a few cases of Asian-American youth sent to TYC; consequently, no analyses were conducted.

In both models, some of the statistically significant variables that account for how Asian-American youth were processed in County1 were also significant correlates of the outcomes for other racial/ethnic groups. The severity of offenses, gender (in referral to the DA model), and the number of previous offenses in the model for petitions filed were also important for African-American, Hispanic, and Anglo youth. These results provide convergent evidence for the model's robustness.

## **SUMMARY**

In the multivariate analyses conducted here, the severity of the current offense is the strongest factor behind many of the decisions. There are three instances where race/ethnicity is a significant correlate in the outcome decision. First, Hispanic males are significantly more likely than their Anglo peers to be detained at intake. Here, being Hispanic is the second strongest correlate of the detention decision, after the severity of the offense. Second, Hispanic females are significantly less likely than Anglo females to have their cases referred to the DA. Here, being Hispanic is the second strongest correlate of this decision, after the severity of the offense. Finally, African-American and Hispanic males are significantly more likely than Anglo males to be prosecuted in County1. The relationship between race/ethnicity and the prosecutor's decision is conditioned by another predictor variable: the number of prior referrals. Race/ethnicity does not play a significant role in any of the other stages in County1.

These analyses suggest that race/ethnicity seems to matter at two decision-points in the male-only dataset. However, researchers feel that the race/ethnicity effect for Hispanic and African-American males may be mitigated by controlling for gang membership; however, no reliable data on gang membership were available in the County1 dataset for the 1993-1994 period. Moreover, as will be discussed in Chapter 9, statewide survey respondents report that other factors, such as the juvenile's demeanor or attitude at his/her hearing, are correlated with outcomes or decisions. Survey findings also indicate that there are significant communication-related issues between juvenile justice staff and parents of minority youth that could explain actions taken against minority youth—particularly at the intake detention stage. This and other issues will receive more thorough discussion in subsequent chapters.

Finally, females receive less severe dispositions at two of the decision-points. However, changes in the Texas Family Code, introduced in January 1996, are likely to have resulted in recent decisions that are more gender neutral.

## **CHAPTER 6: FINDINGS IN COUNTY2**

### **INTRODUCTION**

Two thousand felonies and misdemeanors processed in County2 from 1993 through 1994 were examined. Figure B-2 shows the various stages of juvenile justice processing in County 2 (see Appendix B). It was possible to highlight a number of different stages within the juvenile system in County2: (1) decision to detain at intake; (2) decision to refer a case to the DA; (3) decision to file a petition; and (4) decision to place a juvenile in TYC.

About 36% of the cases were resolved at intake. Of the 2,000 cases, 1,286 (64.3%) youth were referred to the DA. Of that number, 128 (9.9%) had petitions filed. Of the 128 youth with petitions filed, 6 (4.6%) of the cases were dismissed or found not guilty, 9 (7%) were certified as adults, and 8 (6.3%) were sent to TYC. The remainder received some kind of disposition, such as probation (n=61; 47.7%), or other disposition categories that were clearly not probation or TYC placements (34%).

Figure B-2 also presents the race/ethnicity and gender characteristics of the youth as they are processed through the system. Comparisons between the demographic profile at intake and at subsequent stages can be made. In this chapter, the analyses will determine if differences due to race/ethnicity and gender are apparent among youth at different decision-points in the juvenile justice system in County2.

### **FACTORS CORRELATED WITH DETENTION**

In the County2 data, detention status was measured in three ways: (1) ever detained; (2) detained for more than two days; and (3) detained after a hearing. Two hundred and thirty-five (11.8%) youth were ever detained at intake, 120 (6.0%) were detained for more than two days, and 117 (5.9%) of these youth were detained after a hearing. The correlation between the latter two measurements of detention is .85.

We examined the role of each of the following factors in detention decisions: (1) being African-American; (2) being Hispanic; (3) being female; (4) age; (5) school enrollment; (6) parents' marital status; (7) severity of past offenses; (8) number of previous offenses; and (9) severity of the alleged criminal offense.

The results of the logistic regression, used to model the decision to detain a juvenile at intake, are presented in Table 6.1. Like the other regression tables, this one lists the unstandardized coefficients (b) and the standard error (s.e.), which allow the reader to determine the significance of the relationships. Usually, a positive coefficient means that that factor is associated with a more severe outcome at a particular decision-point. The importance of the variables in the model is based on the maximum predicted effect (MPE) of the independent variable on the probability of being in one category of the dependent variable. For dummy variables, for example, race/ethnicity, it is the maximum predicted effect of being of that race versus the baseline, Anglo. For continuous variables (e.g., severity of the offense), the MPE is the maximum predicted effect of a two-standard-deviation shift in that variable on the probability of being in one category of the dependent variable. (Refer to Chapter 5 for definitions of these variables.) The MPE is interpretable as a percentage. We report MPE percentages only when a significant racial/ethnic or gender finding is apparent. The sample size and the goodness-of-fit statistic are also provided for each model. Results are presented for models for all cases, for males only, and for females only (where applicable).

**TABLE 6.1: Factors Correlated with Detention Decisions**

	<b>All Cases Unst. Coefficient (s.e.)</b>	<b>Males Unst. Coefficient (s.e.)</b>	<b>Females Unst. Coefficient (s.e.)</b>
African-American	.40 (.27)	.93** (.32)	-1.89** (.70)
Hispanic	.09 (.27)	.43 (.32)	-1.93** (.73)
Female	-.24 (.26)	N/A	N/A
Age	.15 (.08)	-.25** (.09)	-.49** (.20)
School Enrollment	-.66** (.25)	-.46 (.29)	-1.61** (.59)
Parental Marital Status	-.67 (.49)	-.85 (.61)	-.31 (.99)
Offense Severity	.39** (.06)	.37* (.07)	.45** (.15)
Severity of Past Offenses	.10* (.05)	.09 (.04)	.47** (.16)
Number of Past Offenses	.14** (.02)	.12** (.02)	.26** (.07)
Intercept	6.54 (1.3)	8.4 (1.5)	3.7 (3.1)
N	1,835	1,242	595
-2Log L (df)	195.6 (9)	154.4 (8)	62.4 (8)

\* $p < .05$

\*\* $p < .01$

**All Cases.** The factors that are correlated with the decision to detain a juvenile after a hearing are these (in order of importance): (1) severity of the alleged criminal offense; (2) number of previous offenses; (3) school enrollment; and (4) severity of past offenses. Excluding school enrollment, each component is positively correlated with detention. If the juvenile is alleged to have committed a severe offense, has committed more prior offenses, is not enrolled in school, and has been involved in serious past offenses, he/she will probably be detained (see Table 6.1 on the preceding page).

**Males.** In the male-only dataset, the variables that are correlated with detention are these (in order of importance): (1) severity of the alleged criminal offense; (2) age; (3) being African-American; and (4) number of previous offenses. Each component is positively correlated with a male juvenile's detention status. If the male juvenile is alleged to have committed a serious offense, has committed more previous offenses, is an African American (as opposed to an Anglo), and is relatively older, he will probably be placed in detention. Based on the MPE, African Americans are 22% more likely to be detained than Anglos are. Controlling for gang membership does not substantially mitigate the effect of being African-American: African-American youth are 21% more likely to be detained than are their Anglo peers. Interaction terms were not significant in the model.

**Females.** In the female-only dataset, 21 females were detained. The logistic model did converge. However, due to the small sample size, caution must be exercised in interpreting the results. This is because the coefficients are relatively unstable, and a small change in numbers could change the size and direction of the coefficients.

Factors associated with the detention decision are listed in order of their importance: (1) being Hispanic; (2) being African-American; (3) age; (4) severity of the alleged criminal offense; (5) severity of past offenses; (6) number of previous offenses; and (7) school enrollment. African-American (MPE=37%) and Hispanic (MPE=28%) females are less likely than Anglo females to be detained at intake. The severity of the alleged criminal offense and the number and severity of past offenses are positively associated with the decision to detain females.

**Conclusion.** The severity of the alleged criminal offense and the number of past offenses are the strongest predictors of the detention decision. All factors being equal, African-American male youth are 22% more likely than their Anglo peers to be detained. Minority females are less likely than Anglo female youth to be detained at intake. No other factors were significant predictors of the detention decision.

## **FACTORS CORRELATED WITH THE DECISION TO FORWARD A CASE TO THE DA**

This stage in the juvenile justice system is modeled as a yes/no decision. Once the juvenile has been brought in by the police, does he/she receive an information adjustment, or is his/her case referred to the DA for possible prosecution? At this point, some cases are dropped for various reasons (too old, diverted to another agency, escaped, not enough evidence). These dropped cases were coded as missing and were not included in the analysis.

The reasons for being referred to the DA or for being given an informal adjustment were modeled with the following: (1) being African-American; (2) being Hispanic; (3) being female; (4) age; (5) school enrollment; (6) parents' marital status; (7) severity of past offenses; (8) number of previous offenses; and (9) severity of the alleged criminal offense. Results from the logistic regression models are presented in Table 6.2 on the following page.

**All Cases.** The factors associated with sending a case to the DA for possible prosecution, as opposed to obtaining an informal adjustment at intake, are these (in order of importance): (1) severity of the alleged criminal offense; (2) parents' marital status; (3) number of previous offenses; and (4) being female. Except for the last factor, "being female," each of the components is positively correlated with the decision to refer a case to the DA for possible prosecution. Based on the MPE, females were 12% less likely to have their cases forwarded to the DA.

**Males.** In the male-only dataset, the factors that are correlated with sending a juvenile's case to the DA for possible prosecution, as opposed to obtaining an informal adjustment, are these (in order of importance): (1) severity of the alleged criminal offense and (2) parents' marital status.<sup>10</sup>

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<sup>10</sup> There are a number of instances where the findings are counterintuitive. As reported earlier, these cases may be attributes of measurement issues, over which the researchers had no control.

Each of these components is positively correlated with the decision to refer a case to the DA for possible prosecution. If a male juvenile is alleged to have committed a relatively serious offense and has parents who are married, his case will probably be referred to the DA for possible prosecution.

**TABLE 6.2: Factors Correlated with the Decision to Send a Case to the DA**

	All Cases Unst. Coefficient (s.e.)	Males Unst. Coefficient (s.e.)	Females Unst. Coefficient (s.e.)
African-American	-.02 (.16)	.15 (.21)	-.12 (.25)
Hispanic	-.02 (.14)	-.18 (.17)	.45 (.25)
Female	-.51** (.12)	N/A	N/A
Age	.03 (.04)	-.003 (.05)	.18** (.06)
School Enrollment	.07 (.19)	.05 (.23)	.17 (.33)
Parental Marital Status	.74** (.23)	.69* (.28)	.92* (.42)
Offense Severity	.55** (.05)	.47** (.05)	.84** (.12)
Severity of Past Offenses	.08 (.03)	.06 (.05)	.17 (.11)
Number of Past Offenses	.09** (.03)	.05 (.04)	.19** (.09)
Intercept	-.93 (.62)	-.14 (.77)	-4.6 (1.2)
N	1,666	1,102	530
-2Log L (df)	254.3 (9)	123.7 (8)	125.9 (8)

\* $p < .05$

\*\* $p < .01$

**Females.** In the female-only dataset, the variables that are correlated with sending a juvenile's case to the DA for possible prosecution, as opposed to obtaining an informal adjustment, are these (in order of importance): (1) severity of the alleged criminal offense; (2) number of previous offenses; (3) age; and (4) having married parents. Without exception, all of these components are positively correlated with the decision to refer a case to the DA for possible prosecution. If a female juvenile is alleged to have committed a relatively serious offense, has more previous offenses, is comparatively older, and has married parents, her case will probably be referred to the DA for possible prosecution.

**Conclusion.** The strongest correlate of the decision to send a file to the prosecutor is the severity of the alleged criminal offense. Females are less likely to be referred to the DA at this stage. The marital status of the juvenile's parents and the number of prior offenses are other significant factors in this decision. Race/ethnicity does not affect decisions made at this stage of the process in County2.

## **FACTORS CORRELATED WITH THE DA'S DECISION TO PROSECUTE A CASE**

The DA's decision to prosecute is modeled as a simple yes/no question. The DA chooses one of two options: (1) to prosecute the case or (2) to pursue another course of action such as defer prosecution, authorize an informal adjustment, or drop the case altogether. These dropped cases were coded as missing only when final disposition codes were not available.

We have examined the role of each of the following factors in the decision to prosecute in court: (1) being African-American; (2) being Hispanic; (3) being female; (4) age; (5) school enrollment; (6) parents' marital status; (7) severity of past offenses; (8) number of previous offenses; and (9) severity of the alleged criminal offense. Table 6.3 on the following page presents a summary of the logistic regression analyses for the model.

**All Cases.** The factors that are correlated with the DA's decision to prosecute a case, rather than to defer prosecution, are these (in order of importance): (1) severity of the alleged criminal offense; (2) being female; (3) number of previous offenses and; (4) severity of past offenses. All of these components are positively correlated with the DA's decision to prosecute; being female has a negative correlation with the DA's decision. If a juvenile is alleged to have committed a relatively severe offense, is male, has committed previous offenses, and has comparatively serious past offenses, that juvenile will probably be prosecuted. All factors being constant, females are 26% less likely to be prosecuted; however, only 14 females in the sample were prosecuted, and the results should be treated with caution.

**Males.** In the male-only dataset, the factors that are correlated with the DA's decision to prosecute a case, rather than to defer prosecution, are these (in order of importance): (1) severity of the alleged criminal offense; (2) severity of past offenses; and (3) number of previous offenses. All of these components are positively correlated with the DA's decision to prosecute. If a male has committed a relatively severe offense and has prior offenses that are more serious, he will probably be prosecuted.

**Females.** In the female-only dataset, only 14 cases were forwarded for prosecution. The logistic model did converge; however, due to the small sample size, interpretation of the results must be made with caution. The factors predicting the filing of a petition are these (listed in order of importance): (1) severity of the alleged criminal offense; (2) severity of past offenses; and (3) number of previous offenses. All three are positively correlated to the DA's decision to file a petition.

**Conclusion.** The severity of the offense, the severity and number of past offenses, and gender are among the most significant predictors of the decision to file a petition. Race/ethnicity is not correlated with the decision to file a petition or to prosecute the case.

**TABLE 6.3: Factors Correlated with the Decision to Prosecute a Case**

	<b>All Cases Unst. Coefficient (s.e.)</b>	<b>Males Unst. Coefficient (s.e.)</b>	<b>Females Unst. Coefficient (s.e.)</b>
African-American	.08 (1.2)	.17 (.27)	-.33 (.82)
Hispanic	-.02 (.26)	-.02 (.26)	.05 (.80)
Female	-.99** (.30)	N/A	N/A
Age	.10 (.07)	.10	.16 (.26)
School Enrollment	.04 (.28)	-.07 (.30)	1.22 (.97)
Parental Marital Status	.07 (.33)	.08 (.36)	.17 (.87)
Offense Severity	.38** (.06)	.38** (.06)	.47** (.19)
Severity of Past Offenses	.17** (.06)	.14** (.06)	.44** (.16)
Number of Past Offenses	.08** (.03)	.06* (.03)	.20** (.08)
Intercept	-5.43 (1.2)	-5.23 (1.26)	.06 (.02)
N	1,284	846	338
-2Log L (df)	117.2 (9)	73.8 (8)	29.0 (8)

\* $p < .05$

\*\* $p < .01$

## **FACTORS CORRELATED WITH PLACEMENT BY THE COURT**

In this report, placement refers to being sentenced to TYC. Only eight cases were sent to TYC. Consequently, no multivariate analyses were conducted. All eight of the cases sent to TYC involved males. No multivariate analyses were conducted.

## **STATUS OFFENSES**

A separate analysis was conducted on 438 youth brought in for status offense violations in County2. Of these youth, none were detained for more than two days. One hundred and fifty-five cases were referred to the DA. The probability of the case being sent to the DA's office, as opposed to being informally adjusted at intake, was examined with the following predictors: (1) being African-American; (2) being Hispanic; (3) being female; (4) age; (5) school enrollment; (6) parents' marital status; (7) severity of past offenses; and (8) number of previous offenses. Table 6.4 on the following page presents a summary of the logistic regression analyses for the model.

The factors that are correlated with the decision to send the case to the DA are these (in order of importance): (1) being Hispanic; (2) being African-American; (3) school enrollment; and (4) severity of past offenses. Each component is positively correlated with the decision to send the case to the DA. If the juvenile is Hispanic or African-American (as opposed to Anglo), has committed more serious offenses in the past, and is enrolled in school, he/she will probably be referred to the DA. Based on the MPE, Hispanics and African Americans are 27% and 26% more likely to be referred to the prosecutors, respectively. Controls for gang membership and interaction between race/ethnicity and the number of prior offenses did not change these findings.

The severity of past offenses and school enrollment also played a role at this stage. The interaction terms are not significant in this model.

None of the status offense cases were sent to court; all were settled at the DA level.

**TABLE 6.4: Factors Correlated with the Decision to Send Status Cases to the DA**

	<b>All Cases Unst. Coefficient (s.e.)</b>
African-American	1.20** (.39)
Hispanic	1.41** (.27)
Female	-.16 (.20)
Age	-.06 (.08)
School Enrollment	1.06* (.37)
Parental Marital Status	-.20 (.48)
Number of Past Offenses	.15 (.12)
Number of Prior Offenses (Af. American)	-.08 (.16)
Number of Prior Offenses (Hispanic)	-.14 (.14)
Intercept	-1.60 (1.34)
N	438
-2Log L (df)	63.2 (10)

\* $p < .05$       \*\* $p < .01$

### **OFFENSES COMMITTED BY ASIAN-AMERICAN YOUTH**

Only 47 Asian-American youth were processed by County2 probation authorities during the 1993-1994 period. Of these, only one was detained for more than two days. Thirty-seven had no prior referrals. The number of Asian-American youth was too small to conduct multivariate analyses.

## **SUMMARY**

The multivariate analyses conducted here were designed with controls for background variables, such as criminal antecedents and the severity of the current offense, and demographic factors, such as the presence of married parents and gender. The only race/ethnicity-related finding is that African-American males in County2 are significantly more likely than Anglo males to be detained at intake. However, being African-American is the third strongest correlate of the detention decision, after the severity of the current offense and age of the juvenile. Minority females are also less likely to be detained. These analyses show that race/ethnicity is not a factor in decisions made at later stages of juvenile processing. There appears to be no persistent race/ethnicity effect in County2.

Gender is an important correlate of many outcomes in County2, where female youth receive less severe outcomes at two of the decision-points. While this may have been true during the 1993-1994 time period, County2 staff and others contacted through our survey indicate that the implementation of the new Texas Family Code provisions, effective January 1, 1996, has resulted in more equal treatment of female and male youth. The results of a survey that touch upon these and other issues are discussed in detail in Chapter 9.

## **CHAPTER 7: FINDINGS IN COUNTY3**

### **INTRODUCTION**

Three hundred and seventy-one cases processed in County3 from 1990 through 1995 were examined. Figure B-3 shows the various stages of juvenile justice processing in that county (see Appendix B). Of the 371 youth in the sample, only 17 were detained for more than two days.

About 77% of the cases were handled at intake. As mentioned earlier, because of constraints within the CaseWorker/3 MIS, it was not possible to highlight the DA stage in the County3 model. Only 87 cases (23% of the 371 individuals) were sent to court. Of that number, 19 (21%) were dismissed or found not guilty, 9 (10.3%) were certified as adults, and 1 was sent to TYC. The remainder received some type of disposition.

The three decision-points examined here are (1) detention at intake; (2) whether the case was sent to the DA/court; and (3) adjudication probation decisions.

Figure B-3 also presents the race/ethnicity and gender characteristics of youth as they are processed through the system. Comparisons can be made between the demographic profile at intake and at subsequent stages. In this chapter, the analyses will determine if differences due to race/ethnicity and gender are apparent among youth facing similar charges in the juvenile justice system in County3.

### **FACTORS CORRELATED WITH DETENTION**

Computerized records of court-ordered detentions were unavailable in County3. Therefore, detention status could be measured in only two ways: (1) ever detained and (2) being detained for longer than two days.

Due to the relatively few cases processed in County3, a smaller number of independent variables were included in the model. We examined the role of each of the following factors in the decision to detain a juvenile for more than two days: (1) being African-American; (2) being Hispanic; (3) being female; (4) living with both parents; (5) severity of past offenses; (6) number of previous offenses; and (7) severity of the alleged criminal offense.

Table 7.1 presents the results of the logistic regression, modeling the decision to detain a juvenile at intake. Like all the regression tables, this one lists the unstandardized coefficients (b) and the standard error (s.e.), which allow readers to determine the significance of the relationships. Usually, a positive coefficient means that that factor is associated with a more severe outcome at a particular decision-point. The importance of the variables in the model is based on the maximum predicted effect (MPE) of the independent variable on the probability of being in one category of the dependent variable. For dummy variables, for example, race/ethnicity, it is the maximum predicted effect of being of that race versus the baseline, Anglo. For continuous variables, (e.g., the severity of the offense), the MPE is the maximum predicted effect of a two standard deviation shift in that variable on the probability of being in one category of the dependent variable. (Refer to Chapter 5 for definitions of these variables.) The MPE is interpretable as a percentage. We report MPE percentages only when a significant racial/ethnic or gender finding is apparent. The sample size and goodness-of-fit statistic are also provided for each model. Results are presented for all cases and for males only.

**TABLE 7.1: Factors Correlated with Detention Decisions**

	<b>All Cases</b>	<b>Males</b>
	<b>Unst. Coefficient (s.e.)</b>	<b>Unst. Coefficient (s.e.)</b>
African-American	.06 (.59)	.26 (.64)
Hispanic	-.13 (.75)	.02 (.78)
Female	-.34 (.79)	N/A
Offense Severity	.09 (.15)	.12 (.15)
Severity of Past Offenses	.21** (.10)	.15 (.10)
Number of Past Offenses	.02 (.06)	.02 (.06)
Intercept	3.8 (.71)	-3.8 (.77)
N	371	305
-2Log L (df)	8.44 (6)	4.4 (5)

\* $p < .05$

\*\* $p < .01$

**All Cases.** Only 17 youth were detained for more than two days. Although the logistic regression model did converge, interpretation should be made with caution. Only one variable made an impact on detention: the severity of past offenses. Youth with relatively serious past offenses are more likely to be detained at intake.

**Males.** A similar model was applied with the male-only dataset, lacking only the control variable for being female. Only 15 males were detained for more than two days. Again, interpretations should be made with caution. No factor in our model was significantly correlated with the detention decision.

**Females.** In the female-only dataset, four females were ever detained and two females were detained for more than two days. No multivariate analyses were conducted.

**Conclusion.** The race/ethnicity of the juvenile has no effect on detention decisions made at intake.

## **FACTORS CORRELATED WITH THE DA'S DECISION TO PROSECUTE A CASE**

This stage in the juvenile justice system was modeled as a yes/no decision. As mentioned earlier, in County3, it was not possible to distinguish an intake decision made by a probation officer from that made by prosecutor. Once a juvenile has been brought in by police or other agencies, does he/she receive an informal adjustment at intake, or is his/her case referred for prosecution? At this point, some cases are dropped for various reasons (too old, diverted to another agency, escaped, not enough evidence). These dropped cases were coded as missing, and they were not included in the analysis.

We examined the role of each of the following factors in the decision to refer cases to the DA/prosecutors: (1) being African-American; (2) being Hispanic; (3) being female; (4) severity of past offenses; (5) number of previous offenses; and (6) severity of the alleged criminal offense (see Table 7.2 on the following page).

**TABLE 7.2: Factors Correlated with the Decision to Send a Case to the DA**

	<b>All Cases</b>	<b>Males</b>
	<b>Unst. Coefficient (s.e.)</b>	<b>Unst. Coefficient (s.e.)</b>
African-American	.16 (.35)	.04 (.37)
Hispanic	-.09 (.42)	-.18 (.43)
Female	-1.8** (.58)	N/A
Offense Severity	-.04 (.09)	-.03 (.09)
Severity of Past Offenses	.13 (.09)	.14 (.09)
Number of Past Offenses	.24** (.11)	.25** (.12)
Intercept	-.77 (.40)	-.73
N	222	182
-2Log L (df)	46.4 (6)	27.3 (5)

\* $p < .05$

\*\* $p < .01$

**All Cases.** The factors that are correlated with the decision to forward a juvenile’s case to the next level of processing, as opposed to being informally adjusted, are these (in order of importance): (1) number of previous offenses and (2) being female. If a juvenile is female (MPE=4.5%) and has more previous offenses, her case is more likely to be referred for prosecution. The race/ethnicity of the juvenile is not correlated with this decision.

**Males.** In the male-only dataset, the factor that is correlated with the decision to send a juvenile’s case to court for prosecution, as opposed to obtaining an informal adjustment, is the number of previous offenses. If a male juvenile has committed relatively more offenses in the past, his case will be referred for prosecution. Race/ethnicity is not correlated with this decision.

**Females.** In the female-only dataset, only four females were prosecuted in County3. Consequently, no multivariate analyses were conducted.

**Conclusion.** The number of previous offenses and gender are important correlates of the decision to send a case to the DA or court. Race/ethnicity is not a factor in the decision.

## **FACTORS CORRELATED WITH PLACEMENT BY THE COURT**

In County3, only **one** individual went to TYC and no private placements were reported.

## **FACTORS CORRELATED WITH ADJUDICATED PROBATION**

“Adjudicated probation” means that the court ordered probation for a juvenile or modified his/her status (one case in County3) to include probation as a part of the sentence. The decision for court-ordered probation was modeled as an either/or decision. Either the juvenile is (1) placed on probation; (2) the case is dismissed; or (3) the juvenile is found not guilty. Other dispositions of the court (administrative) were coded as missing; they were not included in this analysis.<sup>11</sup>

We examined the role of each of the following factors in court-ordered probation decisions: (1) being African-American; (2) being Hispanic; (3) being female; (4) severity of past offenses; (5) number of previous offenses; and (6) severity of the alleged criminal offense. Initial models that used these variables showed a significant effect for African-American youth. At this stage, the fuller model, which included both age and whether the juvenile lived in a two-parent household, was tested. The variables included here are similar to those used in the models run for the other two counties. The number of juveniles involved at this stage of juvenile processing was quite low. Consequently, interpretations should be made with caution. (See Table 7.3 on the following page.)

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<sup>11</sup> Models were constructed both with and without the solitary TYC case in the non-probation category. Substantive findings remain unchanged.

**TABLE 7.3: Factors Correlated with Adjudicated Probation Decisions**

	<b>All Cases</b>	<b>Males</b>
	<b>Unst. Coefficient (s.e.)</b>	<b>Unst. Coefficient (s.e.)</b>
African-American	1.5* (.79)	1.5 (.73)
Hispanic	1.7 (.95)	1.7 (.94)
Female	-.18 (.13)	N/A
Age	.21 (.22)	.25 (.22)
Live with Both Parents	-1.0 (.79)	-.98 (.78)
Gang Offense	.43 (.87)	.44 (.86)
Offense Severity	.19 (.15)	.13 (.18)
Severity of Past Offenses	-.23 (.15)	-.19 (.15)
Number of Past Offenses	-.18 (.12)	-.20 (.13)
Intercept	4.06 (3.3)	4.3 (3.4)
N	66	62
-2Log L (df)	19.4 (9)	17.2 (8)

\* $p < .05$

\*\* $p < .01$

**All Cases.** Being African-American is the only significant predictor of this outcome. Based on the MPE, African Americans are 32% more likely to receive adjudicated probation. Only 29 youth received this type of adjudication. Consequently, the results should be interpreted with caution.

**Males.** In the male-only dataset, no factor is significantly correlated with the court's decision to order probation. Controlling for age, whom the juvenile lives with, and gang affiliation mitigate the impact of being a minority juvenile at this stage of the decision-making process.

**Females.** The female-only dataset contained too few individuals to conduct a meaningful analysis on probation decisions.

**Conclusion.** Once all background factors are controlled for, there is no direct impact of race/ethnicity evident at this stage. In the male-only model, no factors significantly predict the decision to place a juvenile on probation.

## **STATUS OFFENSES**

During the 1990-1995 time period, fewer than ten cases were recorded as status offenses in the CaseWorker/3 MIS of County3. Consequently, no multivariate analyses were conducted.

## **SUMMARY**

Race/ethnicity is not a significant factor for the three decision-points in County3, namely, detention, case referral to the DA, and adjudicated probation. Once statistical controls were introduced, no race/ethnicity effect for court probation persisted. Females were less likely to be prosecuted, but only a few females were involved.

## **CHAPTER 8: VICTIMS OF JUVENILE OFFENSES**

### **INTRODUCTION**

In this chapter, focus shifts from the characteristics of the juvenile perpetrators of offenses to those of their victims. To date, most research has generally focused on adult victims, with only some generalizations made about juvenile victims (Snyder & Strickland, 1996). This chapter provides a more thorough examination of the characteristics of the victims of juvenile offenses.

The National Crime Victimization Surveys and the Federal Bureau of Investigation's Supplementary Homicide Reports have provided much of the raw data for previous research on victims of juvenile offenses. Victim data used for this study's analyses were not part of the computerized databases in the three counties, but were obtained from police and law enforcement reports that were part of the individual juvenile files. Many of these reports were not complete with respect to victim information. Moreover, unlike information on juvenile offenders, usually no attempt is made to verify details on victims, unless a case goes to court and the victim is called as a witness.

### **SAMPLE SELECTION**

The sample of victims was drawn from the two urban counties (County1 and County2). From the computerized databases, a list of 750 randomly selected juvenile identity numbers (250 non-repeating IDs from each ethnic group) were selected from the MIS database in County1. Approximately 500 IDs (about 165 non-repeating IDs from each ethnic group) were randomly selected from the County2 database. The IDs belonged to male youth who had committed their most recent index offense during the 1993-1994 calendar year.

Project staff were able to obtain 63% of the identified records from County1 and 74% of the targeted ones in County2. Overall, about 840 (67%) reports compiled by law enforcement personnel were located and the information was encoded. The remainder were either destroyed (approximately 30%), as is common practice when a juvenile turns 18 years of age, or were missing from the files (approximately 8% of non-deleted files).

There are inherent limitations to dealing with these data. Researchers had no control over the manner or circumstances of data collection. Thus, caution must be exercised in making generalizations based on the findings presented in this report.

In the victim dataset, staff obtained information on the first victim listed in law enforcement or police reports. Thirty-five percent of the offenders were African-American, 34% were Hispanic, and 31% were Anglo. This is similar to the 33% proportion that researchers sought in each racial/ethnic group. It should be noted, however, that many of the variable fields were incomplete. For example, PPRI staff obtained 584 police/law enforcement reports on individual victims, but only 392 (67%) reports contained information on the relationship between the offender and the victim. PPRI staff could not determine why 23% of the files did not include this information.

Details on the sample across county and victim type are listed in Table 8.1. Approximately 69% of the offenses were committed against individuals, and the remaining 31% were committed against establishments (businesses, state property). The county of origin for the data did not make an impact on whether individuals or establishments were victimized.

**TABLE 8.1: Sources of Victim Data**

County	Number and Type of Offense	
	Against Individuals	Against Other
County1	330	141
County2	254	118
Total	584	259

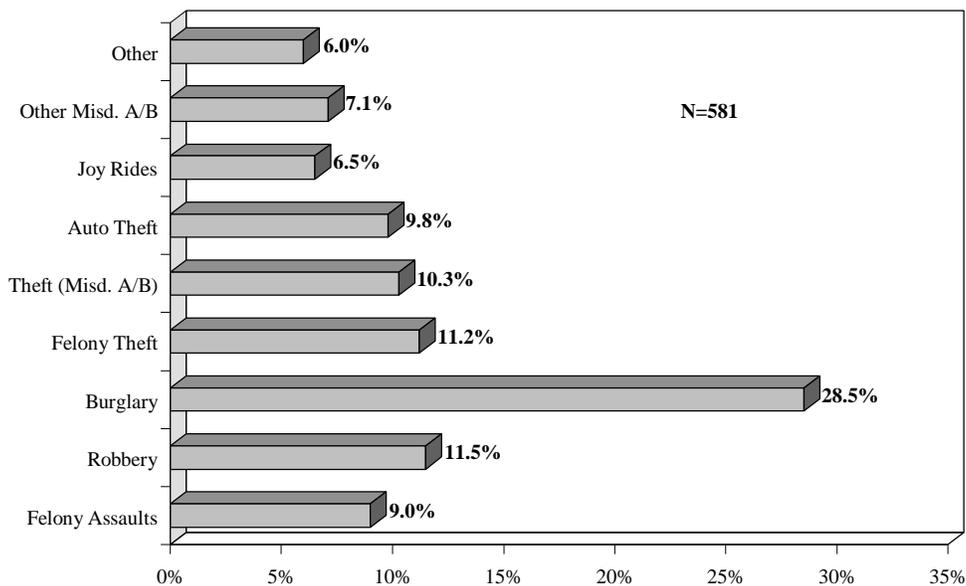
**General Characteristics.** The mean age of the juvenile offender was 14.8 years. On average, youth in the victim sample had 6.7 referrals to the juvenile justice system prior to the current index offense. Thirteen percent had no prior referrals, 38% had up to five previous referrals, and almost one-half of the sample had more than five previous referrals to probation authorities.

One-third of the offenses were committed by individuals identified on records as gang members, or the offense was characterized as “gang related.”

The average age of the victims in the sample was 41.6 years. Almost 50% of the victims were Anglo, 19.6% African-American, and 21.4% Hispanic. Asian Americans and others constituted 4.2% of the sample and, in 5.8% of the cases, the victim’s race/ethnicity was unknown. The latter group was coded “other.”

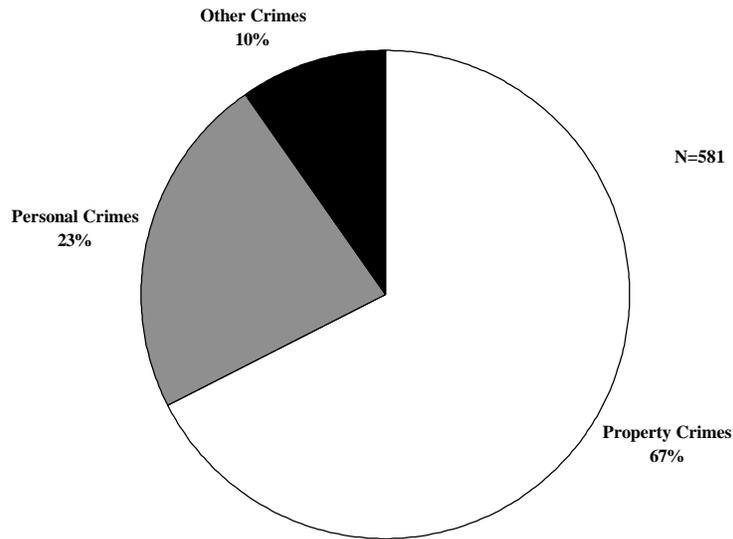
Figures 8.1 and 8.2 show the types of offenses committed by youth in the victim sample. Robbery, burglary, and felony thefts constituted approximately 50% of the juvenile offenses. Felony assaults represented 9% of the cases; auto thefts and joyrides 15.5%; and misdemeanor thefts 10%.

**FIGURE 8.1: Offenses Against Individuals**



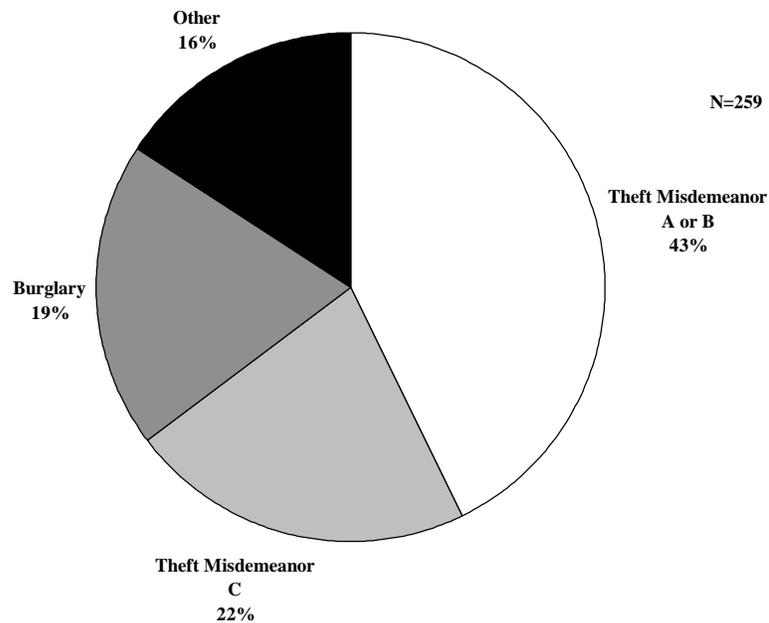
When offenses were coded as property, personal, and “other,” the majority were found to be property-related (67%) (see Figure 8.2 on the following page). Both “property” and “personal” categories correspond to UCR categories. These included felonies and misdemeanors. The “other” category constituted violations of probation, all other types of felonies and misdemeanors (23%), and violations of the terms of court-ordered restraints.

**FIGURE 8.2: Types of Offenses**



Approximately 30% of the offenses were committed against establishments (see Figure 8.3 for a breakdown of these offenses). Thefts, including shoplifting, were the main offenses of this sort. Law enforcement reports did not provide details on the age, race/ethnicity, or gender of any individual victim.

**FIGURE 8.3: Offenses Against Establishments**



## RESEARCH QUESTIONS

In this study, researchers focused on the impact of the following issues on victimization: (1) the age composition of the victims; (2) whether victims are known to the juvenile offenders; (3) whether victims and offenders are of the same race/ethnicity; and (4) whether repeat offenders commit more serious offenses than do first-time offenders. One benefit of using the victim data from counties in Texas is that, unlike national studies where Hispanics are aggregated either as Anglos or African Americans, the victim data enable researchers to treat Hispanics as a separate racial/ethnic category.

*Age Composition of Juvenile Victims.* It has been suggested that, overall, for offenses involving violence and theft, the victimization rate for youth is usually higher than the victimization rate for persons over 24 years old. Table 8.2 provides a distribution of offenses by type (i.e., personal and property offenses), controlling for the age of the victim.

**TABLE 8.2: Age Breakdown of Victims, by Offense Type**

Age of Victim (years)	Personal Offenses (%)	Property Offenses (%)	Other Offenses (%)
< 17	50.0	10.6	68.0
18-23	9.7	11.2	6.0
24-60	39.5	72.1	26.0
> 61	1.0	6.2	0.0
N	124	322	50

The mean age of victims in our sample was 41 years. Thus, at first glance, most of the victims in this sample appear older than victims in other studies. However, when the type of offense was controlled for, there was a significant difference in the age of victims. Sixty percent of the victims of offenses against persons were under the age of 24. In fact, one-half of all these personal offenses involved victims who were younger than 17 years of age. Clearly, juvenile offenders who committed offenses against persons were significantly more likely to victimize other youth. However, 40% of the victims of offenses against persons were between 24 and 60 years of age, indicating that attacks against adults were not uncommon. Very few seniors, 60 years old and above, were victims of juvenile offenses against persons.

For property offenses, only 22% of the victims were under 24 years of age. The majority of victims were between 24 and 60 years of age. This trend is not surprising, given that older people may have more property than younger people and may, therefore, be better targets for property-related offenses. More seniors were victims of property offenses than of personal offenses.

The majority of other offenses involved juvenile victims. These involved offenses that were neither person- nor property-related. A more thorough discussion of the characteristics of juvenile victims is provided in subsequent sections.

***Relationship Between Victims and Offenders.*** It has been suggested that juvenile victims are likely to know their offenders. Implicit in this statement is the view that most juvenile offenses are committed by youth who know their victims, and most often occur within the youths’ neighborhoods. Although police reports had fields for the collection of such information, only 67% of the offense reports contained that information. In numerous instances, the data were either missing or listed as “unknown.” The available numbers indicate that slightly more than 37% of the victims were known to the juvenile offenders, whereas the majority (58%) were strangers. In the remaining 5% of the cases, the relationship between the juvenile and the victim was unclear.

The interactions between the type of offense committed and the juvenile’s relationship to the victim were also explored. Table 8.3 shows that almost two-thirds of the property offenses were committed by strangers, whereas approximately 51% of personal offenses occurred between strangers. In other words, offenses against persons are more likely to be committed by individuals who know their victims than are offenses against property.

**TABLE 8.3: Relationship Between the Offender and the Victim, by Offense Type**

<b>Relationship</b>	<b>Personal Offenses (%)</b>	<b>Property Offenses (%)</b>	<b>Other Offenses (%)</b>
Strangers	51.4	65.0	32.6
Knows Victim	41.0	29.6	67.4
Other	7.6	5.4	0.0
N	105	243	43

There were race/ethnicity differences in the relationship between victim and offender. In Table 8.4, this relationship is divided into “strangers” and “knows victim.” Of the 75 African-American victims listed in Table 8.4, 56% were more likely than either Anglos (39%) or Hispanics (34.9%) to know their offenders. The race/ethnicity of the offender is addressed more fully in the next section.

**TABLE 8.4: Victim Race/ethnicity and Age, by Relationship to Offender**

Age of Victim (years)	Race/ethnicity of Victim					
	African-American		Anglo		Hispanic	
	Stranger (%)	Knows Offender (%)	Stranger (%)	Knows Offender (%)	Stranger (%)	Knows Offender (%)
< 17	15.2	40.5	18.0	54.7	9.8	54.6
18-23	18.2	7.1	12.0	7.8	22.0	4.6
24-60	63.6	50.0	63.0	34.4	65.9	40.9
61+	3.0	2.4	7.0	3.1	2.4	0.0
N	33	42	100	64	41	22

In the next section, researchers examine whether the relationship between the victim’s and the offender’s race/ethnicity significantly affects the type of offense that is committed.

***Racial Background of Victims and Offenders.*** Available evidence indicates that the majority of the victims were Anglo and a significant minority were African-American. A cross-tabulation between the victim’s and the offender’s race/ethnicity was done, controlling for the type of offense. Overall, most victims in this sample were Anglo (49.5%). African Americans and Hispanics represented 19.5% and 21.6% of all victims, respectively. Asian Americans and “others” constituted 3.5% of all victims, whereas the race/ethnicity of 5.8% of the victims was “not known.”

For offenses committed against persons, 80% of Anglo offenders targeted other Anglos, followed by “other” and African-American victims (see Table 8.5 on the following page). The plurality (37%) of African-American offenders confronted African-American victims; 34% targeted

Anglos; and 19% targeted Hispanics. Among Hispanics, the plurality (48%) of victims were Anglos, followed by Hispanics (40%) and African Americans (10%). Fifty-one percent of the offenses committed against persons could be considered intra-ethnic; the remaining 49% transcended ethnic boundaries.

**TABLE 8.5: Race/ethnicity of the Offender, by Victim Race/ethnicity and Offense Type**

Offender Race/ethn.	Personal Offenses					Property Offenses					Other Offenses				
	Victim Race/ethnicity					Victim Race/ethnicity					Victim Race/ethnicity				
	A (%)	AA (%)	H (%)	Other (%)	N	A (%)	AA (%)	H (%)	Other (%)	N	A (%)	AA (%)	H (%)	Other (%)	N
Anglo	80.0	6.7	0.0	13.3	15	75.9	4.4	10.2	9.5	13	82.6	8.7	4.4	4.4	23
Af. Amer.	34.3	37.3	19.4	9.0	67	30.9	42.7	19.1	7.3	11	17.4	60.9	13.0	8.7	23
Hispanic	48.0	10.0	40.0	2.0	50	44.5	7.3	33.6	14.6	13	33.3	22.2	44.4	0.0	9

*A=Anglo; AA=African-American; H=Hispanic*

For property offenses (see Table 8.5), Anglo youth offenders were more likely to target other Anglos (76%), followed by Hispanic, “others,” and African Americans. African-American youth offenders were more likely to target other African Americans (43%), followed by Anglo (31%) and Hispanic (19%) victims. Among Hispanics, the plurality of victims were Anglos (45%), followed by Hispanics, “others,” and African Americans. Approximately 43% of all property offenses occurred within racial/ethnic boundaries, and 57% transcended these boundaries. Asian-American and “other” victims of Anglo, African-American, and Hispanic youth account for the higher proportion of victims across racial/ethnic lines.

Only 55 other offenses (neither personal nor property) were committed. Sixty-seven percent of these occurred within racial/ethnic lines. Most of these offenses involved court-order violations.

***Repeat Offenders and Serious Offenders.*** The majority of youth who committed violent offenses were persistent offenders. In the sample, only 13.1% of the youth had no referrals to the juvenile system prior to the current offense. Data in Table 8.6 on the following page show the relationship between prior history and the seriousness of the offense, where felonies are the most serious category, followed by misdemeanors.

**TABLE 8.6: Prior Referrals, by Offense Seriousness**

Prior Referrals	Offense Seriousness Categories		
	Misdemeanors (%)	Felonies (%)	Other (%)
0	34.9	9.1	23.3
1-5	39.4	39.4	23.3
6-10	10.6	20.8	27.9
11+	15.2	30.7	25.6
N	66	472	43

The “other” category reflects violations of court orders and other misdemeanors and felonies. Generally, the analyses show that repeat offenders committed more serious offenses. The majority (51%) of felonies, both property and personal, were committed by youth who had had at least five previous contacts with the juvenile justice system. Only 26% of the misdemeanors were committed by youth with similar histories. Fifty-three percent of the other offenses, predominantly court-order violations, were also committed by youth with prior referrals. Clearly, the repeat offender is more likely to commit felonies and is less likely to be constrained by court orders.

There is no connection between prior criminal history and the use of force. However, youth with prior offenses were significantly more likely to be gang members (Table 8.7). Seventy-eight percent of all gang-affiliated individuals had more than six referrals in their histories.

**TABLE 8.7: Prior Referrals, by Gang Involvement**

	Prior Referrals			
	No Referrals (%)	1-5 Referrals (%)	6-10 Referrals (%)	> 11 Referrals (%)
Gang Involvement	6.5	16.6	37.8	50.1
No Gang Involvement	93.5	83.4	62.2	40.9
N	46	163	90	127

Gang membership was also significantly correlated with the commission of more serious offenses. The majority (71%) of gang-related offenses involved property, whereas personal felonies accounted for less than 25% of those offenses.

## **CONCLUSION**

Overall, the analyses of this sample of victims, drawn from the two urban counties (County1 and County2), confirm what is already known about juvenile victims. The findings also show that the type of offense and the juvenile's age are important determinants of victimization. First, it is almost equally likely that youth will assault adults as they will other youth; race/ethnicity differences do exist. Second, property offenses occur more often among strangers than do personal offenses, which tend to occur to people known by the juvenile offender. Third, Anglos are significantly more likely than other racial/ethnic groups to be victimized—especially for property offenses. Finally, a history of referrals is correlated with the commission of felonies.

## CHAPTER 9: SURVEY OF JUVENILE JUSTICE PRACTITIONERS

This section of the report describes the views and perceptions of juvenile justice practitioners. Findings are based upon statewide telephone interviews on various aspects of the juvenile justice system. Respondents were asked about the overrepresentation of African-American and Hispanic youth, the strengths and weaknesses of the juvenile justice system and its possible improvement, and the policies and practices that may influence different decision-making stages. In addition to the tables presented in this chapter, the cross-tabulation results, cross-referenced here in the text, are included in the separately bound Supplemental Appendix.

### METHODOLOGY

A proportional stratified random sample of judges, district or county attorneys, probation officers, Texas Youth Commission (TYC) staff, law enforcement personnel, and private attorneys was selected to be interviewed. Of the initial sample of 600 juvenile justice practitioners, 526 completed interviews, for an 87.5% completion rate.<sup>12</sup> Figure 9.1 on the following page provides a pictorial representation of the following distribution of respondents' occupational strata:

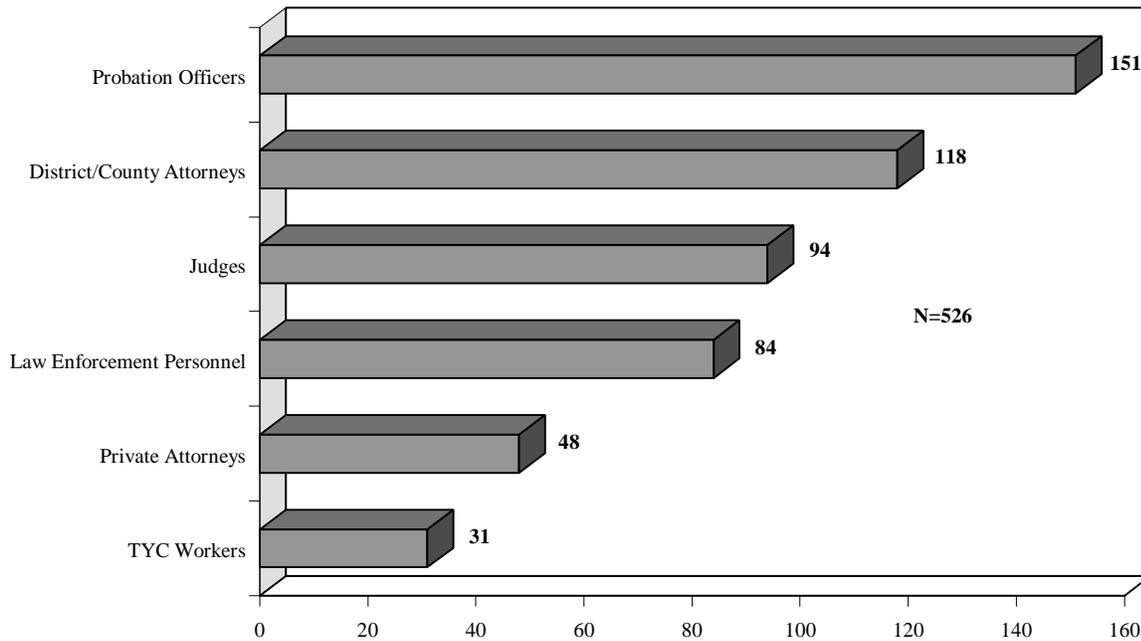
- (1) 151 probation officers;
- (2) 118 district and county attorneys;
- (3) 94 judges;
- (4) 84 law enforcement personnel;
- (5) 48 private attorneys; and
- (6) 31 Texas Youth Commission (TYC) workers.

In each of these six occupation strata, at least 70% of the targeted respondents completed interviews. Since the occupational strata were sampled at different rates, the sample was weighted prior to conducting the analyses. The weighted totals for occupational strata are included in Appendix E. Standard statistical packages assume a simple random sample design. Since the survey sample was weighted, researchers used SUDAAN (version 7.11), a statistical package that produces more reliable standard error estimates, to conduct the analyses of the survey data.

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<sup>12</sup> When the telephone survey was terminated, there were 212 call-backs or potential interviews being pursued, 34 bad numbers, and 101 unqualified respondents. Judges, prosecutors, and attorneys who no longer dealt with juvenile cases or, in some cases, whose names were listed by mistake in directories and membership lists, constituted the majority of these 101 individuals.

**FIGURE 9.1: Occupational Strata of Survey Respondents**

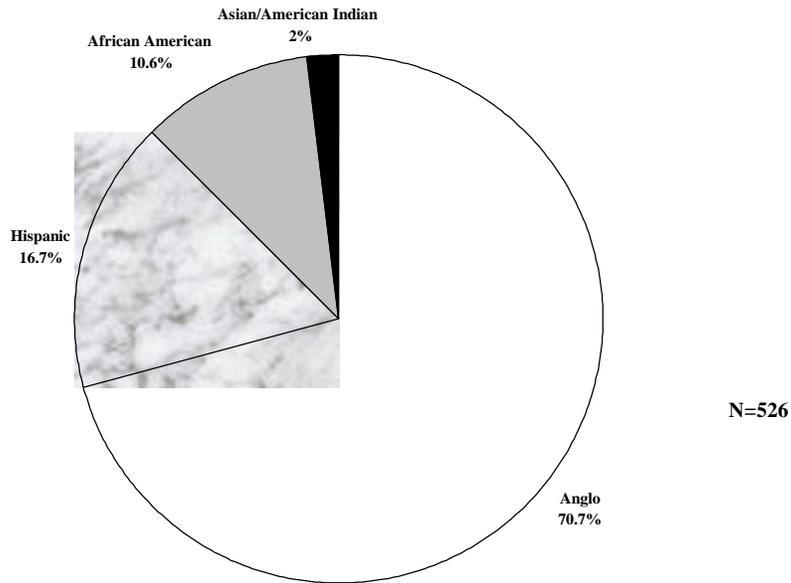


The discussion of the survey results is divided into seven main sections: (1) Demographics; (2) Minorities in the Juvenile Justice System; (3) Case Scenario Evaluations; (4) Ratings of Relevant Factors in Detention, Adjudication, and Disposition Decisions; (5) General Views on the Juvenile Justice System in Texas; (6) Views on Delinquency; and (7) Ratings of Factors by Respondents' Racial/ethnic and Occupational Strata. The survey instrument is included as the first item in the Supplemental Appendix.

## **DEMOGRAPHICS**

This section examines the socio-demographic characteristics of the sample. Sixty-eight percent of the sample was male. The average age of the respondent was 42.4 years. Approximately 50% had graduate degrees, 37.5% held bachelor's degrees, 10.3% had received some college education, and 2.5% were high school graduates. As Figure 9.2 illustrates (see following page), 70.7% of the sample was Anglo; 16.7% was Hispanic; 10.6% was African-American; and 2% was Asian-American/American Indian. Only the views of the three most highly represented racial/ethnic groups have been included in this report.

**FIGURE 9.2: Race/ethnicity of Survey Respondents**



While the job duties of judges, prosecutors, police officers, and attorneys were readily identifiable, probation officers in this sample handled a variety of duties, including assessments, intake functions, court duties, field supervision, and case management. A majority (52.7%) of the sample reported that they supervised staff; 47.3% reported not doing so.

Respondents in approximately 175 counties in the state of Texas were contacted for the survey. Figure D-1 in Appendix D identifies counties where respondents were contacted and lists the number of respondents interviewed in each county. Large metropolitan areas, smaller urban areas, and rural locations were covered by the survey. The respondents' departments were fairly evenly divided among four place categories: 29.5% were in large metropolitan areas with over a half-million people; 22.8% were in cities with populations between 100,000 and 500,000; 25.7% were in towns or cities with between 15,000 and 100,000 people; and 21.7% were in rural locations and towns with fewer than 15,000 people.

Table 9.1 on the following page presents data on the age and experience of respondents across occupational strata. The views presented here are from respondents who have about 12 years (overall experience) in the juvenile justice system and at least 7.5 years (overall experience) in their current positions.

**TABLE 9.1: Age and Experience of Respondents, by Occupation (Unweighted)**

<b>Occupation</b>	<b>Mean Age (years)</b>	<b>Mean Years' Experience in Juvenile Justice System</b>	<b>Mean Years' Experience in Current Position</b>
Judges	51.9	15.9	8.7
Prosecutors	44.1	11.9	7.7
Attorneys	43.6	9.2	9.5
Juv. Probation Officers	36.9	9.8	6.0
Police Officers	40.8	12.4	7.4
TYC Staff	37.4	9.3	5.9

### **MINORITIES IN THE JUVENILE JUSTICE SYSTEM**

In this portion of the interview, respondents were asked about the overrepresentation of African-American and Hispanic youth in the juvenile justice system. Respondents were asked to indicate the extent to which they agreed or disagreed with the statement, “African-American [Hispanic] youth are represented at a higher percentage in the juvenile system than their percentage in the general population in Texas.” Responses ranged from values 1-5 (i.e., from “strongly disagree,” to “strongly agree”). These were re-coded such that values 1-2 reflected “disagree,” 3 meant “neither agree/disagree,” and 4-5 meant “agree.”

Answers to the above question varied with the respondents’ racial/ethnic strata but not with their occupational strata. As indicated in Table 9.2, among the African-American juvenile justice practitioners surveyed, 78 % agreed that African-American youth are overrepresented in the system. A smaller proportion of Anglo (59%) and Hispanic (49%) respondents shared this level of agreement ( $p < .01$ ). Overall, 59.6% of all respondents agreed with the statement. Across occupational strata, prosecutors were most likely to agree that African-American youth are overrepresented (62.8%), whereas the least likely to think so were police officers (54.9%). However, the analysis indicates that this difference is not statistically significant. The majority of respondents from each occupation agreed with the statement.

**TABLE 9.2: Percent Agreement/disagreement with the Statement on African-American Overrepresentation, by Race/ethnicity and Occupation of Respondents**

	<b>% Disagree</b>	<b>% Neither Agree/disagree</b>	<b>% Agree</b>	<b>Weighted N</b>
<b><i>Race/ethnicity</i></b>				
African-American	15.4	6.6	78.0	55
Anglo	31.1	10.1	58.9	357
Hispanic	29.0	22.0	48.9	80
<b><i>Chi sq. 14.4 (4); p &lt; .01</i></b>				
<b><i>Occupation</i></b>				
Judges	30.4	8.7	60.9	60
Prosecutors	32.4	4.9	62.8	35
Attorneys	27.5	12.0	60.6	114
Juv. Probation Officers	25.0	15.9	59.1	209
Police Officers	35.4	9.8	54.9	67
TYC Staff	20.0	16.7	63.3	8
<b><i>Chi sq. 16.6 (10); p &lt; .1</i></b>				

Respondents were also asked to identify the three primary reasons for the perceived overrepresentation of African-American youth in the Texas juvenile justice system. Individuals provided 605 open-ended responses (many individuals gave multiple responses), which were coded into the categories of Family Matters; Socio-economic Matters; Youth’s Environment; System Unfair to Minorities; Lack of Personal Responsibility; and Other.

As shown in Figure 9.3 on the following page, the most frequently stated response was family background. Just under one-third (30.7%) of the responses listed the weakening of the family unit, single-parent households, absence of a father, lack of parental role models, or dysfunctional families. Socio-economic matters ranked a close second: 29.6% of the respondents listed lack of employment opportunities, lack of educational attainment, and welfare dependence as factors critical to this issue. Factors related to the juvenile’s environment ranked third: 21% of the responses listed high-crime neighborhoods and gang activities as crucial to the overrepresentation

of African-American youth. Some respondents mentioned that the juvenile justice system has problems and/or is unfair to minorities (6.4%). Others suggested a lack of responsibility on the part of accused youth (4.8%). Between 3% and 5% of the respondents mentioned other reasons, such as the influence of the media, which were combined into an “other” category.

**FIGURE 9.3: Factors Most Frequently Associated with the Overrepresentation of African-American Youth in the Juvenile Justice System**

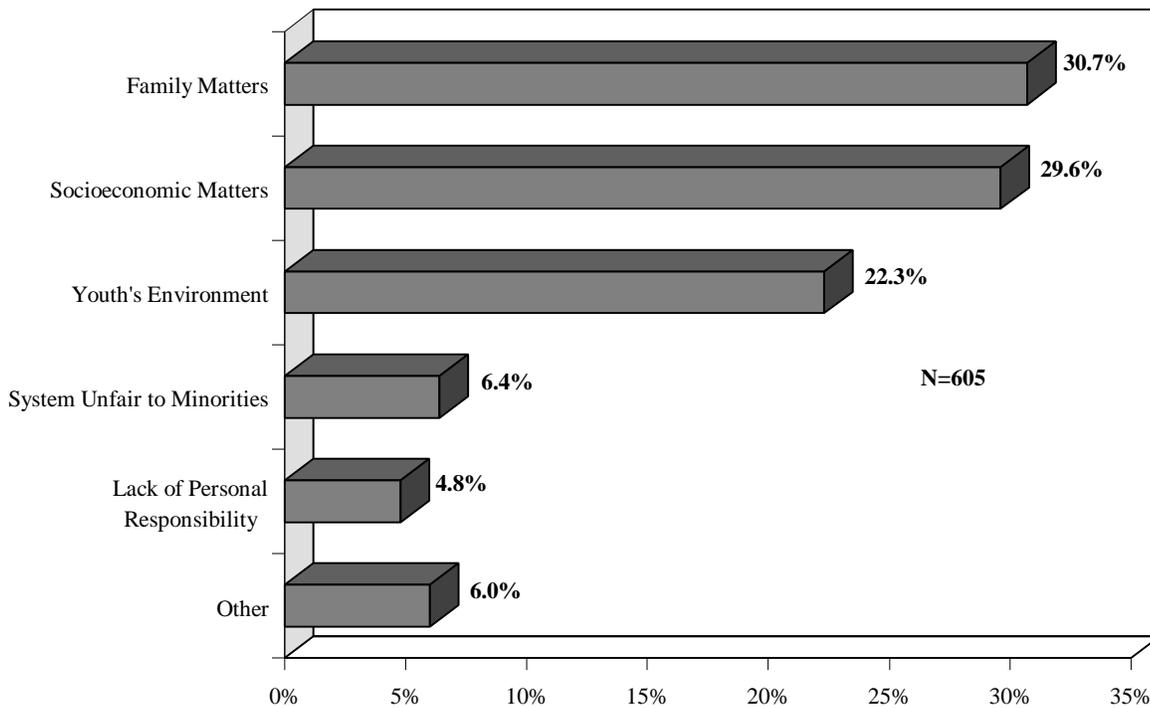


Table 9.3 on the following page lists factors influencing the overrepresentation of African-American youth across respondents’ racial/ethnic and occupational strata. Where possible, the analysis tested for differences in responses among the racial/ethnic and occupational categories in the sample population. However, in a number of instances, the sample size was too small to permit valid statistical comparisons among these groups. Therefore, in the following series of analyses, goodness-of-fit and significance levels are reported only when the sample size is adequate.

**TABLE 9.3: Factors Correlated with the Overrepresentation of African-American Youth, by Race/ethnicity and Occupation of Respondents (in percentages)**

	Family	Socio-Economic	Juvenile's Environ.	Unfair System	Other	Weighted N
<i>Race/ethnicity</i>						
African-American	26.4	26.4	21.4	9.2	16.6	85
Anglo	30.9	27.3	22.2	4.5	15.0	493
Hispanic	20.4	31.8	13.6	11.4	23.0	77
<i>Occupation</i>						
Judges	28.3	28.3	16.6	8.3	19.0	115
Prosecutors	34.5	25.0	23.0	2.0	15.5	134
Attorneys	28.8	27.3	18.1	12.1	13.7	168
Juv. Probation Officers	25.4	31.5	18.2	5.0	19.9	60
Police Officers	30.0	20.5	26.7	2.2	21.6	86
TYC Staff	23.1	20.5	30.8	18.0	7.6	39

Many respondents provided multiple responses. The majority (80%) of all responses list the following factors as crucial in explaining African-American overrepresentation in the system: (1) family matters; (2) socio-economic matters; and (3) the juvenile's environment. These reasons are similar across all occupational categories; at least 70% of these responses list these three factors as being most critical.<sup>13</sup> A higher proportion of responses from minorities, attorneys, and TYC personnel listed "system being unfair" as a reason. The "other" category includes not only the individual factors outlined in Figure 9.3, but the juvenile's "lack of personal responsibility," as well.<sup>14</sup>

Respondents were also asked to suggest three main possible correctives to the overrepresentation of African-American youth. Forty-one percent of the responses concerned the need for more youth-oriented programs that address background risk factors influencing delinquency.

<sup>13</sup> In the section entitled "Views of Delinquency," respondents were asked to rank the main influences on delinquency: the results are discussed later in this chapter.

<sup>14</sup> It is inadvisable to use inferential statistics in some of these tables, because many of the cells have small numbers.

Addressing family problems (28.1% of responses) and improving economic opportunities for African Americans (16.6%) were other often-mentioned solutions. The remaining responses, each of which accounted for 2-3% of the total, were combined into an "other" category, which constituted 14.2% of the responses (see Figure 9.4).

**FIGURE 9.4: Suggested Solutions for the Overrepresentation of African-American Youth**

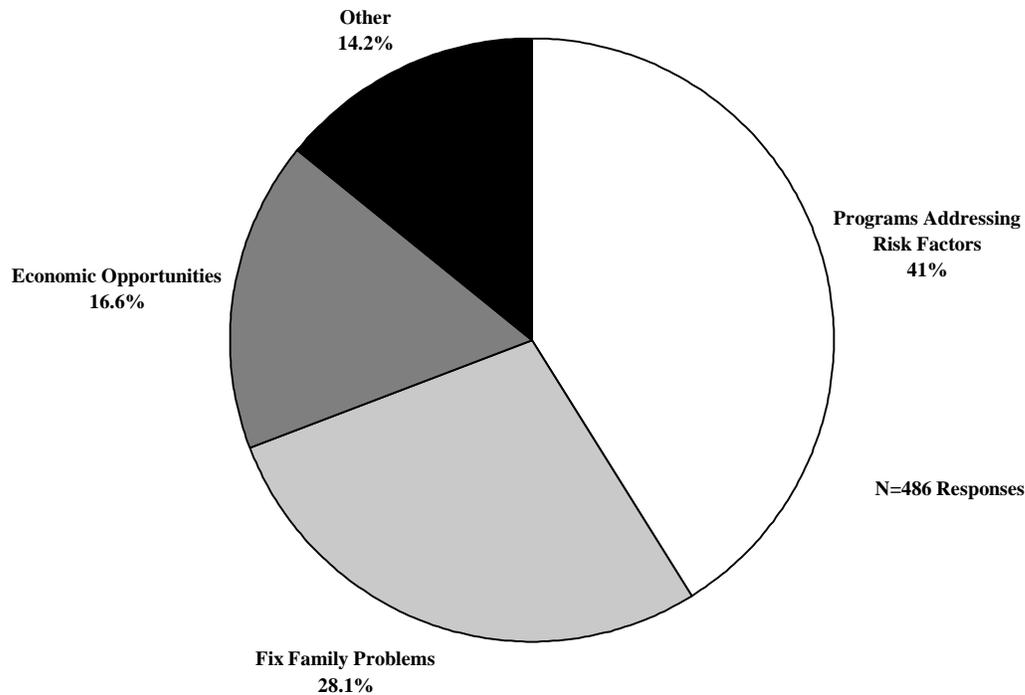


Table 9.4 on the following page presents suggested solutions to African-American overrepresentation across the racial/ethnic and occupational categories of respondents. Programs that address background risk factors and family problems were the two most frequently cited recommendations, the former being mentioned more often than the latter. Most respondents felt that the single best solution was to allocate more resources to programs that address background risk factors influencing delinquency.

Regarding the overrepresentation of Hispanics, overall, 63.3% of the respondents agreed with the statement that “Hispanics are represented at a significantly higher percentage in the juvenile justice system than they are in the general population in Texas.”

**TABLE 9.4: Suggested Solutions for the Overrepresentation of African-American Youth, by Race/ethnicity and Occupation of Respondents (in percentages)**

	Improve Economic Opportunities	Programs to Fix Risk Factors	Fix Family Problems	Other	Weighted N
<b>Race/ethnicity</b>					
African-American	11.8	39.4	28.1	20.8	94
Anglo	18.4	40.6	28.4	12.7	327
Hispanic	16.4	45.4	26.1	12.2	66
<b>Occupation</b>					
Judges	19.6	41.3	28.3	10.9	60
Prosecutors	12.4	34.3	39.1	14.3	36
Attorneys	21.3	40.4	21.3	17.0	122
Juv. Probation Officers	15.4	43.7	23.2	17.6	209
Police Officers	12.5	34.4	53.1	0.0	52
TYC Staff	11.1	51.9	37.1	0.0	7

There are statistically significant differences across racial/ethnic categories: 79% of African-American, 70.6% of Hispanic, and 58% of Anglo respondents agreed that Hispanic youth are overrepresented (see Table 9.5). Judges, attorneys, probation officers, and TYC staff were more likely than other occupational groups to agree with the statement. However, the analysis indicates that this difference is not statistically significant. The majority of respondents from all occupational groups agreed with the statement on Hispanic overrepresentation.

**TABLE 9.5: Percent Agreement/disagreement with the Statement on Overrepresentation of Hispanic Youth, by Race/ethnicity and Occupation of Respondents**

	% Disagree	% Neither Agree/Disagree	% Agree	Weighted N
<b>Race/ethnicity</b>				
African-American	16.1	4.4	79.4	67
Anglo	31.0	11.1	58.0	335
Hispanic	19.4	10.1	70.6	97
<i>Chi sq. 13.5 (4); p &lt; .01</i>				
<b>Occupation</b>				
Judges	27.7	9.6	62.8	61
Prosecutors	38.4	11.8	50.0	35
Attorneys	25.5	6.9	67.6	114
Juv. Probation Officers	18.2	15.9	65.9	213
Police Officers	37.8	9.8	52.4	67
TYC Staff	30.0	6.7	63.3	8
<i>Chi sq. 20.7 (10); p &lt; .01</i>				

Among the three main factors identified by respondents as being responsible for Hispanic overrepresentation were (1) family matters (30.6% of responses); (2) socio-economic matters (29%); and (3) matters related to the juvenile’s environment (13.9%).

Some respondents mentioned that the juvenile justice system has problems and/or is unfair to minorities (5.9%). Others suggested that a lack of responsibility on the part of accused youth (3.3%) also contributed to the overrepresentation of Hispanic youth (see Figure 9.5). All of these reasons corresponded to those listed earlier for the factors associated with the overrepresentation of African-American youth in the juvenile justice system in Texas.

**FIGURE 9.5: Factors Most Frequently Associated with the Overrepresentation of Hispanic Youth in the Juvenile Justice System**

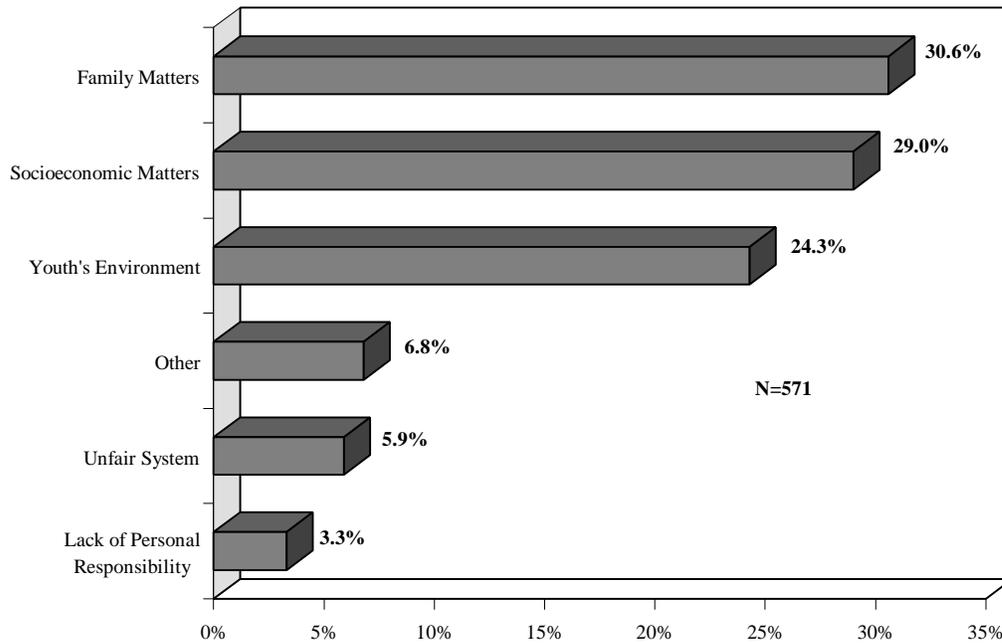


Table 9.6 on the following page presents reasons that are perceived as contributing to the overrepresentation of Hispanic youth across respondents’ racial/ethnic and occupational strata. As in the case of African-American youth, the majority of responses focused on family and socio-economic matters and on the juvenile’s environment. Minority respondents were more likely to include the unfairness of the system as a reason.

Prosecutors, police officers, and TYC personnel were more likely than respondents from other occupational categories to list family matters. Judges, attorneys, and probation officers were more likely to identify socio-economic matters as crucial to the overrepresentation of Hispanics in the juvenile justice system.

**TABLE 9.6: Factors Correlated with the Overrepresentation of Hispanic Youth, by Race/ethnicity and Occupation of Respondents (in percentages)**

	Family	Socio-Economic	Juvenile's Environ.	Unfair System	Other	Weighted N
<i>Race/ethnicity</i>						
African-American	27.3	31.2	15.6	10.4	15.5	73
Anglo	30.0	25.3	25.8	4.2	14.7	375
Hispanic	26.3	31.2	18.1	7.4	17.0	117
<i>Occupation</i>						
Judges	25.9	30.6	21.3	5.6	16.6	105
Prosecutors	31.2	23.0	23.7	3.4	19.7	107
Attorneys	25.4	28.8	20.3	6.8	19.7	54
Juv. Probation Officers	26.5	30.2	24.0	5.2	14.1	183
Police Officers	36.8	24.1	21.8	6.9	11.4	84
TYC Staff	29.0	21.0	26.3	10.5	13.2	38

The most frequently mentioned solutions to the overrepresentation of Hispanic youth include developing programs to address background factors that influence delinquency (43.6% of responses), resolving family problems (30.7%), and improving economic opportunities for Hispanics (17.2%).

Twelve percent of responses were in the “other” category (see Figure 9.6 on the following page). It is noteworthy that the first three solutions listed here are similar to those suggested as solutions to the overrepresentation of African-American youth.

**FIGURE 9.6: Suggested Solution for the Overrepresentation of Hispanic Youth**

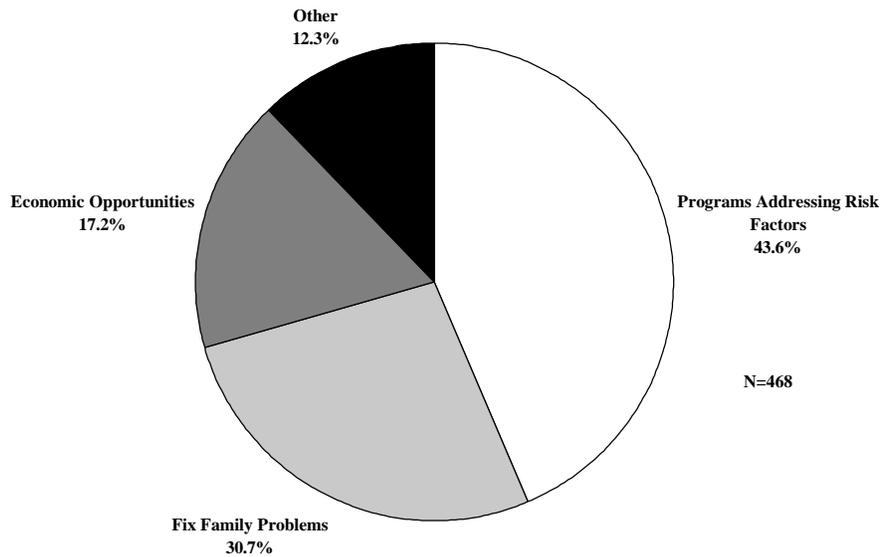


Table 9.7 presents suggested solutions to the overrepresentation of Hispanics across respondents' racial/ethnic and occupational categories. Cross-racial/ethnic differentials are minimal. Likewise, occupational positions do not appear to make a difference. A major proportion of the suggested solutions pertain to the need for additional programs that will address background risk factors that promote juvenile delinquency (43.6%); resolving family problems is the next most frequently mentioned corrective (30.7%).

**TABLE 9.7: Suggested Solutions for the Overrepresentation of Hispanic Youth, by Race/ethnicity and Occupation of Respondents (in percentages)**

	Improve Economic Opportunities	Programs to Fix Risk Factors	Fix Family Problems	Other	Weighted N
<b>Race/ethnicity</b>					
African-American	17.0	47.2	23.7	12.1	76
Anglo	17.4	42.2	27.0	13.5	282
Hispanic	17.0	44.5	29.1	9.4	108
<b>Occupation</b>					
Judges	13.4	46.3	28.1	12.2	533
Prosecutors	12.5	42.5	36.3	8.8	27
Attorneys	18.9	46.0	21.6	13.5	96
Juv. Probation Officers	18.4	41.8	25.3	14.5	232
Police Officers	15.0	43.3	38.3	3.3	49
TYC Staff	18.5	51.9	29.6	0.0	7

Some studies have suggested that juvenile justice practitioners face unique problems when communicating with the family of minority youth (Bishop & Frazier, 1996). These problems could lead to situations in which minority youth are detained more often than other youth, as was determined in the analyses of data from County1 and County2.

To address this matter, a series of communication-oriented questions were posed to respondents. Fifty-one percent of eligible respondents (i.e., those experienced in detention, adjudication, and disposition decisions) did not have problems communicating with the parents of, or adults responsible for, minority youth after the youth had been arrested and brought to the juvenile probation department. However, 43.2% (n=227) of the sample did have communication problems; of those, 71% indicated that the parents' or other responsible adults' lack of access to a telephone and transportation impeded communication or contact.

Interviewers also obtained 239 open-ended responses pertaining to communication barriers between families and juvenile authorities. Analyses of these open-ended responses identified the following as critical: (1) apathy of the parents (23.4% of responses); (2) language barriers (23.4%); (3) frequent mobility among families, which often meant that unreliable addresses and phone numbers were provided (23.8%); and (4) distrust of the legal system (8.3%). Five percent mentioned problems that minority working parents had in keeping appointments.

Do respondents across racial/ethnic and occupational strata report similar barriers to communication? Table 9.8 on the following page lists responses related to difficulties contacting minority families across respondents' racial/ethnic and occupational categories. African-American respondents, judges, and TYC staff were more likely to highlight "distrust" of the legal system as a serious obstacle.

**TABLE 9.8: Difficulties in Contacting Minorities, by Race/ethnicity and Occupation of Respondents (in percentages)**

	Language	Frequent Mobility	Apathy	Working Parents	Distrust Legal System	Other	Wtd. Total
<i>Race/ethnicity</i>							
African-American	39.0	22.3	22.3	11.9	16.5	0.0	25
Anglo	33.4	26.0	26.0	4.4	9.5	0.0	154
Hispanic	22.6	22.6	22.6	3.8	9.6	5.2	31
<i>Occupation</i>							
Judges	10.4	34.5	37.9	0.0	17.2	0.0	19
Prosecutors	14.7	38.2	29.4	11.8	5.9	0.0	11
Attorneys	30.0	25.0	20.0	5.0	10.0	10.0	52
Juv. Prob. Officers	43.5	19.4	21.0	4.8	11.3	0.0	91
Police Officers	25.0	27.5	35.0	7.5	5.0	0.0	33
TYC Staff	30.8	23.1	30.8	0.0	15.4	0.0	4

Another critical issue is why minorities represent 80% of the youth confined in TYC facilities (see Jeffords & McNitt, 1993). To address this, respondents in the sample were asked about the scarcity of placement slots for minority youth. Sixty-five percent of the 334 respondents experienced in disposition decisions felt that their ability to place minority youth in community-based treatment programs was affected by the scarcity of such placement resources. Hispanic respondents were significantly more likely to rate scarcity of placement slots as being important (see Tables A-2-a and A-2-b in the Supplemental Appendix). Furthermore, a higher proportion of attorneys were more likely than practitioners in the other occupations to rate this as important. All eligible respondents were then asked to rate the importance of the problem of scarce placement resources. Overall, respondents ranked the lack of placement slots a 2.8 on a three-point scale, where 1 means “not important” and 3 means “very important.” No differences by the race/ethnicity or occupation of respondents are evident.

Of 209 practitioners who responded to the question on minority commitments to TYC, 63% indicated that they had to rely on commitments to TYC when placement slots elsewhere were unavailable. There were no differences in responses by the race/ethnicity of respondents. A larger proportion of attorneys (80%) were likely to list this as important (see Tables A-3-a and A-3-b in the Supplemental Appendix).

Finally, respondents were asked about the impact of private insurance on placement decisions. Seventy percent of the 343 eligible respondents indicated that the availability of private insurance from the juvenile's family affected decisions about where he/she was placed. A higher proportion of African Americans ( $p < .01$ ) and probation officers were likely to rank this as a crucial matter (see Tables A-4-a and A-4-b in the Supplemental Appendix). Respondents ranked the issue of private insurance a 2.54 on a three-point scale, where 3 meant "very important." Prosecutors and judges considered this factor to be less significant.

It should be noted that judges have final authority over placement decisions and that individuals from other occupational backgrounds merely play advisory roles in these decisions. Bearing this fact in mind, it should be noted that 63% of the judges in our sample felt that insufficient resources was an important factor in determining placement decisions. They were evenly split on the issue of whether the shortage of placement slots results in minorities being placed in TYC facilities. Finally, 60% of the judges felt that the availability of private insurance was a factor in placement decisions (see Tables A-4-a and A-4-b in the Supplemental Appendix). Judges' responses to these questions did not significantly differ from those of other respondents.

The results of this section show that, overall, most respondents believe that minorities are overrepresented in the juvenile justice system. Respondents suggested the break-up of the family, socio-economic problems, and the juvenile's environment as reasons for this. Moreover, respondents felt that addressing family matters and background factors that contribute to delinquency could ameliorate minority overrepresentation. Respondents identified what they perceived as communication problems with minority females. Finally, respondents also provided information that can help elucidate why minorities are overrepresented in TYC facilities.

## **CASE SCENARIO EVALUATION**

In our proposal, PPRI researchers argued that the presence of possible prejudice in decision making be tested during the survey. The social-psychological literature indicates that most people are either unaware of prejudicial attitudes or are unwilling to openly admit that their decisions and judgments are strongly influenced by racial/ethnic stereotypes (Fisk & Taylor, 1991). This has important methodological implications.

Measurement techniques in which respondents are asked directly to express their racial/ethnic attitudes produce results that are significantly different from those obtained by unobtrusive techniques. To obtain valid measures of stereotypical expectations and attributions, unobtrusive and quasi-experimental techniques are recommended.

One unobtrusive strategy discussed in the literature as appropriate is the error-choice method (Webb, Campbell, Schwartz, & Sechrest, 1966). Respondents are presented with a series of multiple-choice items purporting to assess their factual knowledge about the chosen domain.

Many of these items concern facts and contain correct answers among the response alternatives. Several of the items, however, have only incorrect or ambiguous response alternatives. These are devised so that some of the respondents' choices can indicate stereotypical opinions. The error-choice method has been successfully employed to measure attitudes toward a number of socially sensitive issues.

In the present study, respondents were read a case scenario, which described hypothetical delinquent acts committed by a given juvenile. The scenario had a randomly chosen racial/ethnic identifier for the juvenile (African-American, Hispanic, Anglo, or No-ethnic-identifier-mentioned) and a name for the juvenile. The juvenile's criminal history was randomly selected between a first and a third offense. This random assignment of racial/ethnic identifiers and criminal histories was computer controlled. An example of the case scenario is listed in the questionnaire, included in the Supplemental Appendix.

Seven outcomes or conclusions were assessed in this procedure. The respondents were asked to rate their perception of the seriousness of the offense described in the case scenario. Later, they were asked to suggest actions that the youth would be subjected to at the pre- and post-adjudication stages.

Responses varied on a scale of 0-5, with 0 representing "not at all likely" and 5 representing "extremely likely." These responses were re-coded such that 4 and 5 were rated "extremely [serious, dangerous, likely]"; 2 and 3 as "somewhat [serious, dangerous, likely]"; and 0 and 1 as "not at all [serious, dangerous, likely]." Respondents were also asked to rate the likelihood that the juvenile offenders would commit similar or other offenses in the future.

Tables 9.9, 9.10, and 9.11 present respondents' opinions of the seriousness of the offense, the likelihood of a juvenile committing a similar and other offenses in the future, by the racial/ethnic and occupational strata of respondents. The majority of response rankings were distributed between the "extremely serious" and the "extremely likely" categories.

**TABLE 9.9: Ratings of the Seriousness of the Offense, by Race/ethnicity and Occupation of Respondents (in percentages)**

	<b>Not at all Serious</b>	<b>Somewhat Serious</b>	<b>Extremely Serious</b>	<b>Weighted Total</b>
<b><i>Race/ethnicity</i></b>				
African-American	0.0	26.3	73.8	68
Anglo	2.6	33.5	63.9	334
Hispanic	2.1	20.2	77.6	101
<b><i>Occupation</i></b>				
Judges	4.4	23.9	71.7	60
Prosecutors	5.3	34.5	60.2	38
Attorneys	2.1	36.2	61.7	12
Juv. Probation Officers	1.3	29.6	69.1	219
Police Officers	1.2	22.0	76.8	67
TYC Staff	0.0	34.5	65.5	8

**TABLE 9.10: Ratings of the Likelihood of Committing Similar Offenses, by Race/ethnicity and Occupation of Respondents (in percentages)**

	<b>Not at all Serious</b>	<b>Somewhat Serious</b>	<b>Extremely Serious</b>	<b>Weighted Total</b>
<b><i>Race/ethnicity</i></b>				
African-American	2.4	7.4	90.2	62
Anglo	0.3	15.4	84.3	332
Hispanic	0.0	6.8	93.2	101
<b><i>Occupation</i></b>				
Judges	1.1	4.6	94.3	57
Prosecutors	0.9	14.7	84.4	37
Attorneys	0.0	20.7	79.5	114
Juv. Probation Officers	0.7	11.8	87.5	212
Police Officers	0.0	8.5	91.5	67
TYC Staff	0.0	7.1	92.9	8

**TABLE 9.11: Ratings of the Likelihood of Committing Other Offenses, by Race/ethnicity and Occupation of Respondents (in percentages)**

	Not at all Serious	Somewhat Serious	Extremely Serious	Weighted Total
<i>Race/ethnicity</i>				
African-American	2.3	19.8	78.0	65
Anglo	1.4	17.5	81.1	333
Hispanic	0.7	12.5	86.9	99
<i>Occupation</i>				
Judges	2.2	6.0	92.2	59
Prosecutors	1.9	16.8	81.3	36
Attorneys	2.3	22.7	75.0	114
Juv. Probation Officers	0.7	20.0	79.3	213
Police Officers	1.2	7.3	91.5	67
TYC Staff	0.0	7.1	92.9	8

A series of multiple regression equations were generated, each designed to measure the effects of a series of independent variables on a selected dependent variable. The goal was to determine if the scenario juvenile's race/ethnicity, criminal history, and the race/ethnicity of the respondent had a bearing on the respondent's perception of the offense, and whether these factors influenced the actions he/she recommended. The dependent variables were based on a scale of 0-5.

The independent variables (dummy variables) included in the multiple regression equations were these:

- (1) Race/ethnicity of the juvenile – African-American, Hispanic, No-race-specified. Anglo was the reference category.
- (2) Race/ethnicity of the respondent – Hispanic, African-American. The reference group was Anglo.
- (3) The respondent's educational level – Bachelor's degree, professional degree. The reference group was respondents with no degree.
- (4) Prior history of the juvenile – Third offense versus first offense. The first offense was the reference category.

Table 9.12 presents the results of the least-squares regression models. This, and the other regression tables presented in this chapter, lists the unstandardized coefficients (b), the standardized betas, and the standard error (s.e.), which allow readers to determine the importance and the significance of the relationships.<sup>15</sup>

**TABLE 9.12: Multiple Regression Models of Case Scenario Juvenile Outcomes**

	Seriousness of Offense		Dangerousness of Offense		Likely to Commit Similar Offense		Likely to Commit Other Offenses		Is a Threat to Society	
	Unst. Coef. (s.e.)	Beta	Unst. Coef. (s.e.)	Beta	Unst. Coef. (s.e.)	Beta	Unst. Coef. (s.e.)	Beta	Unst. Coef. (s.e.)	Beta
<b>Juvenile's Race/ethnicity</b>										
African-American	-.22 (.12)	-.08	-.05 (.16)	-.02	-.03 (.11)	-.02	.71 (.12)	.10	.02 (.15)	.001
Hispanic	-.31* (.15)	-.12	-.08 (.16)	-.03	-.32* (.12)	-.16	-.09 (.14)	-.04	.001 (.16)	.003
Not specified	-.22 (.12)	-.09	-.13 (.14)	-.05	.15 (.09)	.08	.30* (.11)	.15	.17 (.13)	.07
<b>Respondent's Race/ethnicity</b>										
African-American	.13 (.14)	.04	.08 (.14)	.02	.02 (.13)	.001	-.15 (.13)	-.06	-.12 (.14)	-.04
Hispanic	.24* (.11)	.09	.24 (.14)	.08	.07 (.08)	.03	-.02 (.09)	-.01	.07 (.12)	.03
<b>Respondent's Education</b>										
B.S. degree	-.42** (.14)	-.20	-.38* (.14)	-.16	-.16 (.11)	-.10	-.22 (.12)	-.12	-.18 (.15)	-.08
Professional degree	-.56** (.15)	-.27	-.86* (.15)	-.37	-.17 (.12)	-.11	-.29* (.13)	-.16	-.35* (.17)	-.16
<b>Juvenile's Criminal History</b>										
First offense	-.77*** (.10)	.37	-.72*** (.11)	.31	-.67** (.08)	.41	-.77** (.09)	.42	-1.12*** (.11)	.49
Intercept	4.8 (.16)		4.5 (.13)		4.9 (.14)		4.8 (.15)		4.6 (.18)	
Multiple R-square	17.4%		17.1%		19.9%		20.4%		24.6%	
Wald F Value	1023***		704		2626***		1915***		1071***	

\* $p < .05$     \*\* $p < .01$     \*\*\* $p < .001$

<sup>15</sup> An asterisk also denotes a significant relationship between the variable or factor and the outcome. Variables without asterisks are neither statistically significant nor direct correlates of the outcome.

The standardized coefficients (beta) provide the relative weighting of factors explaining respondents' perceptions of the nature of the offense, or of the actions taken after the juvenile is referred to juvenile authorities. The higher the beta for a predictor variable, the more important that variable is in influencing the dependent variable. The maximum predicted effect (MPE), discussed in Chapter 5, can also be used as another indicator of the relative strength of each factor.

Generally, a positive coefficient indicates that the factor is associated with a perception of the offense as being more serious, or that a more severe action was recommended after the juvenile's referral to probation. Interpretations are always made in relation to a reference category (see above), which, in the case scenario, is Anglo for the juvenile's race/ethnicity.

In the equation modeling the seriousness of the offense, the significant effects are the following (in order of importance): (1) the criminal history of the juvenile; (2) whether the respondent had a professional or a bachelor's degree; (3) whether the juvenile in the case scenario was Hispanic; and (4) whether the respondent was Hispanic. These were the most important and statistically significant variables in explaining the perceived seriousness of the offense.

The fact that the juvenile committed a third offense, as opposed to a first offense, was considered the most important factor. The higher the respondent's educational level, the lower his/her rating of the seriousness of the offense. Generally, respondents with bachelor's or professional (or graduate) degrees rated the offenses described in the case scenario as less serious. In terms of race/ethnicity effect, if the juvenile was described as Hispanic, respondents considered the offense to be less serious than if an Anglo juvenile had committed the same offense. Hispanic respondents rated the offense as more serious than did their Anglo peers.

In the equation modeling the perceived dangerousness of the offense, the two most important variables were the criminal history of the juvenile and the educational level of the respondent (bachelor's or professional degree). Again, the more extensive the juvenile's criminal history, the higher the respondent's rating of the perceived dangerousness of the offense. The higher the respondent's educational level, the less dangerous he/she perceived the offense to be. Neither the race/ethnicity of the juvenile nor that of the respondent affected the perception of the dangerousness of the offense.

In the equation modeling the likelihood of the juvenile committing a similar offense in the future, the significant and most important variables were the juvenile's criminal history and his/her Hispanic ethnicity. Youth with more extensive criminal histories were judged to be more likely to commit similar offenses in the future. When the case scenario described the juvenile as Hispanic, respondents felt that he/she would be less likely than an Anglo juvenile to commit similar offenses in the future.

In the equation modeling the likelihood of the juvenile committing other offenses in the future, the most important variables were the juvenile's criminal history, whether the respondent had a professional degree, and whether the juvenile's race/ethnicity was specified in the case scenario. The more extensive the juvenile's criminal history, the greater the perceived likelihood of that individual committing other offenses in the future. Respondents with professional degrees rated the likelihood of the juvenile committing future offenses lower than did their counterparts who did not have college degrees.

Not specifying the juvenile's race/ethnicity in the case scenario was associated with a greater likelihood of future criminal activity. Finally, if the juvenile's race/ethnicity was not provided, respondents perceived him/her as more likely than an Anglo juvenile to commit future offenses.

The perceived threat of the juvenile offender to society was the dependent variable for the fourth model. The important predictors were the juvenile's criminal history and whether the respondents had professional or graduate degrees. A more extensive criminal history was associated with a greater perceived threat to society. Respondents with graduate degrees viewed the offense as less threatening to society, compared to their peers without college degrees.

In all five models, criminal history was the most important factor influencing perceptions. In Model 1, a first-time offender is ranked 0.77 points lower than a third-time offender on the seriousness of the offense, all other factors being constant.<sup>16</sup> These differences are statistically significant. The variance explained by the independent or predictor variables, represented by the Multiple R-Square, ranged from about 17.4% to 24.6%. Generally, having a more serious criminal history was associated with a maximum predicted estimate of between 16% and 25% in the dependent variables being examined.

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<sup>16</sup> For Model 1, the MPE is 16%; i.e., the first-time offender is ranked 16% less than a third-time offender in offense seriousness.

The remaining multiple regression equations involved recommendations for actions to be taken in the pre-adjudication and disposition stages. Respondents were asked to judge what would happen after the juvenile had been turned over to the juvenile probation authorities.

At the pre-adjudication stage, the actions selected by the respondents were ranked (a list was provided and open-ended responses were encouraged). The 516 responses were re-coded from the least severe (charges dropped, juveniles sent home—35.6% of responses) to the most severe (detention in a facility—46.9% of responses). Diversion to alternative programs (13.3% of responses) and in-home detention (4% of responses) were ranked between these two extremes.

In the regression analyses of the severity of pre-adjudication actions, the factors associated with the recommended actions were (1) the juvenile's criminal history; (2) the respondent's educational level; and (3) whether the respondent was Hispanic, rather than Anglo. The more extensive the criminal history, the more likely severe pre-adjudication actions were recommended. Respondents with bachelor's degrees recommended less severe actions than those without college degrees. Hispanic respondents chose less severe pre-adjudication actions than did Anglo respondents.

Five hundred and sixteen post-adjudication outcomes were provided by respondents. These were based on a provided list and open-ended responses. The responses were re-coded from the least severe (probation at home—71.6% of responses) to the most severe (placement in a secure facility or certification as an adult—20.5% of the responses). Outside-home probation was the intermediate category (8% of responses).

In the analyses of post-adjudication outcomes, the juvenile offender's criminal history was the only statistically significant variable in explaining the severity of post-adjudication recommendations. The most extensive criminal histories were associated with more severe dispositions. (See Table 9.13 on the following page.)

Clearly, the juvenile offender's criminal history was the strongest predictor of respondents' perceptions of the scenario juvenile's offense, of the likelihood of future criminal activities, and of actions taken at the pre-and post-adjudication stages. Someone with a first offense is ranked a significant 1.01 points lower than a juvenile with two prior offenses, in terms of the severity of pre-adjudication actions recommended by respondents (see Table 9.13). The respondent's educational level was another consistent predictor of perceptions, with one education variable

being significant in five of the seven models considered. The race/ethnicity of the juvenile—especially being Hispanic—and the respondent’s race/ethnicity were significant in three models, but no clear pattern is discernible.

It is unclear why offenses committed by Hispanic youth were ranked as less serious or why the likelihood of their committing other similar offenses was ranked lower than that of Anglo youth. However, it is noteworthy that a juvenile’s race/ethnicity is not correlated with the recommended actions at pre-and post-adjudication stages.

Finally, the race/ethnicity of the respondent was significant in determining perceptions and actions in two models. Hispanic ethnicity was associated with a less serious perception of the offense, and Hispanics were less likely to recommend severe actions at the pre-adjudication stage.

**TABLE 9.13: Results of Multiple Regression on the Severity of Respondents’ Pre- and Post-Adjudication Actions**

	Severity of Actions Pre-adjudication		Severity of Punishment Post-adjudication	
	Unst. Coef. (s.e.)	Beta	Unst. Coef. (s.e.)	Beta
<b><i>Juvenile’s Race/ethnicity</i></b>				
African-American	.07 (.19)	.02	-.08 (.12)	-.04
Hispanic	.11 (.19)	.03	-.08 (.11)	-.04
Not specified	.06 (.18)	.02	-.10 (.11)	-.05
<b><i>Respondent’s Race/ethnicity</i></b>				
African-American	-.30 (.20)	-.07	-.05 (.13)	-.02
Hispanic	-.36* (.17)	-.11	-.01 (.10)	-.01
<b><i>Respondent’s Education</i></b>				
B.S. degree	.39* (.17)	.14	-.04 (.10)	-.02
Professional degree	.09 (.18)	.03	-.08 (.10)	-.05
<b><i>Juvenile’s Criminal History</i></b>				
First offense	-1.01*** (.13)	.36	-.71*** (.07)	.41
Intercept		2.92 (.21)		1.97 (.13)
Adjusted R-square		14.3%		18.3%
Wald F Value		211***		261***

\* $p < .05$

\* $p < .01$

\*\*\* $p < .001$

## **RATINGS OF RELEVANT FACTORS IN DETENTION, ADJUDICATION, AND DISPOSITION DECISIONS**

This particular section examines the roles of various factors in the stages of detention, adjudication, and disposition. The relevance of this section is the fact that decision makers rely on various sources and types of information in deciding outcomes. What are the critical pieces of information and their importance relative to one another?

Respondents were asked specifically if they played a role in any of the above three stages. Those answering “yes” were asked more detailed questions. About 70.3% of the 526 respondents were involved in decisions regarding detention, 65.2% were involved in decisions concerning adjudication, and 66.9% made decisions regarding disposition. The majority of those who did respond with a “no” were policemen and TYC staff, whose typical job duties do not require them to make decisions about detention, adjudication, and disposition. Since less than 20% of the police officers (average n=14) and TYC personnel (average n=8) responded to these questions, they were excluded from the analyses.

Eligible respondents were then asked to indicate whether each of 22 possible factors was or was not important in decisions regarding the detention, adjudication, and disposition of youth. If they indicated that a factor was important, they were asked to rate the level of importance of that particular factor on a scale of 1-5. The values were then re-coded in the following manner: 1 and 2 represented “not important”; 4 and 5 denoted “very important”; and 3 indicated “somewhat important.” In addition to reporting significance levels where a higher proportion of one racial/ethnic or occupational group responds in a particular fashion, we also report significant deviations in the mean ranking scores, when applicable.

### **Ratings of Relevant Factors in Detention**

First, researchers looked at the importance of the following factors in detention decisions:

- (1) The facts of the case;
- (2) The juvenile’s prior record;
- (3) The use of violence during the offense;
- (4) The use of weapons during the offense;
- (5) The juvenile’s probation status at the time of the new offense.

There was near unanimity (95%+) that these factors played a role in detentions at intake. There are no variations either by the race/ethnicity or occupation of respondents (see Tables B-1 through B-5 in the Supplemental Appendix).<sup>17</sup> Not only did 95% or more of the respondents think that these factors were very important in detention decisions, but an overwhelming majority rated them as “very important.” On a three-point scale, where 1 meant “not important,” 2 measured “somewhat important,” and 3 denoted “very important,” the mean level of importance of the five factors outlined above ranged from 2.93 to 2.99.

***Presence of Parent/Adult at Detention Hearings.*** Researchers examined the role of a second set of factors in detention decisions. About 95% of the respondents felt that the presence of the juvenile’s mother or father at the detention hearing was very important, and about 92% felt similarly about the presence of a responsible adult. Tables B-6 through B-8 in the Supplemental Appendix show that there were no substantial differences in responses by the respondents’ racial/ethnic or occupational strata. The mean rankings for the presence of a parent and for a responsible adult were 2.5 and 2.3, respectively. No differences by race/ethnicity or occupation are evident.

***Juvenile’s Demographic Characteristics.*** Next, researchers examined the role of demographic factors such as race/ethnicity, gender, age, and socio-economic background. The significance of the presence of a private attorney, rather than a court-appointed defender (a situation that is influenced by socio-economic status), was also examined in this section.

In most cases, the majority of the respondents said that race/ethnicity (76%), gender (73%), and socio-economic status (70%) were not very important in detention decisions. On a scale of 1-3, race/ethnicity was ranked 1.5, gender 1.4, and socio-economic status 1.5. The juvenile’s age and the presence of a private attorney were considered important in detention decisions by 84% and 58% of the respondents, respectively. The mean score for age was 2.3; the rating for attorneys was 1.8.

There were differences in responses by race/ethnicity. Fifty-seven percent of African-American respondents felt that race/ethnicity was an important factor, whereas only 15.6% of Anglos and 25% of Hispanics felt likewise ([ $p < .01$ ] see Tables B-9 through B-13 in the Supplemental

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<sup>17</sup> No tests of significance are shown where such tests are rendered invalid due to small sample size.

Appendix). A larger proportion of juvenile probation officers and attorneys than judges considered race/ethnicity to be a very important factor. However, the differences are not significant.

Fifty-five percent of African-American, 22% of Anglo, and 25% of Hispanic respondents felt that gender was very important in detention decisions ( $p < .01$ ). A larger proportion of attorneys than practitioners in other occupations were more likely to rate gender as an “important” factor (see Table B-10 in the Supplemental Appendix). Sixty-nine percent of African-American respondents felt that socio-economic status mattered in detention decisions, compared to their Anglo (22%) and Hispanic peers (30%) ( $p < .01$ ). There were some significant differences among racial/ethnic groups in ranking these factors. A summary of these differences is presented below.

Finally, there was less variation, either by respondents’ racial/ethnic or occupational strata, in the importance attributed to the role of age in detention decisions. More minority respondents, along with probation officers and attorneys, felt that the presence of a private attorney was very important in detention decisions.

***Juvenile’s Demeanor and Attire.*** Next, researchers examined the role of the juvenile’s demeanor—namely, the display of defiance and remorse—and attire in detention decisions. Ninety-seven percent of respondents felt that a juvenile’s expression of defiance at a hearing was very important; 90% felt that remorse was very important (see Tables B-14 and B-15 in the Supplemental Appendix). On a scale of 1-3, defiance rated 2.8, and remorse rated 2.2. No major differences by race/ethnicity or occupation of the respondents are evident.

Finally, 55% of the respondents felt that the juvenile’s attire was very important (see Table B-16 in the Supplemental Appendix). They rated this factor 1.7 on a scale of 1-3. Respondents who were attorneys were more likely than practitioners in the other occupational groups to rate it as “very important” (68% versus 51%). No differences by race/ethnicity are evident.

***Source of Referral.*** To determine if the source of the referral makes a difference in detention decisions, respondents were asked to rank the importance of police versus school referrals. Seventy percent of the respondents indicated that both sources of referral were important in detention decisions (see Tables B-17 and B-18 in the Supplemental Appendix). Probation officers and, to a lesser extent, attorneys were more likely to rate the referral sources as “very

important” ( $p < .01$ ). The race/ethnicity of the respondents also played a role in the perceived importance of school referrals, with significantly more (91%) African Americans rating school referrals as “important.” Referrals from the police and schools were ranked 2.4 and 2.1, respectively.

***Role of Risk Factors.*** Finally, researchers examined the role of risk factors, such as gang involvement and alcohol or drug use, in detention decisions. Gang involvement, the use of alcohol or illicit drugs, and the use of inhalants were considered very important by over 95% of all respondents (see Tables B-19 through B-22 in the Supplemental Appendix). No major differences by respondents’ racial/ethnic or occupational strata were observed. On a scale of importance, gang involvement ranked 2.7, use of controlled substances 2.6, inhalant use 2.6, and alcohol use 2.4.

Based on goodness-of-fit (chi-square) tests, a significantly larger proportion of one racial/ethnic group or job position rated five of the factors higher in importance at the Intake Detention stage. These five factors include race/ethnicity; gender; socio-economic status; availability of a private attorney (which is influenced by socio-economic status); and sources of referral (namely police and school referrals).

Does job position or race/ethnicity affect the mean rankings of these factors? Researchers compared the mean scores for these factors across respondents’ racial/ethnic and occupational strata. A series of ANOVA models were run. Where a main effect for race/ethnicity or occupation was indicated, pairwise comparisons between means were done using Scheffe’s method.

Two of the five factors mentioned above showed a significant main effect for the race/ethnicity and occupation of the respondent: these pertain to the roles of race and socio-economic status in detention. In short, there were significant differences in the rankings of these factors among respondents from different job positions and different racial/ethnic groups

Hispanic respondents gave the juvenile’s race/ethnicity an importance rating of 2.10, whereas Anglo respondents gave this factor a 1.37.<sup>18</sup> However, because of the small number of Hispanics who participated in the rating ( $n=10$ ), this finding should be interpreted with caution. Another

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<sup>18</sup> Role of race in detention decisions: Hispanic mean=2.10; s.d.=1.16; Anglo mean=1.37; s.d.=.60. ( $F=3.68$ ;  $p < .01$ ).

factor, socio-economic status, showed a main effect for the occupation of respondents. Attorneys rated the role of socio-economic status as higher in importance than did prosecutors.<sup>19</sup> Again, because of the small number of attorneys involved in the rating (n=11), caution must be exercised in interpreting the findings.

### **Ratings of Relevant Factors in Adjudication Decisions**

The same set of factors examined in the preceding section on detention decisions is analyzed here with respect to adjudication. There was near unanimity (95%+ of respondents) that the following factors played a role in adjudication:

- (1) The facts of the case;
- (2) The juvenile's prior record;
- (3) The use of violence during the offense;
- (4) The use of weapons during the offense;
- (5) The juvenile's probation status at the time of the new offense.

There are no variations either by respondents' racial/ethnic or occupational strata (see Tables C-1 through C-5 in the Supplemental Appendix). Not only did 95% or more of the respondents think that these factors were important in adjudication decisions, but an overwhelming majority rated them as "very important." On a three-point scale, where 1 meant "not important," 2 measured "somewhat important," and 3 denoted "very important," the means for the five factors outlined above ranged from 2.85 to 2.99. These factors are very important criteria for adjudication decisions.

***Presence of Parent/Adult at Adjudication Hearings.*** Researchers examined the role of a second set of factors in adjudication decisions. About 90% of the respondents felt that the presence of the mother or father at the adjudication hearing was very important, and about 87% felt similarly about the presence of a responsible adult. On a scale of 1-3, the means for the presence of a parent and for the presence of a responsible adult were 2.4 and 2.3, respectively. A larger share of minority respondents were more likely than Anglo respondents to rate the presence of a parent as important ( $p<.01$ ), and a higher proportion of probation officers were more likely than others to feel that the presence of the father was very important ( $[p<.01]$  see Tables C-6 through C-8 in the Supplemental Appendix).

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<sup>19</sup> Role of the importance of socio-economic status in detention decisions: Attorney mean=2.45; s.d.=1.32; Prosecutor mean=1.05; s.d.=.11. ( $F=5.83$ ;  $p<.001$ ).

***Juvenile’s Demographic Characteristics.*** Next, researchers examined the role of demographic factors, such as age, race/ethnicity, and gender, as well as the juvenile’s socio-economic background. The significance of the presence of a private attorney, rather than a court-appointed defender, was also examined. In most cases, the majority of the respondents said that race/ethnicity (78%), gender (77%), and socio-economic status (69%) were not important in adjudication decisions.

On a scale of 1-3, race/ethnicity was ranked 1.4, gender 1.4, and socio-economic status 1.4. Age and the presence of a private attorney were ranked as more important by 79% and 53% of the respondents, respectively. Age was given a ranking of 2.4. The presence of a private attorney was given a ranking of 1.8 on the scale of importance. These rankings are similar to those given at the detention stage.

Generally, African Americans were more likely than practitioners in the other two racial/ethnic groups to rate race/ethnicity and, to a certain extent, gender as “very important” to the decision-making process. Interestingly, the proportion of minorities who felt that the juvenile’s race/ethnicity was very important at the adjudication stage is less than that observed at the previous stage, detention. For example, 48% of African Americans felt that race/ethnicity was very important at adjudication, whereas 57% of African-American respondents felt that race/ethnicity was an important factor at the detention stage. Responses from Hispanic respondents also show the same pattern: 19% at adjudication, 25% at detention.

By contrast, a slightly higher proportion of Anglos felt that race/ethnicity was more important at the adjudication stage than at the detention stage (19% versus 16%—see Table C-9 in the Supplemental Appendix). No major differences by respondents’ occupations are evident.

A significantly higher proportion of African Americans felt that gender was very important at this stage ( $p < .01$ ). Private attorneys were also more likely than practitioners in the other occupations to rate gender as “very important” (see Table C-10 in the Supplemental Appendix). Similarly, a larger share of African-American and Hispanic respondents were also more likely than Anglo respondents to rate the presence of a private attorney as “very important” ( $[p < .01]$  see Tables C-12 and C-13 in the Supplemental Appendix).

There was some variation in respondents' opinions on the importance of age in adjudication decisions. Fewer judges than practitioners in other occupations rated age as "very important" ( $p < .01$ ). Minorities were also more likely to view age as "very important" in adjudication decisions ( $p < .01$ ] see Table C-11 in the Supplemental Appendix).

***Juvenile's Demeanor and Attire.*** Next, researchers examined the role of the juvenile's demeanor—namely, the display of defiance and remorse—and attire in adjudication decisions. Eighty-nine percent of the respondents felt that the juvenile's expression of defiance at the hearing was important, whereas 85% felt that remorse was very important (see Tables C-14 and C-15 in the Supplemental Appendix). Higher proportions of minority respondents and probation officers, compared to practitioners in the other occupations, rated defiance and remorse as "very important" ( $p < .05$ ). On a scale of 1-3, defiance rated 2.7; remorse rated 2.3. These means are similar to those reported for the detention stage, although fewer respondents considered the juvenile's demeanor and attire to be very important at this stage. Sixty percent of all respondents felt that the juvenile's attire was very important in adjudication decisions and gave it a 1.8 rating on a scale of 1-3. No differences by the race/ethnicity of respondents are evident.

***Source of Referral.*** To determine if the source of referral makes a difference to adjudication decisions, respondents were asked to rank the importance of police versus school referrals. Sixty-four percent of all respondents ranked both referral sources as "very important" factors. Referrals from the police and schools were rated 2.2 and 2.0, respectively. Probation officers and, to a lesser extent, attorneys were more likely than practitioners from other occupational groups to rate it as "important" ( $p < .01$ ). Minority respondents also gave this factor a higher rating (see Tables C-17 and C-18 in the Supplemental Appendix). A similar pattern was evident for school referrals. Eighty-seven percent of African Americans, in particular, rated school referrals as "important" ( $p < .01$ ). Again, a larger share of probation officers and attorneys than practitioners in the other occupations felt that the latter factor was "important" ( $p < .01$ ). These findings are similar to those reported on the importance of these same factors at the detention stage.

***Role of Risk Factors.*** Finally, researchers examined the role of background risk factors, such as gang involvement and alcohol or drug use, in adjudication decisions. Gang involvement, the use of alcohol or illicit drugs, and the use of inhalants were considered to be "very important" by over 85% of the respondents.

Generally, a higher proportion of minority respondents rated these four factors as “important” ([ $p < .01$ ] see Tables C-19 through C-22 in the Supplemental Appendix). Judges and attorneys are the least likely to attribute importance to these four factors ( $p < .01$ ). On the ranking scale, gang involvement was ranked 2.8, use of controlled substances 2.6, inhalant use 2.6, and alcohol use 2.5. Again, these factors were as important here as they were at the detention stage.

For approximately ten risk factors at the adjudication stage, a significantly higher proportion of one racial/ethnic or occupational group ranked it as being more important. These factors include race/ethnicity; gender; age; socio-economic status; and the availability of a private attorney (which is influenced by socio-economic status). Other factors include the presence of a parent at the adjudication hearing and the sources of referral—namely, police and school referrals.

Researchers also compared the mean scores by respondents’ race/ethnicity and occupational strata. Only two factors showed any main effects in the ANOVA procedure, described earlier. These two factors—the role of race/ethnicity and gender in adjudication decisions—showed significant differences in mean scores of importance rankings by race/ethnicity of the respondents.

A comparison of means shows that African-American and Hispanic respondents ranked the role of the juvenile’s race/ethnicity in adjudication higher than did Anglo respondents.<sup>20</sup> Hispanic respondents also gave greater importance than did Anglo respondents to gender at adjudication.<sup>21</sup> Again, the number of minorities who provided these rankings is small, and caution should be exercised in generalizing these results.

### **Ratings of Relevant Factors in Disposition**

The third section in this chapter on relevant factors involves disposition decisions. There was near unanimity (95%+) that the following factors played a role in disposition decisions:

- (1) The facts of the case;
- (2) The juvenile’s prior record;
- (3) The use of violence during the offense;

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<sup>20</sup> Role of race in adjudication: African-American mean=2.12; s.d.=.99; Hispanic mean=2.07; s.d=.99; Anglo mean=1.26; s.d.=.56. ( $F=6.17$ ;  $p < .001$ ).

<sup>21</sup> Role of gender in adjudication: Hispanic mean=2.18; s.d.=.97; Anglo mean=1.37; s.d.=.66. ( $F=4.07$ ;  $p < .02$ ).

- (4) The use of weapons during the offense;
- (5) The juvenile's probation status at the time of the new offense.

There are no variations either by the respondents' racial/ethnic or occupational strata (see Table D-1 in the Supplemental Appendix). Not only did 95% or more of the respondents think that these factors were important in disposition decisions, but an overwhelming majority rated them as "very important" or "important." On a scale of 1-3, the means for the five factors listed above ranged from 2.94 to 2.98. These factors are very important criteria for disposition decisions.

***Presence of Parent/Adult at Disposition Hearings.*** About 96% of the respondents felt that the presence of the juvenile's mother or father at the disposition hearing was important, and about 92% felt similarly about the presence of a responsible adult. These findings correspond to those observed for the detention stage of the process (see Tables D-6 through D-8 in the Supplemental Appendix).

On the ranking scale, the mean for the presence of a parent was 2.5, whereas that for the presence of a responsible adult was 2.3. Unlike previous decision-points, there were no significant differences in the views about the presence of either a parent or a responsible adult among the different occupations or racial/ethnic groups.

***Juvenile's Demographic Characteristics.*** Next, researchers examined the role of demographic factors, such as age, race/ethnicity, and gender. The juvenile's socio-economic background, including the presence of a private attorney, rather than a court-appointed defender, was also examined.

In most cases, the majority of the respondents said that race/ethnicity (75%), gender (71%), and socio-economic status (64%) were not important in disposition decisions. On a scale of 1-3, with 3 representing "very important," race/ethnicity was ranked 1.3, gender 1.4, and socio-economic status 1.6. The juvenile's age and the presence of a private attorney were rated as "important" by 88% and 63% of the respondents, respectively. The juvenile's age was ranked 2.4, and the importance of a private attorney was given a 1.8 ranking. These rankings are similar to those given at the detention and adjudication stages.

The proportion of minorities who felt that race/ethnicity and gender were important at the disposition stage corresponded to that at the adjudication stage. For example, 47% of African Americans felt that race/ethnicity was important at disposition. In comparison, 48% and 57% of African Americans felt the same way at the adjudication and detention stages, respectively. As reported of earlier stages, the proportion of African Americans who reported race/ethnicity as being important was significantly higher than that of Hispanic and Anglo respondents ( $p < .01$ ).

The proportion of Hispanic respondents who felt that the juvenile's race/ethnicity was important at disposition was similar to that reported for the earlier adjudication stage. A slightly higher proportion of Anglos felt that race/ethnicity was more important at this stage than at the previous two stages (22% at disposition versus 19% at adjudication and 16% at detention; see Table D-9 in the Supplemental Appendix).

Forty-two percent of African-American respondents felt that gender was important at the disposition stage; this value is two percentage points lower than that for gender at the detention stage (44%). Private attorneys were also more likely than respondents from other occupational groups to rate gender as being an "important" factor ( $p < .01$ ) see Table D-10 in the Supplemental Appendix).

Similarly, proportionally more African-American respondents felt that socio-economic status mattered in disposition decisions ( $p < .01$ ) 57% versus 31% for Anglo and 35% for Hispanics; see Table D-11 in the Supplemental Appendix), and, along with Hispanic respondents, were more likely than Anglo respondents to rate the presence of a private attorney as "important."

There were only minor variations among the respondents' views on the importance of age at disposition decisions. Minorities were slightly more likely than Anglos to view age as important in disposition decisions (see Table D-11 in the Supplemental Appendix).

***Juvenile's Demeanor and Attire.*** Next, researchers examined the role of the juvenile's demeanor—namely, the display of defiance and remorse—and attire in disposition decisions. Ninety-nine percent of respondents felt that the juvenile's expression of defiance at a hearing was important; 97% felt that remorse was important (see Tables D-14 and D-15 in the Supplemental Appendix). On a scale of 1-3, with 3 denoting "important," defiance rated 2.8, and remorse rated 2.5. No differences by respondents' racial/ethnic or occupational strata are evident.

Sixty-six percent of respondents felt that the juvenile's attire was important. Those who ranked attire "important," rated its significance a 1.7 on a scale of 1-3. Attorneys were more likely than practitioners in other occupations to rate it as "important" (see Table D-16 in the Supplemental Appendix).

**Source of Referral.** To determine if the source of referral makes a difference to disposition decisions, respondents were asked to rank the importance of police versus school referrals. Sixty-two percent of the respondents ranked both sources of referral as "important" in decisions. Referrals from the police and schools were rated 2.1 and 2.0, respectively.

Probation officers and, to a lesser extent, prosecutors were more likely than practitioners from other occupational groups to rate both factors as "important" ( $p < .01$ ] see Tables D-17 and D-18 in the Supplemental Appendix). These findings are similar to those reported on the importance of these factors at detention.

**Role of Risk Factors.** Finally, researchers examined the role of risk factors, such as gang involvement and alcohol or drug use, in disposition decisions. Gang involvement, the use of alcohol or illicit drugs, and the use of inhalants were considered important by over 90% of the respondents (see Tables D-19 through D-22 in the Supplemental Appendix).

On a scale of importance, gang involvement ranked 2.9, use of controlled substances 2.8, inhalant use 2.7, and alcohol use 2.6. Again, these factors were as important at this stage as they were at the detention stage.

Comparisons show that for six factors at the disposition stage, a higher proportion of one group rated them as being "important" in disposition decisions. ANOVA analyses indicate that there was only one main effect: the race/ethnicity of the respondent affects the ranking of the "role of juvenile race at the disposition." The mean rankings assigned to this factor among Hispanics was significantly higher than that for Anglo respondents.<sup>22</sup> However, due to small sample sizes, generalizations should be made with caution.

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<sup>22</sup> Importance of juvenile race on disposition decisions: Hispanic mean=1.9; s.d.=1.07; Anglo mean=1.25; s.d.=.60. ( $F=7.62; p < .001$ ).

The analyses of factors involved in detention, adjudication, and disposition decisions provide invaluable insights into the correlates of decision making in the Texas juvenile justice system. While information on a juvenile's criminal history and current offense is crucial to the decision-making process at all stages, respondents reported that the presence of parents at hearings; the juvenile's involvement in high-risk activities, such as gang membership and alcohol or drug use; the source of the referral; and the juvenile's age and demeanor are also important in the decision-making process.

The presence of private attorneys was considered to be marginally important. The race/ethnicity, gender, and socio-economic status of a juvenile played less important roles in decision making, although a higher proportion of minority respondents felt that these factors were important in the decision-making process.

Based on the ANOVA analyses, there is some evidence, which is preliminary at best, to indicate that many minority respondents are significantly more likely to believe that some of the demographic characteristics—particularly the juvenile's race/ethnicity—are correlated with some of the decisions.

While the factors listed above undoubtedly play critical roles at various decision-points, much of this type of information is not recorded in paper files or on MIS systems. For example, information on the juvenile's demeanor or on the presence of parents at hearings was not part of the MIS databases analyzed for this study. Researchers were unable to determine whether either of these factors played a role in detention decisions for individuals in the analyses from County1 and County2, where significant effects for race/ethnicity were found. If these factors are important in decision making, yet are unavailable for examination and review, this raises a matter that policymakers will have to take into account.

## **GENERAL VIEWS ON THE JUVENILE JUSTICE SYSTEM IN TEXAS**

Respondents were also asked to provide impressions about the problems with, and strengths of, the juvenile justice system in the state, as well as possible solutions to perceived problems. This section examines the open-ended responses to these questions. A total of 1,058 responses were coded and entered; each of the 526 respondents averaged two responses per question.

According to the respondents, the three main problems of the state system are these:

- (1) lack of resources—26% of responses;
- (2) lack of work-related autonomy—24%;
- (3) lack of programs that address background risk factors that are correlated with delinquency—21.4%.

Additionally, about 16% of the respondents mentioned problems in the processing of juveniles in the system (delays, paperwork, lack of adequate programs, placement difficulties), and another 9% mentioned personnel-related matters (work load, remuneration) (see Figure 9.7).

**FIGURE 9.7: Primary Problems Targeted by Respondents**

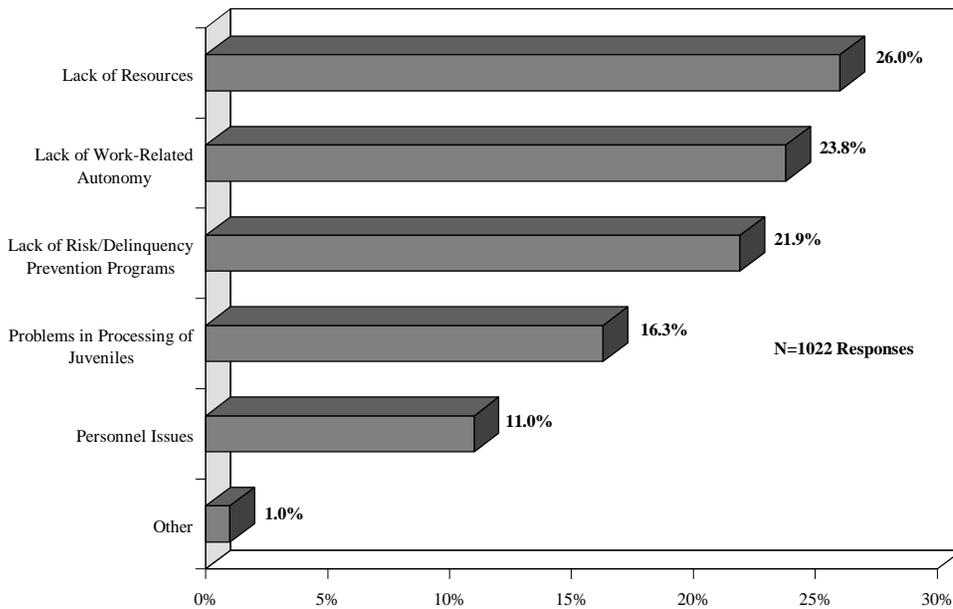


Table 9.14 on the following page identifies problems in the system across respondents' racial/ethnic and occupational strata. Most respondents, regardless of race/ethnicity, highlighted similar issues. When examined by occupation, a higher proportion of attorneys and probation officers selected personnel problems, and a higher proportion of TYC staff listed the need to address risk factors for juvenile delinquency.

**TABLE 9.14: Perceptions of Various Problems in the Juvenile Justice System, by Race/ethnicity and Occupation of Respondents (in percentages)**

	Personnel Issues	Lack of Resources	Work-related Autonomy	Address Background Factors	Problems in Juvenile Processing	Wt. N
<i>Race/ethnicity</i>						
African-American	11.8	24.4	24.9	24.2	14.6	122
Anglo	10.5	26.2	24.2	21.6	17.3	703
Hispanic	12.2	28.1	21.8	21.9	14.5	198
<i>Occupation</i>						
Judges	9.8	32.6	24.5	20.7	12.5	119
Prosecutors	5.0	29.6	26.6	21.5	17.0	76
Attorneys	14.7	24.2	24.2	20.0	16.8	149
Juv. Probation Officers	12.1	29.1	19.9	23.8	14.2	415
Police Officers	6.6	17.0	31.9	20.3	16.8	144
TYC Staff	5.1	11.9	28.8	32.2	20.3	16

For possible solutions to these problems, respondents provided 893 answers. The three most frequently mentioned solutions to these problems were the following:

- (1) improvements in the system for processing juveniles—26% of responses;
- (2) increasing funding/resources, which also included work load, staffing, and remuneration problems—35%;
- (3) programmatic solutions to address the background or risk factors for juvenile delinquency—22.1% (see Figure 9.8).

**FIGURE 9.8: Primary Areas of Improvement Targeted by Respondents**

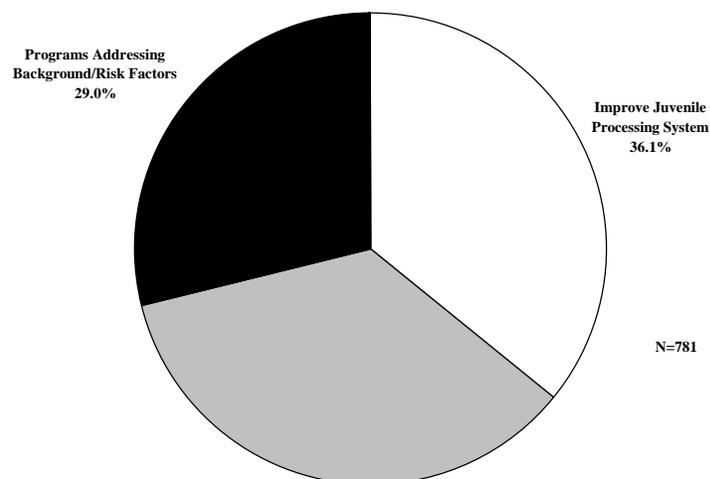


Table 9.15 lists suggested solutions according to respondents' racial/ethnic and occupational strata. Roughly 25 to 35 percent of all respondents said that the three solutions outlined above were needed. Hispanic and Anglo respondents were more likely than African Americans to list the need for additional funding and resources. African Americans were more likely to mention the need for more programs to address background factors for juvenile delinquency.

Roughly one-third of the respondents mentioned the need for changes in the processing of juveniles in the system. Police and prosecutors were more likely than practitioners in the other occupations to make this suggestion.

**TABLE 9.15: Suggested Solutions to Problems in the Juvenile Justice System, by Race/ethnicity and Occupation of Respondents (in percentages)**

	<b>Programs Addressing Background Factors</b>	<b>Funding/ Resources</b>	<b>Changes in Juvenile Processing</b>	<b>Weighted N</b>
<b><i>Race/ethnicity</i></b>				
African-American	33.8	32.6	33.6	94
Anglo	28.9	35.1	36.0	536
Hispanic	26.0	36.4	32.6	151
<b><i>Occupation</i></b>				
Judges	25.8	41.7	32.6	86
Prosecutors	14.1	35.8	45.1	59
Attorneys	35.1	32.5	32.5	200
Juv. Probation Officers	30.8	38.4	30.8	329
Police Officers	18.4	22.8	58.8	94
TYC Staff	26.5	30.6	42.9	13

The question regarding the three main strengths of the Texas juvenile justice system elicited 802 responses. Thirty-six percent of the respondents mentioned the system's facilities, 24% mentioned new laws, 24% mentioned the services the system provides for "kids" when they get into trouble, and 5% replied "none." The remaining 11% comprised miscellaneous responses, which were combined into an "other" category.

## VIEWS ON DELINQUENCY

A juvenile's propensity to commit delinquent acts may have important implications for how he/she is treated within the juvenile justice system. Consequently, a clear understanding of the antecedents of crime and delinquency is a prerequisite for achieving long-term solutions to the problem of the disproportional representation of minorities in the juvenile justice system. Previously, respondents underscored the need to address background factors that are correlated with delinquency. Questions in this section of the survey provided respondents with an opportunity to identify what they perceived to be the main influences on delinquency and so help identify the background risk factors that promote delinquency.

Respondents were given a list of 25 possible causes of or explanations for delinquent behavior and were asked to rate their importance on a scale of 0-5, with 0 representing "not important at all" and 5 representing "very important." The responses were collapsed and re-coded, such that 0-1 were grouped in the "not important" category; 2-3 were put in the "somewhat important" category; and 4-5 were put in the "very important" category. Table 9.16 on the following page summarizes the results for this set of 25 questions; the factors that the majority of the sample ranked as "important" are listed first. Separate responses according to respondents' racial/ethnic and occupational strata are provided in Tables F-1 through F-25 and G-1 through G-25 in the Supplemental Appendix.

Table 9.16 shows that the majority of all respondents mentioned the lack of parental supervision (97.2%) and the lack of discipline by parents (92.2%) as important correlates of delinquency. On a scale of 1-3, where 1 meant "not important" and 3 measured "very important," the mean score for a lack of parental supervision was 2.97; the mean score for a lack of discipline by parents was 2.91.

Other factors, such as the influence of negative peer groups (82.5%) and abuse of alcohol or drugs by youth (79.2%), were also rated as "important" by a majority of the respondents. These were ranked 2.82 and 2.79, respectively. There were no major differences by race/ethnicity or occupation of the respondents. (See F-1 through F-25 and G-1 through G-25 in the Supplemental Appendix.)

**TABLE 9.16: Responses to the List of Factors Mentioned, from Most to Least Important (in percentages)**

<b>Factors Mentioned</b>	<b>Not Important (1)</b>	<b>Somewhat Important (2)</b>	<b>Very Important (3)</b>
Lack of parental supervision	0.5	2.2	97.3
Lack of discipline by parents	1.0	7.8	91.4
Influence of negative peer group	0.8	16.4	82.8
Abuse of alcohol or drugs by the youth	0.6	20.3	79.1
Inner city kids see violence as a way to resolve differences	4.2	29.3	66.2
Making personal choices to commit delinquent acts	5.7	28.9	65.5
Living in a neighborhood where a lot of criminal activity takes place	2.1	33.5	64.2
Not knowing positive ways to interact with other youth	2.5	33.3	64.1
Having psychological or emotional problems	3.6	33.9	62.5
Negative performance in school	4.2	34.3	61.4
Having siblings who are delinquents	3.9	34.9	60.9
Inability to control impulses	5.2	34.7	59.9
Being a victim of child abuse	4.1	89.6	58.6
Failure in socialization of youth	2.2	41.7	56.1
Living with mother only	10.6	41.1	48.2
Violent and destructive media images	5.6	46.8	47.4
Media advertising showing need for material possessions	9.6	49.4	40.9
Having little opportunity for work	10.0	41.1	40.8
Having learning disabilities	11.8	82.1	34.3
The economic structure	13.2	54.1	32.4
The socio-economic inequality in this county	15.5	77.2	31.8
Being poor	16.5	51.0	31.5
Inadequate schools	15.6	53.8	30.6
Living with relatives other than parents	14.1	56.4	29.3
Having a natural tendency for delinquent behavior	37.7	52.8	19.4

At least 60% of the respondents rated the following factors as “very important” correlates of delinquency: (1) inner city kids viewing violence as a way to resolve differences (66.2%); (2) making personal choices to commit delinquent acts (65.2%); (3) living in high-crime neighborhoods (64.2%); (4) not knowing positive ways to interact with others (64.1%); (5) having psychological or emotional problems (62.5%); (6) performing negatively in school (61.4%); and (7) having siblings who are delinquent (60.9%).

The mean importance score for these variables were as follows: (1) using violence as a way to resolve differences (2.62%); (2) making personal choices (2.59%); (3) living in high-crime neighborhoods (2.62%); (4) not knowing positive ways to interact (2.62%); (5) having psychological or emotional problems (2.59%); (6) performing negatively in school (2.57%); (7) having delinquent siblings (2.57%).

Other factors that the majority of respondents ranked as “important” were (1) the inability to control impulses (59.9%); (2) being a victim of child abuse (58.6%); and (3) failure in socialization of youth (56.1%). The mean importance scores for these factors were 2.55, 2.55, and 2.54, respectively. Fourteen of the 25 items listed in Table 9.16 were rated as “very important” by a majority of the respondents. The scores for the 14 factors ranged from a low of 2.54 to a high of 2.97.

As shown in Table 9.16, the remaining factors were not rated “very important” by a majority of respondents. These factors and their mean scores of significance were (1) living with the mother only (2.38%); (2) exposure to media violence (2.42%); (3) exposure to media advertising (2.38%); (4) having little opportunity to work (2.31%); (5) having learning disabilities (2.22%); (6) the economic structure (2.19%); (7) being poor (2.15%); (8) inadequate schools (2.15%); and (9) living with relatives other than parents (2.15%).

Although less than one-half of the respondents felt that these factors were important, their rankings were all above 2, indicating that those who thought these factors were important ranked them as “somewhat important.”

Having a natural tendency toward delinquent behavior was seen as the least important factor in delinquency, with 38% of the respondents rating it as “not important.” The mean score for this factor was 1.82.

## **RATINGS OF FACTORS BY RESPONDENTS' RACIAL/ETHNIC AND OCCUPATIONAL STRATA**

An interesting question is whether responses to factors influencing delinquency vary according to the race/ethnicity or occupation of the respondent. Since many of the cells have small numbers, the use of inferential statistics may be inappropriate for many of these tables listed in the Supplemental Appendix.

Among the top four factors behind delinquency, listed in Table 9.16, no noticeable differences by occupation or race/ethnicity are evident (see Tables F-12, F-16, F-18, F-21, G-12, G-16, G-18, and G-21 in the Supplemental Appendix). As for the other factors, a smaller proportion of prosecutors than practitioners in the other occupations was inclined to think that “inner city kids see violence as a way to resolve differences.”

Similarly, smaller proportions of police and attorneys supported the view that “making personal choices to commit delinquent acts” was an important factor influencing delinquency. A larger share of Anglo respondents were likely to rate this as an “important” factor (see Tables F-14 and G-14 in the Supplemental Appendix).

In general, smaller proportions of judges, prosecutors, and police officers felt that “not knowing positive ways to interact” (or having poor social skills) and “living in bad neighborhoods” were important predictors of delinquency (see Tables F-11, G-11, F-19, and G-19 in the Supplemental Appendix). A higher proportion of respondents in both minority groups believed that having poor social skills is correlated with delinquency. African Americans were more likely to pinpoint high-crime neighborhoods as a factor in delinquency. Except for prosecutors and attorneys, the majority of respondents from most occupational groups rated negative performance in school or poor grades as “very important.” Over two-thirds of minority respondents felt this way, in contrast to 58% of Anglo respondents.

Proportionally larger numbers of judges and probation officers indicated that having psychological and emotional problems influenced delinquency (see Tables F-13 and G-13 in the Supplemental Appendix). Seventy-one percent of Hispanic respondents indicated that this was an important factor, a larger proportion than for the other two groups. Prosecutors and attorneys were less likely to support the view that negative school performance or bad grades contribute to delinquency.

In contrast, a larger share of minority respondents felt that negative performance in school contributed to delinquency (see Tables F-9 and G-9 in the Supplemental Appendix). Attorneys and TYC staff were more likely to place importance on the role of delinquent siblings (see Tables F-7 and G-7 in the Supplemental Appendix). Hispanics tended to support this view, as well. Police and prosecutors indicated that “an inability to control impulses,” or poor self-control, was less likely to influence delinquency. No differences by race/ethnicity are evident (see Tables F-8 and G-8 in the Supplemental Appendix).

Judges, probation officers, and attorneys were more likely to believe that child abuse influences delinquency. Proportionally, more Anglo and Hispanic respondents supported this perspective. Except for prosecutors, a majority of respondents from all occupational groups believed that failure in socialization contributes to delinquency. A larger proportion of Hispanic and African-American respondents also support this view. Larger proportions of police, probation officers, attorneys, and, to a lesser extent, judges believed that living with a single mother was a factor influencing delinquency. A larger number of Hispanic and African-American respondents also support this view (see Tables F-5, F-20, F-25, G-5, G-20, G-25 in the Supplemental Appendix).

A majority of judges rated media portrayals of violence as “very important.” Hispanics and African-American respondents also supported this item in larger proportions. Concerning the role of media advertising, a majority of probation officers felt that it was an important factor influencing delinquency, the only group that felt this way. (See Tables F-15, F-4, G-15, and G-4 in the Supplemental Appendix.)

Are there differences according to occupation or race/ethnicity in responses regarding the influence of economic factors on delinquency, such as opportunities to work, economic structure, socio-economic inequality, or being poor? Less than 40% of respondents from all occupational groups rated these factors as “very important.” However, minority respondents—especially African Americans—were more likely to rate economic factors as “very important.”

A higher proportion of minority respondents were also likely to list socio-economic inequality and the economic structure as factors influencing delinquency (see Tables F-6, F-23, F-24, G-6, G-23, and G-24 in the Supplemental Appendix). Being poor, attending inadequate schools, living with relatives, and having a natural tendency toward delinquent behavior were ranked as “moderately important” or “somewhat important” by a majority of respondents in our survey (see Tables F-1, F-17, F-2, F-3, G-1, G-17, G-2, and G-3 in the Supplemental Appendix).

Finally, researchers compared the rankings of the scores assigned to each of the above 25 factors, by race/ethnicity and occupation. Using these factors as dependent variables, a series of ANOVA models was generated. If a main effect for the race/ethnicity or occupation of the respondent was indicated, pairwise comparisons between means were done using Scheffe's method.

The ANOVA analysis identified five factors that showed a main effect either for the race/ethnicity or occupation of the respondent. This means that, in rankings of five items, significant differences exist according either to the race/ethnicity or occupation of the respondent. Given the fairly large number of respondents who rated these factors, the findings presented here should be more robust than those of the earlier ANOVA analyses.

A statistically significant difference between all minority and Anglo respondents exists for the two factors pertaining to economic influences on delinquency; namely, the role of the economic structure and socio-economic inequality. There was also a race/ethnicity effect with respect to the role of inadequate schools in influencing delinquency. For economic structure, the critical difference in mean values was between Anglo respondents and both minority groups.<sup>23</sup> Similarly, for socio-economic inequality, there were significant differences in mean scores between Anglos, on the one hand, and African Americans and Hispanics, on the other.<sup>24</sup> Minority respondents also ranked inadequate schools as a more important influence on delinquency.<sup>25</sup> Minority respondents ranked all three of the economic factors as being significantly more important influences on delinquency than did Anglo respondents.

The results from the ANOVA analysis showed that for two factors there were two main effects for occupational strata: natural delinquent tendencies and psychological factors as correlates of delinquency. In the case of natural delinquent tendencies, the rankings that TYC staff assigned to

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<sup>23</sup> Role of economic structure in influencing delinquency: Anglo mean=2.07; s.d.=0.61; African-American mean=2.52; s.d.=0.61; Hispanic mean=2.37; s.d.=0.68. (F=5.2; p<.001).

<sup>24</sup> Role of socio-economic inequality in influence delinquency: Anglo mean=2.02; s.d.=0.68; African-American mean=2.49; s.d.=0.67; Hispanic mean=2.41; s.d.=0.68. (F=6.3; p<.001).

<sup>25</sup> Role of inadequate schools in influencing delinquency: Anglo mean=2.03; s.d.=0.65; African-American mean=2.44; s.d.=0.66; Hispanic mean=2.34; s.d.=0.64. (F=4.46; p<.01).

this factor were significantly higher than the rankings given to it by attorneys.<sup>26</sup> Similarly, the role of psychological problems was ranked significantly higher by probation officers than by police officers.<sup>27</sup>

Open-ended responses were requested on factors that respondents felt were important influences on delinquency. Two hundred and forty-eight open-ended responses were obtained (see Tables 9.17 and 9.18). Of these, 103 (41.7%) mentioned family background; 23.9% mentioned matters related to the juvenile’s environment, such as high-crime neighborhoods, poor role models, and the presence of gangs; and 19% mentioned the juvenile’s personal values. Nine percent listed socio-economic and educational factors as contributing to delinquency. The “other“ category comprises views in which respondents felt that welfare dependency and the fact that youth face no consequences for their actions promoted delinquency.

The majority of responses from all occupations listed family matters, the youth’s environment, and personal values as additional factors. Minority respondents, although not disagreeing with the above, also listed education and socio-economic factors as “important.” Anglo respondents were more likely than minorities to mention “personal values” as a factor.

**TABLE 9.17: Other Factors Correlated with Delinquency, by Occupation of Respondents (in percentages)**

<b>Factor</b>	<b>Judge</b>	<b>Prosecutor</b>	<b>Probation Officer</b>	<b>Attorney</b>	<b>Police Officer</b>	<b>TYC Staff</b>
Family	27.9	35.9	41.1	58.3	25.0	36.4
Socio-economic	4.7	4.7	5.7	4.2	0.0	0.0
Education	7.0	6.3	5.7	4.2	0.0	2.2
Youth’s Environment	27.2	26.6	20.0	20.8	36.1	2.3
Personal Values	27.9	23.4	21.4	8.3	19.4	9.1
Other	4.6	3.1	5.7	4.2	9.5	0.0
<b>Weighted Totals</b>	<b>28</b>	<b>22</b>	<b>103</b>	<b>63</b>	<b>29</b>	<b>3</b>

<sup>26</sup> Role of natural delinquent tendencies in influencing delinquency: TYC staff mean=2.07; s.d.=0.25; Attorney mean=1.53; s.d.=1.1. (F=4.46; p<.01).

<sup>27</sup> Role of psychological factors in influencing delinquency: Police officer mean=2.34; s.d.=0.57; Probation officer mean=2.69; s.d.=0.56. (F=2.33; p<.05).

**TABLE 9.18: Other Factors Correlated with Delinquency, by Race/ethnicity of Respondents (in percentages)**

<b>Factor</b>	<b>African-American</b>	<b>Anglo</b>	<b>Hispanic</b>
Family	46.2	43.5	32.1
Socio-economic	4.8	3.0	9.1
Education	9.6	4.1	4.5
Youth's Environment	19.7	21.0	37.2
Personal Values	12.3	21.3	13.7
Other	7.5	7.3	3.5
Weighted Totals	31	170	47

The factors that respondents identified as “important” in influencing delinquency fit with a body of research that views these as “risk factors” for delinquency and other forms of deviant behaviors among youth (Center for Substance Abuse Prevention, 1993). This body of research has divided risk factors into the following categories:

- (1) Individual factors are personal attributes associated with risk for delinquent behavior. A number of factors highlighted in this survey fit into individual-level risk factors. Making personal choices to commit delinquent acts, the being unable to control impulses, and having psychological and emotional problems are examples of individual risk factors.
- (2) Family risk factors are important because families provide the most important and enduring context for individual development. Lack of parental supervision, lack of discipline by parents, having siblings who are delinquent, being a victim of child abuse or neglect, and failure in socialization of youth are examples of family risk factors.
- (3) School risk factors have a direct and an indirect impact on delinquent behavior. Factors that respondents highlighted, such as poor academic performance, heightened discipline problems, and disengagement from school life, can be considered school risk factors. Survey respondents mentioned negative school performances and poor social skills, both of which can be seen as examples of school-related risk factors.
- (4) Peer risk factors are also linked to delinquent behaviors. Respondents list the influence of negative peer groups and abuse of alcohol or drugs by youth (which usually occur in peer groups), and these should be seen as aspects of peer risk factors.

## CONCLUSION

The analyses of survey data provide valuable information on how a group of experienced practitioners view juvenile justice processing in the state of Texas. Various topics were raised, including the question of minority overrepresentation in the juvenile justice system. The majority of respondents agreed with the statement that minorities are overrepresented in the juvenile justice system. Respondents provided perceived reasons for this problem and suggested possible solutions. Some practitioners identified difficulties in contacting or communicating with the parents of minority youth. Respondents with experience in disposition decisions highlighted some of the problems decision makers encounter in placing minority youth after the disposition stage. Based on the responses to questions about the scarcity of placement slots and the role of private insurance, researchers can now have a better understanding of why many minority youth are placed in TYC facilities (Jeffords & McNitt, 1993).

These practitioners evaluated a case scenario presented to them and selected criminal history as the strongest factor influencing perceptions of the offense committed in the case scenario. The case history of the juvenile and the educational level of the respondent also determined recommendations for pre-and post-adjudication actions. The race/ethnicity of the juvenile and of the respondent were significant on two counts. However, neither the race/ethnicity of the respondent nor of the juvenile was a major predictor of most judgments made by critical decision makers.

The respondents evaluated the roles of various factors in detention, adjudication, and disposition decisions. The roles of age, prior record, use of weapons, gang membership, and use of drugs/alcohol in influencing outcomes have been discussed in previous research. What is new is that our survey findings suggest that the presence of family members (or responsible adults) at various hearings, the role of the youth's demeanor (particularly the show of defiance), and sources of referral (especially police referrals) are important at different stages of decision making.

Respondents identified problems with the system and suggested solutions to these problems. Allocating more resources to the system, improving the efficiency of juvenile processing, and improving programs that address background risk factors to delinquency are the most commonly

cited solutions to the problems that they outlined. Respondents also highlighted the strengths of the system, and what they consider to be the main factors that contribute to delinquency among juveniles.

A number of the suggested solutions underscored the need to develop programs that would address the background risk factors that contribute to delinquency. Respondents were asked to rate 25 different factors influencing delinquency, as well as to provide open-ended responses on influences on delinquency. These analyses give researchers and policymakers an indication of the type of risk factors that should be targeted by new programs.

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<sup>‡</sup> The author's name, Kimberly Kempf Leonard, has appeared elsewhere as Kimberly L. Kempf. To avoid confusion, we list her here as her name appears on the works included as "Leonard, K. Kempf" and "Kempf, K.L."

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