

**An Examination of the Factors that Influence Juvenile Justice Decision Making
In The Jurisdictions of Black Hawk, Johnson, Linn and Scott, Iowa:**

An Assessment Study

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Technical Report
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Preface

As part of their participation in the federal government's formula grant funds, the state of Iowa is attempting to comply with the assessment phase of the disproportionate minority contact mandate (DMC). In late spring of 2004, I met with the Division of Criminal and Juvenile Justice Planning to discuss the possibility of conducting the second assessment study of disproportionate minority contact with Iowa's juvenile justice system using the state-wide computer based data system or what is called Iowa's Justice Data Warehouse (JDW). The four jurisdictions to be studied were Black Hawk, Johnson, Lynn, and Scott, and the time frame covered was to be from 1998 through 2004. On the next page is a map of Iowa that highlights the jurisdictions studied.

I had conducted the first assessment study (Leiber, 1993; 2003) using data collected manually from juvenile court case files. The jurisdictions examined were Black Hawk, Woodbury, Polk and Scott, and the time frame consisted of referrals between 1980 through 1990.

What is presented within this report is an overview of the DMC mandate, and the extent of DMC in Iowa and within the four jurisdictions detailed above. A review of prior research on DMC nationally and in Iowa is also discussed as well as an in-depth account of the first assessment study, and the recommendations of that research are provided. A detailed history of Iowa's efforts to address DMC is also presented that includes efforts to reduce DMC.

The impetus for this second assessment study lies in that more than a decade has past since the first study on DMC and in light of the activity the state of Iowa has put

forth to addresses DMC, research was needed to examine two objectives: (1) to what extent do legal and extralegal considerations, including race, impact decision making each of the four jurisdictions and (2) in Black Hawk County and Scott County, how the observed results compare to those reported in 1993. The report concludes with a summary of the results and recommendations to reduce DMC. For those that are interested, there is also an executive summary and an executive brief that accompanies this full technical report.

Chapter One

Disproportionate Minority Confinement/Contact (DMC)

In this Chapter, background information on the DMC legislation is presented. More specific, the discussion centers on what the DMC mandate is and why the legislation came about. The Chapter concludes with a discussion on the implementation of the mandate at the national level.

The DMC Requirement

The first iteration of the Juvenile Justice and Delinquency Prevention (JJDP) Act of 1974 contained three mandates: the deinstitutionalization of status offenders, the removal of juveniles in adult jails, and the separation of juveniles from adults in institutions. The DMC requirement was included after the JJDP Act was re-authorized in 1988. The DMC legislation requires States to study the extent minority youths are confined in secure detention facilities, secure correctional facilities, jails, lockups, and other points in the juvenile justice system to determine if their presence exceeds their representation in the general population (Juvenile Justice and Delinquency Prevention Act of 1974, as amended [Public Law 93-415], Section 223[a][23]).

In 1992, Congress re-authorized the JJDP Act and made DMC a “mandate” or a “core requirement.” Consequently, States participating in the Formula Grants Program have since been required to determine whether disproportionate minority confinement exists, identify the causes, and develop and implement corrective strategies (Federal Register, 1991:22969). States failing to make progress or at least show a good-faith effort toward this endeavor risked losing one-fourth of their Formula Grant funds for that year, and the remaining three-fourths to be directed

exclusively toward achieving compliance. Recently, the Act was changed to a reduction of 20 percent of the Formula Grant funds.

The JJDP Act was modified in 2002 to address “juvenile delinquency prevention efforts and system improvement efforts designed to reduce, without establishing or requiring numerical standards or quotas, the disproportionate number of juvenile members of minority groups, who come into contact with the juvenile justice system.” This change broadened the DMC initiative from “disproportionate minority confinement” to “disproportionate minority contact,” requiring an examination of possible disproportionate representation of minority youth at all decision points in the juvenile justice system.

The Office of Juvenile Justice and Delinquency Prevention (OJJDP) recognized that the extent of DMC and possible cause(s) vary by State. In addition, there is variability in the availability of resources and the data needed to understand and address DMC. Consequently, officials at OJJDP believed it would be more beneficial for individual states to design their own approaches to meet the DMC mandate (Coalition for Juvenile Justice, 1993: 12). In this regard, the DMC mandate differs significantly from the other three mandates where the number of juveniles in adult jails, the number of status offenders confined, and the number of juveniles in sight or sound of adult incarcerated offenders can be easily counted. Should the number of youth in any of those circumstances exceed the maximum limit dictated by regulation, legislative and public policy changes can be used to correct the situation, and progress can be measured by returning to the facilities and count the juveniles again. The DMC initiative is much more complex than the first three mandates (Church, 1994; Feyerherm, 1995).

Although States are allowed considerable amount of freedom in addressing DMC, they have to indicate in their application for Formula Grants funds how they are progressing on this

issue within the context of five interrelated phases or stages: identification, assessment, intervention, evaluation, and monitoring (Hamparian and Leiber, 1997; Disproportionate Minority Confinement Technical Assistance Manual, 2000, 1990). Information on the DMC mandate and publications concerning DMC in general can be found in the forthcoming 3rd edition of the Disproportionate Minority Contact Technical Assistance Manual and at: <http://ojjdp.ncjrs.org/dmc/>.

Identification

The identification phase is descriptive and originally involved ascertaining the number and proportion of minority youths in secure detention facilities, secure correctional facilities, jails, and lockups. Prior to the reauthorization of the mandate in 2002, information for the identification phase was provided in the form of indices that represented the under- and over-representation of minorities relative to their representation in the population of youth with 1.0 as the comparison base. Above 1.0 represented overrepresentation while below 1.0 indicated under-representation. After the reauthorization in 2002, the information was changed to relative rates. The relative rate is more accurate for comparing one racial/ethnic group to another and their involvement in the juvenile justice system (see, <http://ojjdp.ncjrs.org/dmc/tools/index.html>).

Assessment

If a determination is made from the identification phase that disproportionate minority representation exists, the State is required to conduct an assessment that investigates the specific reasons or possible contributing factors for the situation. The assessment phase attempts to discover the causes of the discrepancies in the case processing and outcomes between whites and minorities. Assessments should, at a minimum, identify and provide possible explanations for the possible differences between whites and minorities in contact, arrest, diversion, adjudication, court disposition, including differences for secure detention and other incarceration and waiver

of youth to adult court. In essence, the assessment phase requires an examination of minority youth involvement at justice system stages beyond incarceration and a search for why overrepresentation exists. The assessments should include information for individual counties or jurisdiction that have a minority youth presence (at least one percent). More information on the assessment phase can be found in the Disproportionate Minority Confinement Technical Assistance Manual (2000, which can be found at the OJJDP DMC website).

Intervention

This third phase entails selecting and implementing the specific strategies and interventions to reduce minority overrepresentation. Depending upon the location(s) and causes of DMC that were identified in the identification and assessment phases, appropriate intervention activities may include developing or revising policy procedures; decision making criteria and/or legislation; establishing services and programs; providing training and staffing; and improving information systems. Additional information on possible interventions can be found at: The OJJDP Model Programs Guide (http://www.dsgonline.com/mpg2.5/mpg_index.htm) and *Seven Steps to Develop and Evaluate Strategies to Reduce Disproportionate Minority Contact (DMC)* (<http://www.jrsa.org/jjec/>).

Evaluation

Evaluation of the intervention strategies is viewed by OJJDP as important as the intervention(s) itself because the information obtained informs us as to whether the intervention or strategies are working as intended. Furthermore, the results from the evaluation can be used to modify to alter the interventions as well it being replicated or adopted by another community and agency to address DMC in their locality. Similar to the assessment phase, the evaluation phase is research based. For more information on the evaluation phase, see *Seven Steps to Develop and*

Evaluate Strategies to Reduce Disproportionate Minority Contact (DMC) (<http://www.jrsa.org/jjec/>) and the Disproportionate Minority Confinement Technical Assistance Manual (2000).

Monitoring

The fifth and final stage involves States to monitor DMC. The underlying premise driving the concern for monitoring is that minority overrepresentation is an ongoing issue and requires continuous and systematic tracking over time. DMC monitoring ideally is coordinated with monitoring for other initiatives, such as the deinstitutionalization of status offenders, the separation of youths from adults in institutions, and the removal of youths from adult jails and lockups.

Summary

In short, States are to develop a comprehensive approach that includes the identification of DMC, a determination of its causes or contributing factors, and solutions to reduce it. Progress toward compliance with the requirements of Section 223(a)(23) is reported by each State and territory in their Comprehensive JJDP Three-Year Plans and annual Plan Updates which are reviewed by OJJDP to determine the status of compliance.

Because of its focus on differences in outcomes between minority and white youth, the DMC effort is an initiative that focuses on decision making within the juvenile justice system that includes police contact. Overall, the mandate reflects a systems-oriented approach to DMC with a focus on the equitable treatment for all youth. However, multiple approaches are encouraged to be developed and implemented to address a wide range of possible factors that may contribute to DMC and include inquiries as to whether minority youth commit more crime and more serious crime (commonly referred to as the differential behavior or offending explanation) and issues pertaining to differences in the application of decision making criteria as

well as legislation and policies that disproportionately impact minorities and differences in opportunities for participation in prevention and treatment programs (commonly referred to as the differential selection or bias explanation).

Implementation of the DMC Mandate at the National Level

Most states that participate in the Formula Grants Program have completed the identification and assessment phases of the DMC requirement and are now implementing programs and policies within the context of the intervention phase. Only a small number of states are in the process of an evaluation of the intervention activities and even fewer are at the monitoring stage (Devine et al. 1998; Leiber, 2002). Thus, the discussion that follows will discuss findings as they pertain to the identification and assessment stages. For discussion on how states have implemented all the phases of the DMC mandate, see Hsia, Bridges, and McHale (2004), Pope and Leiber (2005), Hsia and Hamparian (1998), and *Seven Steps to Develop and Evaluate Strategies to Reduce Disproportionate Minority Contact (DMC)* (2005) (<http://www.jrsa.org/jjec/>).

Identification

Although there has not been a comprehensive overview of more recent information from the identification phase, (Hamparian and Leiber, 1997; Hsia, Bridges, and McHale, 2004; Leiber, 2002), the data that is available generally indicates that minority youth overrepresentation is evident in every state that participates in Formula Grant funding and while its extent is not restricted to any specific region of the country, there is quite a bit of variability between the states concerning the amount of overrepresentation. The greatest overrepresentation appears to exist for secure corrections, secure detention, and transfers to adult court. On average the lowest minority youth overrepresentation is at the stage of arrest.

When minority groups are distinguished, overrepresentation is greatest for African Americans, followed by Hispanics and Native American Indians. Typically, states that report indices for Asian American youth indicate under-representation.

In summary, minority youth overrepresentation exists nationwide and at each point in the system. The stage with the greatest overrepresentation appears to vary by the state and community but on average, the greatest overrepresentation seems to be at secure detention and secure corrections, followed by transfer to adult court.

Assessment

As discussed previously, the traditional explanations for understanding disproportionate minority confinement/contact in both the criminal and juvenile justice system emphasize either differential offending and/or selection bias (e.g., Hindelang, 1978; Tonry, 1995; Miller, 1996; Hawkins et al., 2000; Tracy, 2002). The term “selection bias” generally refers to disparate treatment, discrimination, and the like. Although the sponsors of the DMC initiative and the intent of the requirement focus on selection bias with a specific emphasis on the inequitable treatment of minority youth relative to white youth within the juvenile justice system, failure to find evidence in support of selection bias may yield support for a differential offending explanation for DMC.

More specific, typically to conduct an assessment of selection bias decision making one or more stages of the juvenile court process and to a lesser extent, police contact are examined. When any one of these decision making stages is studied, a researcher is looking to see what factors predict or help understand case processing and outcomes. That is, legal factors such as crime severity, crime type, prior record, and extralegal factors like assessments about the family and age as well as race, gender, etc. are studied to determine which and to what extent these

predict an outcome. **Support for a differential offending explanation is evident when legal factors and to some extent, assessments about the family and age determine case processing and outcomes after all other variables are taken into consideration or controlled. In particular, race should not be a statistically significant predictor of decision making once all things are taken into account. If race still matters, even though it may not be the strongest relationship or the most prevalent, support is provided for a selection bias explanation.** This study will explore DMC through the scope of the selection bias explanation. For differing opinions on the interpretation of the extent legal factors and race should count to offer support for either a differential offending or selection bias explanation refer to Tracy (2002) and Patternoster and Iovanni (1989).

In a review of state assessment studies, Leiber (2002) discovered that despite variability in the studies, most (n=32) reported evidence of race differences in juvenile justice outcomes that are not completely accounted for by differential involvement in crime. In only 12 states, minority overrepresentation, as presented in the identification phase, was determined to be the result of solely legal factors (i.e., severity of the crime).

Research in Florida and Maryland indicated overrepresentation of minority youth throughout the system (Bishop and Frazier 1990; Iyengar 1995). Bishop and Frazier (1990) used statewide data over a three year period to examine case processing through Florida's juvenile justice system and found that race (being nonwhite) did make a difference with regard to outcome decisions. According to Bishop and Frazier (1990, 3):

Nonwhite juveniles processed for delinquency offenses in 1987 received more severe (i.e., more formal and/or more restrictive) dispositions than their white counterparts at several stages of juvenile

processing. Specifically, we found that when juvenile offenders were alike in terms of age, gender, seriousness of the offense which prompted the current referral, and seriousness of their prior records, the probability of receiving the harshest disposition available at each of several processing stages was higher for nonwhite than for white youth.

These disparities were found to exist for petition, secure detention, commitment to an institution and transfers to adult court. Likewise, minority overrepresentation was found in 10 of the 15 decision points examined in Arizona (Bortner et al. 1993), while in Pennsylvania race effects were evident at all stages except adjudication (Kempf-Leonard 1992). In Iowa, race effects varied by jurisdiction, stage in the proceedings, and racial group (Leiber 1992a, 1992b; see also Leiber and Jamieson 1995; Leiber and Stairs, 1999; Leiber, 2003; Leiber and Fox, 2005).

In Ohio, race had a direct effect on detention decisions, and detention status, in turn, impacted decisions to commit juveniles to correctional facilities (Dunn et al. 1993). A similar indirect race effect through detention was found in Washington (Bridges et al. 1993). Several studies have also discovered that many legal and extralegal variables may be racially tainted and work to the disadvantage of minority youth.

Lockhart et. al. (1990), for example, examined racial disparity in 159 counties within Georgia's juvenile justice system. With 1988 as the base year, this study revealed that a major determinant of outcome was the severity of the current charge and the extent of prior contact with the juvenile justice system. Compared to white youth, African American youth tended to have more prior contact and to be arrested for more severe offenses. As the authors note:

Thus, gross racial disparities do exist in Georgia's juvenile justice system.

The fact that law enforcement officials have considerable discretion in the determination of how many and what types of charges to place against an alleged offender complicates the interpretation of such disparities. Black youth either are committing more serious crimes at younger ages than are white youth, or they are being charged with more serious crimes at younger ages than are white youth. In the former instance, we have understandably disparity. The second scenario constitutes racial discrimination. (Lockhart, et. al. 1990, 10).

These results point to the possibility that offense and prior record are not legally neutral factors. If bias influences these decisions, then race differences may be augmented throughout the system (see also, Miller, 1996).

Race has also been found to interact with a number of extralegal variables. For example, being African American and from a single-family status influenced decision-makers in Michigan (Bynum et al. 1993; see also, Leiber and Mack, 2003). In Missouri, being African American and female increased the likelihood of being detained. This relationship was conditioned by locality: African Americans females were more likely to be detained in urban localities, while in rural settings, white females were more likely to receive informal supervision than males or African American females with similar characteristics (Kempf-Leonard et al. 1990). As Kempf, Decker and Bing state (1990, 18):

As shown in this study, race and gender biases do exist within juvenile justice processing in Missouri. They are less obvious than the glaring rural and urban differences, but they are no less important. Evidence exists that decision processes are systematically disadvantaging youths who are either Black, female or both. They

receive harsher treatment at detention, have more petitions filed ‘on their behalf’, and are more often removed from their family and friends at disposition.

Perhaps one of the major findings of the Missouri study is the difference between the urban and rural courts. In essence, two different types of juvenile courts operate in Missouri – a legalistic court in urban areas and a traditional pre-Gault model in rural areas – each of which provides different treatment that places African American youth at greater risk.

In some states, the use of semi-structured interviews with juvenile justice personnel showed that race bias was often indirectly operating through decision-makers’ perceptions of minority youth and their family, in particular, African Americans, that were fostered by stereotyping (e.g., Frazier and Bishop, 1995; Leiber 1993). In Florida, for example, the respondents indicated that assessments about single-parent homes are made when handling youth and include inquires into the ability of the family to provide supervision and having the youth adhere to possible court stipulations. Those interviewed indicated that a single-parent home is seen as more dysfunctional and affects minorities more harshly since they are more likely to come from such households. In addition, Fraizer and Bishop (1995) point out further that decision-makers see nonwhite families as being less adequate than white families even when both families are broken. The broken minority family was perceived as “more broken” than whites from similar homes (1995: 35).

The results from state assessment studies parallel those from the general literature of research on juvenile justice decision making (Bishop, 2005; Engen et al., 2002; Pope and Feyerherm, 1992; Pope et al., 2002). Although an in-depth discussion of these studies is beyond the scope of this report, race was found to have either a direct relationship with decision making

and/or interaction or combination effects with legal variables (e.g., crime type, prior record), extralegal factors (e.g., age, family status), process variables (e.g., detention) and/or community contexts (e.g., % poverty).

Bridges and Steen (1998), for example, examined how reliance on racial stereotypes by decision makers shaped assessments of the youth and in turn, impacted case outcomes. Probation officers were found to use different causal attributions to assess the delinquent behavior of African Americans and whites. Further, African American youth involvement in delinquency was viewed as related to internal or dispositional attributions (i.e., lack of individual responsibility), whereas delinquency among white youth was attributed to external causes (i.e., impoverished conditions). Because internal attributions resulted in perceptions that the youths were at higher risk for re-offending, decision makers recommended longer sentences for African Americans than for whites. The end result, values and beliefs of decision makers created a legally recognizable but racially stereotypic image of an offender that affected the decision making process.

Summary

In short, a common theme running through these studies is the identification of the variable effects of race on decision making and the factors that influence these effects. While the source of the contextual effect(s) may vary, one emphasis is the racial stereotyping by decision-makers of African American youth. These stereotypes include blacks as undisciplined, living in dysfunctional families that are primarily headed by young mothers, dangerous, delinquent, and drug offenders (Feld, 1999). These perceptions work to the disadvantage of African Americans relative to whites and may account for the overrepresentation of minorities in the juvenile justice system.

Although not exhaustive, the following is a summary listing of possible mechanisms that have been found to lead to minority overrepresentation in the juvenile justice system (the following is taken from a draft version of the Disproportionate Minority Contact Technical Assistance Manual, forthcoming):

1. **Justice by Geography:** decision making may differ by jurisdictions and the factors that account for these differences vary (see Leiber, 2003; Sampson and Laub, 1993)
2. **Displacement:** displacement effects (also called importation effects) occur when a large number of non resident minority youth come into a jurisdiction and come into contact with the juvenile justice system. Importation and displacement may occur due to a variety of factors, such as an area having a high level of tourism or other attractions (theme parks), or due to a high level of mobility within a metropolitan area (e.g. mass transit). It may also occur if a significant number of individuals come to reside in an area on a temporary basis, as may happen in temporary labor situations. An “attractive nuisance” such as a shopping center or recreational facility may pull minority youth into an area which has relatively lower populations of minority youth.
3. **Indirect Effects – The Impact on Decision Making Criteria:** a variety of other characteristics are frequently correlated with race, including such elements as family structure, income, area of residence, detention status, etc. In addition there may be a relation between race / ethnicity and educational progress, alleged gang involvement, and other prior social service involvement. To the extent that such factors are used in decision making within the justice system, they may “carry” the impact of racial and ethnic differences into those decisions, even if race and ethnicity are not explicit

bases for the decisions in the justice system. This type of effect may have implications for item eight (listed below).

- 4. Differential Program Access and Participation:** programs may be less accessible to minority youth due to a variety of factors, ranging from program location and service hours to intake criteria. If a program is successful in preventing future system contact, but is less available to minority youth, then the net result is further disproportionate minority contact for the youth in the jurisdiction served by the program. In addition, if a viable program is available only in some communities, then this availability may also work to enhance later DMC issues. On the other hand, differential deployment of resources may also increase the odds of youth becoming involved with the juvenile justice system. For example, if law enforcement or probation supervision resources are focused in particular locations, this may have the impact of bringing additional minority youth into the system. Or, a juvenile court may be located in an area not served by public transportation, or it may have service hours that do not make it easily accessible for youth after-school. Drug Court or Mental Health programs may have entry criteria that differentially exclude youth with some types of prior delinquent or other histories. After-school programs may be available in some areas of a city, but not others. Each of these may have the effect of reducing the availability of treatment or intervention for minority youth, and thus increasing the comparative probability of future and extended system contact.
- 5. Differential Program Completion and Success:** once a youth has entered most service delivery, intervention, or prevention programs the program will consist of several activities over time. Many programs have a substantial dropout or non-

completion rate, and even program completion does not necessarily assure that continued system contact will be reduced. To the extent that program completion rates and/or program success rates are different for minority groups, it is possible that such program issues may be a source for successful intervention to reduce DMC. For example, if a diversion program focuses on family involvement and intervention, the program may require family participation, which may be more difficult for economically disadvantaged or single parent families. To the extent that family participation is more difficult to achieve for minority youth, there may be differentials in completion of the program and benefits from the program. If these are recognized, there may be some simple modifications to the program that do not diminish its effectiveness, but improve its ability to reach a wider range of youth.

6. **Differences in Delinquent or Criminal Conduct:** It may be the case that in some instances there is a different level of involvement in delinquent behavior for some minority youth. In order to contribute to DMC, this may be a higher level of involvement (more frequent) or an involvement in offenses with a higher level of severity. It may also be reflected in a history of more serious or frequent activity, which has an impact on decision making for each subsequent justice system contact.
7. **Policies with Disproportionate Impact:** it may be the case that some justice system policies are designed in such a fashion that they have a greater impact on some minority youth than on white youth or other groups. These policies may create an additional penalty or even an offense category which is more likely to impinge on minority youth because of the area they reside in, or some other feature or characteristic of their situation. For example, a large number of policies are designed

to 'protect' school children by providing enhanced penalties for offenses such as drug possession and sale or offenses involving weapons which occur within a specified distance of a school building. In densely populated urban areas, frequently characterized by higher populations of minority youth, a greater proportion of the land area lies within close proximity to school buildings. The net result is that offenses charged under such enhanced penalties are more likely to involve youth of color. Other examples include decisions to enforce truancy standards in problematic schools, or the choice to treat some substances (e.g. crack cocaine) differently from other substances (e.g. other forms of cocaine.) The point is not whether those policies are in themselves "correct" or even effective, the point is to recognize that some policies may have a differential impact on minority youth and may exacerbate DMC issues.

8. **Accumulated Disadvantage:** this mechanism occurs when minority youth have a slightly higher volume of activity at each stage of the justice system – the stages become multiplicative and the overall impact on DMC for the entire system is relatively high, even though no single stage in the system appears to have extremely high levels of DMC. Hence the emphasis in this mechanism is not on any particular stage or activity, but on the accumulation of relatively small differences, which when accumulated over the entire flow of the justice system become very large.

The extent each of these is present in a locality will vary. The objective of the identification and assessment phase of the DMC mandate is to provide individuals with information concerning the presence of minority youth in their juvenile justice system and a better understanding whether these mechanisms as well as others exist in their locality and how they

contribute to the disproportionate overrepresentation of minority youth in the juvenile justice system. In Chapter Two, we discuss the presence of minority youth in Iowa's juvenile justice system (identification) and prior research that has attempted to examine what contributes to youth coming into contact with the system.

Chapter Two

Disproportionate Minority Confinement/Contact (DMC) in Iowa

In this Chapter, information is presented on the extent of minority involvement in Iowa's juvenile justice system. This information will be provided in the form of data supplied by the state of Iowa in an attempt to comply with the identification phase of the DMC mandate. Next, the discussion centers on prior research that includes a formal assessment study that had been conducted to further understand the contributing factors to minority youth contact with the system. First, however, the decision making stages in Iowa's juvenile justice system is discussed.

Decision Making Stages in Iowa

Iowa Code Section 232.2(12) defines a delinquent act as the violation of any state law or local ordinance which would constitute a public offense if committed by an adult, the violation of a federal law or a law of another state which violation constitutes a criminal offense if the case involving that act has been referred to the juvenile court, offenses for possession of alcohol (Iowa law expressly forbids the use of detention for youth for possession of alcohol). Court proceedings for delinquent youth are outlined in Iowa Code Section 232.

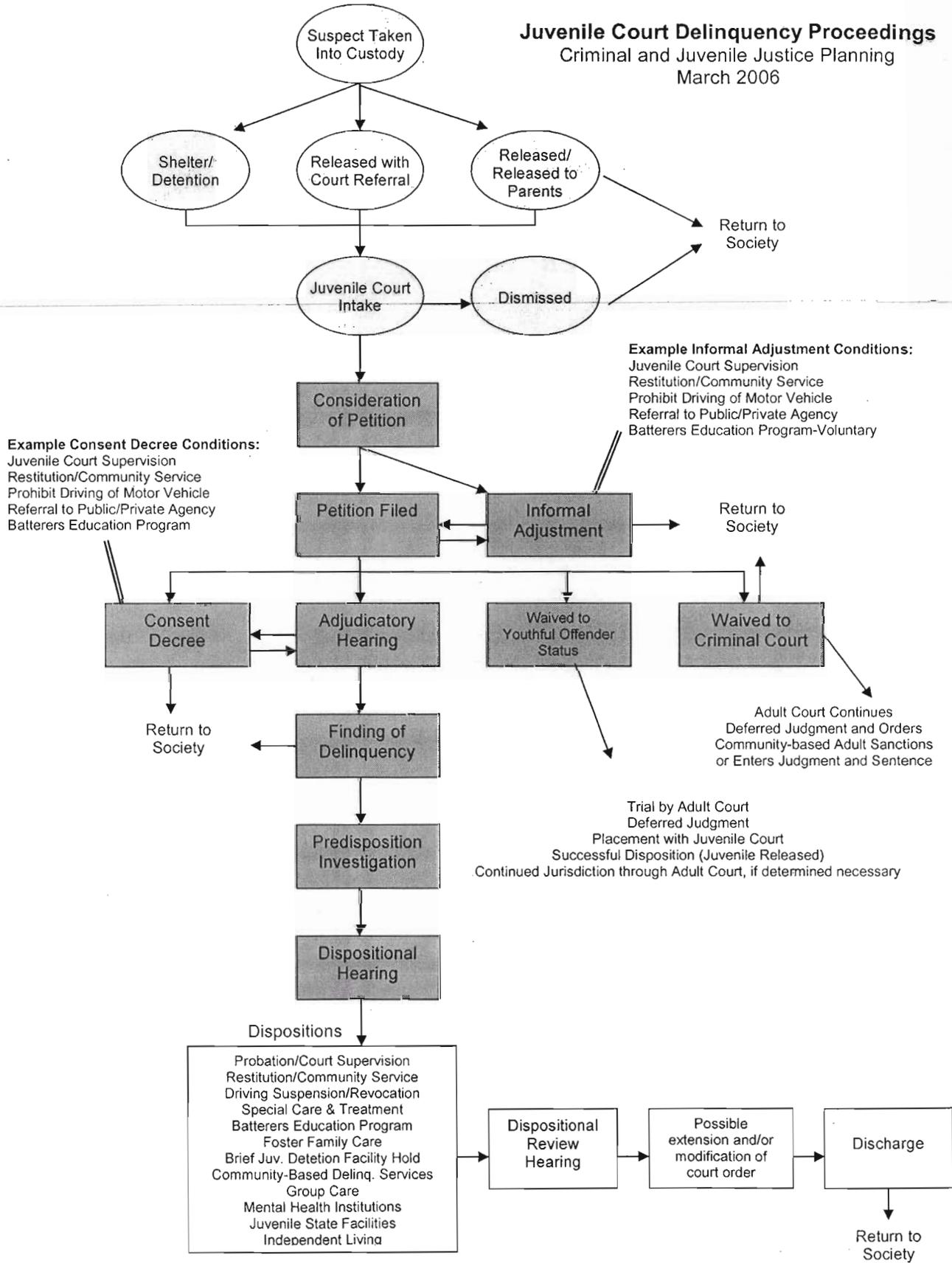
Youth that commit delinquent acts can be referred for processing (typically by law enforcement) to the juvenile court. Many cases referred to juvenile court are diverted from formal system processing and receive either an informal adjustment (a contract outlining the conditions of probation signed by the youth and a juvenile court officer), or a consent decree (a consent decree is similar to an informal adjustment except it is signed by a judge). Youth that require formal system processing have a delinquency petition filed, receive delinquency adjudication, and dispositional hearings. A fairly extensive array of dispositional options are available for delinquent youth which include probation,

day treatment, substance abuse treatment, mental health treatment, residential placement, etc. The stages of Iowa's juvenile justice system are outlined in Figure 2.1.

Narrative for select decision points is provided below:

- “Complaints to Juvenile Court” – Complaints are typically referred to juvenile court by law enforcement. Complaints are law violations by juveniles. “Arrest” or “taking youth into custody” was discussed previously in this report. There may be more than one offense included in a complaint. Complaints are processed by juvenile court services (JCS) staff. Complaints are often synonymous with the decision of referral to juvenile court.
- “Informal Adjustment” – A significant number of youth referred to the juvenile court receive informal adjustments, which are contracts that youth enter into with JCS staff. Informal adjustment is an option for youth utilized (often for younger or less serious offenders) that have admitted their involvement in a delinquent act. The conditions of an informal adjustment can include juvenile court supervision, restitution/community service, prohibiting a youth from driving, referral to a private agency, voluntary participation in batterers’ treatment, etc.
- “Petitions Filed” – JCS staff refer youth that require more serious court intervention to the county attorney. The county attorney may “file a petition” on any given offense. The filing of a petition constitutes the formal involvement of the court.
- “Consent Decree” – At any time after the filing of a petition and prior to an order of adjudication the juvenile court may enter a consent decree. Consent decrees are similar to informal adjustment agreements. Consent decrees are court orders that specify conditions and requirements for youth. The terms and conditions of consent decrees may include supervision of the child by the juvenile court or other designated agency, community service/restitution, prohibiting a youth from driving, participation in batterers’ treatment, etc.
- “Adjudications” - Adjudications are court hearings that provide a formal finding of guilt. A youth that is found guilty is “adjudicated a delinquent”.
- Dispositions – Dispositional hearings are provided for youth that have had a delinquency adjudication. Dispositional hearings are often conducted as part of the adjudication hearing. Dispositions for the juvenile court include probation/court supervision, restitution/community service, driving suspension/revocation, special care & treatment, batterers education, foster family care, brief juvenile detention facility hold, community-based delinquency services, group care, mental health institution placement, state training school placement, independent living, etc.

Figure 2.1: System Flow of the Juvenile Justice System
 (Source: Division of Criminal and Juvenile Justice Planning)



- “Waiver to Adult Court” – Youth are waived to adult court (placed under the jurisdiction of the district court) if they have committed certain serious offenses, and/or are older youth and are deemed as requiring additional court supervision, and/or it is determined that they can no longer benefit from the supervision or services of the juvenile justice system.

Review of Identification Results for Iowa

Recall that the JJDP Act was modified in 2002 to address “juvenile delinquency prevention efforts and system improvement efforts designed to reduce, without establishing or requiring numerical standards or quotas, the disproportionate number of juvenile members of minority groups, who come into contact with the juvenile justice system.” This change broadened the DMC initiative from “disproportionate minority confinement” to “disproportionate minority contact,” requiring an examination of possible disproportionate representation of minority youth at all decision points in the juvenile justice continuum. Recall that also prior to the reauthorization of the mandate in 2002, information for the identification phase was provided in the form of indices that represented the under- and over- representation of minorities relative to their representation in the population of youth with 1.0 as the comparison base. Above 1.0 represents overrepresentation while below 1.0 indicates underrepresentation. After the reauthorization the information was changed to relative rates (see, <http://ojjdp.ncjrs.org/dmc/tools/index.html>).

The Extent of DMC in the State of Iowa

In the early 1990s, youth minority overrepresentation existed in Iowa’s secure facilities (Moore and Kuker, 1993). Minority youth comprised 37 percent of juveniles held in jail/lockups, 32 percent in detention, and 28 percent of the admissions to the State Training School (Moore and Kuker, 1993). African Americans were the most

overrepresented minority group in the system. For example, they accounted for 21 percent of the State Training School population (Kuker, 1991). Minority youth and especially African Americans also spent on average longer lengths of stay in both jail/lockup and detention than whites (Moore and Kuker, 1993). Minority youths comprised 4.8 percent of the total population of Iowa, and up to 10 percent or more of some cities (Census Bureau, 1990). In the city of Waterloo, located in Black Hawk County in the northern part of Iowa, African American youth made up just over 19 percent of all youth.

Minority overrepresentation was also present in the adult corrections system in the early 1990s, and research yielded evidence of racial bias (Equality in the Courts Task Force, 1993). Minority overrepresentation still exists in both Iowa's adult and juvenile corrections systems (Division of Criminal and Juvenile Justice Planning, 1999). In fact, a study by the Sentencing Project (1997) indicates that Iowa's proportion of African Americans incarcerated is the second highest in the nation behind the District of Columbia.

Data could not be located representing youth minority overrepresentation in Iowa in the form of the index values for the early 1990s. Instead, index values for the state are used for the first half of the year 2000 and presented in Table 2.1. Recall that all tables will be presented at the end of the report. As can be seen in Table 2.1., minority youth are disproportionately arrested and confined in secure detention, secure correctional facilities, and adult jails and lockups. The index values for lockups, jails, and secure correctional facilities are most disturbing. Minority youth are disproportionately represented at a rate three times their representation in the total at risk population.

In Table 2.2., information for 2005, for the state of Iowa, is presented that employs relative rates. The relative rate information represents the summary component of the data. More detailed information can be found at:

<http://www.uiowa.edu/%7Enrcfcp/dmcr/>

An examination of Table 2.2 reveals once again minority youth overrepresentation in the system but the extent varies by the minority group and the stage. For example, for every 4 black youth arrested, 1 white youth is arrested (relative rate=4.05). In contrast, for every 1 white youth arrested, Asian Americans are arrested at a relative rate of .61. Irrespective of a youth's minority grouping, underrepresentation in cases diverted is evident.

Overall, similar to trends reported from the early 1990s and 2000 (see previous page), minority overrepresentation in Iowa's juvenile justice system exists and this is most pronounced at arrest, court referral, secure detention and confinement in secure correctional facilities. The extent of the disproportionate overrepresentation of minority youth parallels nation wide findings (Hamparian and Leiber, 1997). Likewise, the lack of minority participation in diversion is also similar to results reported across the country (Sickmund, 2004). Next, a brief overview of minority youth presence in Black Hawk, Linn, Johnson, and Scott counties is presented.

Black Hawk County

Table 2.3. presents the relative rate indexes for various minority youth groups compared to white juveniles for Black Hawk County. Like state-wide trends, relative to white youth, African American youth are disproportionately arrested (relative rate=3.75), referred to court (relative rate=4.11), held in secured detention (relative rate=1.64), (as

are Hispanics relative rate=2.05 and Asians relative rate=1.66), petitioned (relative rate=1.55) and confined in secure juvenile correctional facilities (relative rate=2.62). Also similar to state results is that all minority youth are underrepresented in cases diverted.

Johnson County

In Johnson County, minority youth overrepresentation in the juvenile justice system is evident. In Table 2.4., we can see that African American youth are overrepresented relative to whites in terms of juvenile arrests (relative rate=6.50), referral to juvenile court (relative rate=5.91), and confinement in secure correctional facilities (relative rate=2.32). Differences also exist at secure detention for Hispanics (relative rate=5.75) and Asians (relative rate=2.72). For Hispanic youth, overrepresentation is also present at cases resulting in delinquent findings (relative rate=2.49). For Asian youth, 2.61 youth are petitioned relative 1 white youth and 3.52 are transferred to adult court to 1 white youth.

Linn County

The relative rates for Linn County are presented in Table 2.5. Relative to whites, the stages where the greatest differences are evident for African Americans is at arrest (relative rate=2.23) and referral to juvenile court (relative rate=4.33). Although the overall numbers may be somewhat small, some indication of disproportionate overrepresentation may be also occurring involving secure detention for Hispanic or Latino youth (relative rate=17.37), Asian American youth (relative rate=3.52), and American Indian youth (relative rate=11.09). African Americans are underrepresented in

cases diverted (relative rate=.58). In contrast, Native Americans are overrepresented (relative rate=1.75).

Scott County

In Scott County, African American youth are overrepresented at arrest (relative rate=4.12) while Hispanic youth (relative rate=.77) and Asian youth (.17) are underrepresented (Table 2.6). African Americans and Hispanics are overrepresented in court referrals (relative rates=5.39, 1.21) and slightly in cases involving secure detention (relative rates=1.37, 1.31) and petition (relative rates=1.76, 1.11). Hispanics are also reported to be slightly overrepresented in cases resulting in probation placement (relative rate=1.11) and transfers to adult court (1.89). Once again, for cases involving diversion, African Americans (relative rate=.58), Hispanics (relative rate=.83), and Asians (relative rate=.88) are underrepresented relative to whites.

Summary

On the basis of the information available, minority youth overrepresentation and in particular, African Americans, in the juvenile justice system, has been and continues to be evident. Indications of minority overrepresentation are also apparent in Black Hawk, Johnson, Linn and Scott Counties. For the state and in these individual four counties, minority youth are also reported to be less involved in diversion than are whites.

Review of Prior Assessment Research on Juvenile Justice Decision Making in Iowa

An exhaustive review of the literature that has examined juvenile justice decision making, or in general case referrals in Iowa, is beyond the scope of this study. An exhaustive review of that material will not be provided here. For more detailed information (although not exhaustive), the reader is asked to refer to Table 2.7. which

provides a listing of reports and articles written on race and juvenile justice decision making in Iowa with the research question and main findings also articulated.

The forthcoming discussion is adapted from a book by Leiber (2003), *The Contexts of Juvenile Justice Decision Making: When Race Matters* (State University of New York Press), that represents findings from the assessment study conducted in the early 1990s (Leiber, 1992a, "Juvenile Justice Decision-Making in Iowa: An Analysis of the Influences of Race on Case Processing in Three Counties Technical Report." Des Moines: Iowa Office of Criminal and Juvenile Justice Planning; Leiber, 1992b, "Juvenile Justice Decision Making in Iowa: An Analysis of the Influences of Race on Case Processing in Scott County: Technical Report." Des Moines: Iowa Office of Criminal and Juvenile Justice Planning; Leiber, 1993, "The Disproportionate Overrepresentation of Minority Youth in Secure Facilities: A Survey of Decision-Makers and Delinquents." Prepared for the State Juvenile Advisory Group of Iowa and the Office of Criminal and Juvenile Justice Planning, Des Moines, Iowa, and the Office of Juvenile Justice and Delinquency Prevention). The final assessment technical report can be downloaded at: http://www.uiowa.edu/~nrcfcp/dmrc/news_and_report.shtml.

Findings from the Early 1990s Assessment Study

The analysis was conducted in three stages. The first stage of the analysis examined the extent of social control exercised in Black Hawk County, Woodbury County, Polk County, and Scott County. This stage involved the examination of the case processing and outcomes of youth, differentiated first by jurisdiction then race. Logistic regression was used in the next stage to determine if the observed associations and patterns in the movement of youth in each court remained once controls were employed.

The third and final stage of the analysis entailed the use of semi-structured interviews with juvenile court personnel on their views on correctional orientations, race, crime, family, and respect for authority. The respondents were also asked for their explanations of the quantitative findings and suggestions to reduce disproportionate minority confinement (DMC). This stage in the analysis was driven by the belief that the effects of race are subtle and often conditioned by factors used by decision-makers to legally justify case processing and outcomes.

Although each of the four jurisdictions had the greatest number of minorities compared to all other jurisdictions in Iowa (Bureau of the Census, 1990), the overall small number of minority youth in each required the selection of delinquency referral cases for a 12-year period from 1980 to 1991. A random sample of court referrals identified as white (N=5,883) was selected and disproportionate random sampling was used to select African American (N=1,049) and Native American referrals (N=276). Since sampling procedures varied across the four jurisdictions, different weight factors were used for whites, African Americans, and Native Americans to obtain sample proportions that reflect the racial distribution of all delinquency referrals in each court. The weighted sample size used in the research was 7,208. The weighted sample for Black Hawk was 2,020, Woodbury 1,967, Polk 1,798, and Scott 1,423.

Juvenile court personnel in each of the four jurisdictions were interviewed through semi-open-ended questions that focused on their beliefs concerning crime, family, the role of the juvenile court, DMC, and findings specific to the quantitative component of the study. The interviews were taped and transcribed and ranged in length from one to two hours. The personnel were interviewed in late 1991 and early 1992.

Juvenile court probation officers (n=72), public defenders (n=4), prosecutors (n=4), and judges (n=4) comprise the nonrandom sample for a total of 84.

Most of the juvenile court personnel participated in the study (90%) and a large majority were white (94%). The respondents were on average 41 years old, male (64%), specialized in the social sciences (74%) and have 10 years of job tenure. Cross tabulations and analysis of variance (ANOVA) failed to show statistically significant differences on these background characteristics by jurisdiction (not shown).

Table 2.8. presents a summary of the findings, the community and organizational characteristics of the four jurisdictions, and the themes that emerged from the interviews with the decision-makers. In terms of social control, youth had the greatest probability of moving through the system and receiving a change of placement/transfer to adult court in Black Hawk, followed by Scott, then Woodbury, and finally Polk. Increased social control was also greatest for minority youth in Black Hawk and Scott, relationships consistent with theory and prior research (e.g., Sampson and Laub, 1993). Still, African American youth are subjected to greater social control in Woodbury and Polk than whites. In fact, the racial gap was greater in these jurisdictions than in Black Hawk.

Results from the multivariate analysis reveal the presence of race effects in all four jurisdictions that are not accounted for by legal and relevant extralegal factors. The race effects varied by the stage and involved both more severe and more lenient outcomes, sometimes in the same jurisdiction. Race effects, however, were found at the intake stage in all four jurisdictions. The examination of the community characteristics, organizational features of the juvenile court, and the themes from the interviews with the

court personnel provided added insights into the contexts of decision making and the role race plays in the process in each jurisdiction.

The court ideology of Black Hawk centers around offender accountability, intervention, and rehabilitation that may account, in part, for the willingness to exercise social control. The source of this ideology appears to be the court's history, as well as beliefs that the court is dealing with youth that have multiple problems, are younger, and come from single-parent families. An examination of the community characteristics of Black Hawk show poverty, racial inequality, a strong African American presence, and high crime rates relative to the other three jurisdictions. The Jurisdiction had also high levels of babies born to unwed teens, ranking second to Scott.

African American families are seen by the decision-makers in Black Hawk as dysfunctional, most often headed by a teen-age single female and distrustful though not necessarily less cooperative with representatives of the court. The last depiction of African Americans is noteworthy, as it contradicts decision-makers' the explanation for the finding that African Americans were more likely to be referred on at intake than whites. Decision-makers believed this to be the result of African Americans either failing to agree to participate to the conditions of diversion or not appearing for intake meetings. The suggestions for reducing DMC focused on the prevention of delinquency and to a less degree, increased cultural sensitivity among court personnel.

Woodbury has the smallest population of the four jurisdictions but is the most racially diversified. The correctional orientations of this court emphasize *parens patriae*, the protection of society, and diversion. The court ideologies are driven by history and, a strong commitment to middle-class values. With increased minority immigration into the

community and increased concern over a “moral decline” in society, the abidance to middle-class standards appear to have taken on greater importance. Minorities in general are believed to be in greater need of rehabilitation, since they are allegedly more likely to be involved in gangs, commit crime, listened to rap music, and dress, and act “inappropriately.”

Race effects are quite evident in Woodbury, especially at intake and to a lesser degree, petition. Whites and Native Americans receive either the more lenient or the more severe outcomes at intake, depending on the circumstances. Native Americans and African Americans are less likely to be petitioned than whites. At intake, decision making appears to be guided by the concerns for *parens patriae* and the protection of society and an organizational policy that entails the diversion of Native Americans to an agency. Underlying the policy is the belief that Native American youth can be best handled by other Native Americans. At petition, decision-makers cited organizational breakdowns or a lack of coordination between intake officers and prosecutors in the kinds of cases to be referred for further court proceedings. Suggestions for reducing DMC focused on family support and minorities adopting the values and norms of the white culture.

Polk has the largest population and caseload, is also the wealthiest, and has the lowest crime rate of the four jurisdictions. The court can be characterized as bureaucratic with an emphasis on speed and efficiency, and it operates from a legalistic orientation that espouses minimal intervention. The size of the community’s population, community pressures, caseload, and the lack of treatment alternatives seem to foster adherence to these correctional orientations. Little information was provided by the decision-makers

regarding their views on race, crime, family, and respect for authority, with the exception that African Americans were seen as more distrustful than whites.

African American youth were found to be more likely to be referred for further court proceedings at intake than white youth in Polk. Few explanations can be offered for this finding. Prior record is a statistically significant determinant of decision making at every stage and a positive association exists between prior record and being African American. These associations may provide some possible insights into the relationships between race and decision making. First, a reliance on prior record by decision-makers appears to account, to some degree, for the greater likelihood of African American youth moving through the system than whites.

Second and although speculative, the reliance on prior record by decision-makers could represent a short-hand script, clue or stereotype to gather information and arrive at decisions in a quick and efficient manner (e.g., Farrell and Swigert, 1978). It could also be that African Americans are subject to similar categorizations that involve stereotyping and other evaluations of character at intake (e.g., Albonetti and Hepburn, 1996; Cicourel, 1968). The results from the interviews do not reveal evidence that decision-makers employ such classifications as they pertain to race, crime, family, and respect for authority.

Scott is very similar in terms of community and organizational characteristics to Black Hawk. The jurisdiction ranks high on racial inequality, unwed teenage pregnancies, and criminal justice expenditures. The size of the community and average caseload is somewhat higher than Black Hawk, but the stated court ideology is similar. Both jurisdictions espouse a philosophy of accountability and intervention and practice

greater social control than the other two jurisdictions. Despite these similarities, differences are evident in decision making, the case processing of African American youth, and the factors that account for the differences.

In Scott, the correctional orientation of rehabilitation is more pronounced than in Black Hawk and appears to be the result of views that crime is due to impoverishment, dysfunctional families, and subcultural values. African Americans are seen as more likely to be poor, participate in crime, and reside with a single parent mother. Juvenile court personnel also believe that generations of problematic families exist in the community, families that are predominately African American. Mistrust of and being uncooperative with the juvenile justice system are viewed as part of a larger set of subcultural values. Rehabilitation is sought through intervention and holding youth and families accountable.

The relatively high levels of racial inequality and babies born to unwed teens, coupled with beliefs that crime is due to poverty, dysfunctional families, and subcultural values and adherence to rehabilitation, intervention, and accountability provide a context for understanding decision making and the finding of race effects in Scott. For example, Black Hawk exerts greater social control over youth in general than Scott, but the racial gap is larger in Scott. In addition, African American youth from single parent homes are more likely than other youth to be referred from intake to petition. African Americans are also less likely to be petitioned and adjudicated delinquent than whites.

Decision-makers cite the inability of African American families to follow through on the conditions of diversion and secure private counsel and private treatment as explanations for the finding of the interaction between race and family at intake. The

explanation for the discovery of being released at petition rests on African American youth receiving “a break.” While speculative, it is also possible that there is a breakdown in coordination between persons making decisions at intake and decision-makers at later stages in the proceedings, in this case the prosecutor at petition and the judge or referee at adjudication. Suggestions for reducing DMC focused on parenting classes, positive role models, and employment opportunities for African Americans.

In short, decision making within each of the four jurisdictions is multifaceted and more complex than often portrayed by theory and prior research. As predicted by consensus theory, legal and relevant extralegal considerations, however, account for much of the decision making. In Polk, the reliance on prior record by decision-makers contributes to the increased likelihood of African American youth moving further into the system. The extent prior record should account for such a race disparity was cited as area that needed to be addressed.

History, structural characteristics of the community and organizational features of the court, as well as ideas and perceptions of decision-makers concerning race, crime, family, and respect for authority also impact decision making and the treatment of minority youth and youth in general, to varying degrees. The effect these factors have on decision making may differ by jurisdiction, the stage in the proceedings, and the racial group. The findings support the view that an analytic framework must be used that allows for the discovery of the multiple contexts involved in juvenile justice decision making and the confinement of minority youth.

Policy Significance/Recommendations

The assessment research was initially conducted to address the overrepresentation of minority youth in secure confinement (DMC) in Iowa. There are two general strategies to reduce the overrepresentation of minority youth in secure facilities. The first strategy has a focus on efforts to affect decision-makers and the juvenile justice system. Underlying this first strategy is the belief that racial bias is a cause of DMC. The second strategy emphasizes approaches for the prevention of delinquency. This strategy is driven by views that minority overrepresentation is the result of disproportionate involvement in crime. The results from the present research indicate that both are relevant.

Minorities appear to disproportionately commit crime or at least be disproportionately arrested, and once in the system, minorities are at times and under certain conditions subject to racial bias. Accordingly, the initiatives could vary by the circumstances, the court, and the community. For the purpose of clarity, the forthcoming discussion, however, focuses on general recommendations to reduce racial bias and prevent delinquency within the context of the DMC mandate.

The recommendations provided are from the original assessment report (Leiber, 1993), are not exhaustive and do not reflect an order of importance. For a review of a more updated and detailed discussion on policy recommendations concerning these findings see Leiber 2003.

The first recommendation focused on the recognition and acceptance of the duality of racism. A number of things could be incorporated to aid in the recognition and acceptance of both blatant and unintentional expressions of racism. The most obvious is

the hiring of minority personnel. At the time of the study, there were only four nonwhite staff (out of 84). There were no minority juvenile court decision-makers in Woodbury and Scott Counties. Therefore, a *second recommendation argued for the hiring of minority juvenile court decision-makers.*

A third recommendation indicated the use of cultural and gender sensitivity training. This recommendation emerged from the findings that not only race effects were present but there was some evidence of gender impacting case outcomes.

A fourth recommendation emphasized the utilization of internships and volunteers as a means to diversify the juvenile court personnel. Additionally, the logic underlying this recommendation was that by using internships and volunteers, people could get added experience that might make the individual more experience and therefore, more attractive if an opening for employment ever occurred.

The creation of a job line for a liaison between the office and the community was another recommendation. Underlying this fifth recommendation was the belief that there was a need for greater contact between juvenile court personnel and the community in situations other than legal matters. The hope, with the implementation of the recommendation, was to improve trust, communication, etc. among all parties.

A sixth recommendation argued for in-house evaluations of decision making and concerns. This recommendation was put forth to have the Chiefs of each court examine decision making outcomes, who and why youth were receiving such outcomes, and to evaluate as well as discuss what could be done to address any possible trends and DMC at the local level.

The seventh, eighth, and ninth recommendations addressed delinquency by arguing for greater funding for prevention programming and the creation and use of alternative programs to secure detention and other secure forms of corrections. There was a concern that the jurisdictions lack community-based corrections for minorities and females.

The tenth recommendation focused on the adoption of a philosophy of minimal intervention especially for first time offenders involved in minor delinquency. This recommendation was made to lessen the referral of nonserious delinquents from going further into the system and to lessen caseloads for courts facing limited funding and personnel shortages.

The eleventh recommendation called for the placement of intake decision making to the prosecutor's office. This recommendation was made because the findings revealed that most of the race differences in case outcomes occurred at intake.

The last recommendation to be discussed called for improved relations and communication between the police and the community. Findings from the juvenile court personnel and the youth interviewed cited the police as a possible contributor to DMC.

A Historical Look at What Has Occurred in Iowa Since the Last Assessment Study

What is listed below details a notation of things that have occurred in Iowa concerning DMC since the assessment study in early 1993. The information was adapted from Kuker (2006) and is not meant to provide an exhaustive detail of activity (see also, Richardson, 2005).

1993

- (January) Applied for Phase II OJJDP DMC Discretionary Grant.
 - DMC pilot community proposed that would allow for programmatic community effort to impact DMC.
 - Continued work w/ ICIS.

- (Spring) DMC Phase I Assessment Completed including UNI studies, enhance monitoring for DMC, Town Meetings, etc.
- (Summer) RFP released and funding provided for DMC Community – Jane Boyd Community House – funding is from Phase II Discretionary dollars.
- (Summer) Funding provided for planning initiatives in Black Hawk, Polk, Scott, & Woodbury Counties.
- JJAC continues to make funding available for DMC programs with formula grant funds.
- Continued work of DMC Task Force – by the end of the year Task Force stops meeting.

1994

- DMC coordinator hired and begins work for CJJP. Coordinator provides intensive work with communities regarding specified DMC issues. Coordinator also provides DMC related training to state and local officials.
- Continued work with State Court Administrators Office on ICIS.
- Continued funding provided for DMC Community – Jane Boyd Community House – funding is JJDP Act formula grant funds.
- Special technical assistance provided to Jane Boyd through Office of Juvenile Justice and Delinquency Prevention and its TA providers.
- JJAC continues to make funding available for DMC programs with formula grant funds.

1995

- DMC coordinator continues work for CJJP.
- Continued work with State Court Administrators Office on ICIS.
- JJAC continues to make funding available for DMC programs with formula grant funds.
- Continued funding provided for DMC Community – Jane Boyd Community House – funding is JJDP Act formula grant funds.

1996

- DMC coordinator continues work for CJJP.
- Final year of funding provided for DMC Community – Jane Boyd Community House – funding is JJDP Act formula grant funds.
- CJJP requests technical assistance on effort with ICIS – Howard Snyder provides assistance – ICIS and CJJP develop contract with McGladery and Pullen to create basic data collection formats.
- JJAC continues to make funding available for DMC programs with formula grant funds.

1997

- (Summer) DMC Coordinator resigns.
- Data formats completed with ICIS provider test runs initiated.
- JJAC continues to make funding available for DMC programs with formula grant funds.

1998

- JJAC continues to make funding available for DMC programs with formula grant funds.
- Limited statewide use of ICIS hinders implementation of statewide data collection initiative.

1999

- (Summer) JJAC enters into contract with ISU 4-H Extension – funding source JJDP Act formula grant. Extension hired to provide assistance to state and local officials to further efforts of DMC.
- JJAC continues funding DMC programs with formula grant funds.
- CJJP begins work on justice data warehouse – blends DMC efforts with ICIS into a state justice data warehouse initiative.

2000

- (May) JJAC reinitiates a small subcommittee to deal with a variety of DMC issues related to its contract with ISU 4-H extension – subcommittee evolves in to state DMC Committee.

- JJAC continues contract with ISU 4-H Extension.
- JJAC continues to make funding available for DMC programs with JJDP Act formula grant competitive process funds.
- (July) JJAC initiative allocates portion of JJDP Act formula grant to local community planning entities (Decategorization Governance Boards - Decats). Communities have option of utilizing allocated funds for DMC related issues.
- (August) JJAC approves establishment of DMC Committee.

2001

- DMC Committee continues meeting every-other month.
- (January) Contract terminated with ISU Extension
- Allocation initiative with portion of JJDP Act formula grant to local community planning entities – Decats continues. Communities have option of utilizing allocated funds for DMC related issues.
- (February) JJAC approves funding for technical support of state and local DMC effort.
 - (October) RFA released for DMC Resource Center Concept that will assist with local planning, provide for statewide DMC Conference, allow for education and information provided to key decision makers, assist w/ program development, etc.
 - (December) JJAC approves funding for DMC Resource Center with National Center for Family Centered Practice – University Of Iowa – project will start in 2002.
- (February) JJAC approves funding for DMC Diversion effort aimed development of pilot approaches to impact minority youth in secure settings.
 - (Summer) Project is approved for funding but withdraws its application because of issues related to complying with other (non DMC) requirements of the JJDP Act.
 - (Fall and early winter) DMC subcommittee meets to redesign RFA for DMC Diversion effort. Meetings additionally held with chief Juvenile Court Officers for potential feedback on RFA design.
- (May) CJJP applies for and is approved for funding from Justice Research and Statistics Association (JRSA) that will allow for development of standardized DMC reports for its justice data warehouse initiative.
 - (Summer) Meeting initiative with committee of Juvenile Court Services Staff (ICIS User Group) to begin process of standardized data input and cleaning of ICIS data.
 - (Fall and early winter) Meetings held with ICIS user group to begin development of standardized reports relative to DMC and ICIS.
- (November) JJAC approves funding for additional years funding for DMC Resource Center Concept and for support for DMC Diversion effort.

2002

- DMC Committee continues meeting every-other month.
- Allocation initiative with portion of JJDP Act formula grant to local community planning entities – Decats continues. Communities have option of utilizing allocated funds for DMC related issues.
- (January) Meetings held with Chief Juvenile Court Officers to finalize development of standardized reports relative to DMC and ICIS.
- (January) DMC Resource Center begins its efforts
 - (January) CJJP shares data and other relevant information with Resource Center as it gather information to design its website.
 - Intensive technical assistance is initiated in a number of local sites.
 - DMC website is initiated (<http://www.uiowa.edu/%7Enrcfcp/dmrc/>).
- (July) DMC Diversion Effort with Polk County is initiated.
- (November) First State DMC Conference is held – planning provided by DMC Resource Center.

2003

- DMC Committee continues meeting every-other month.
- Allocation initiative with portion of JJDP Act formula grant to local community planning entities – Decats continue. Communities have option of utilizing allocated funds for DMC related issues.
- (March) Three year plan is submitted and includes select DMC data from ICIS.

- (Spring) Woodbury County holds first local DMC Conference.
- DMC Diversion effort in Polk County Continues.
- DMC Resource Center continues intensive technical assistance in local sites.
- DMC website is maintained by Resource Center (<http://www.uiowa.edu/%7Enrcfcp/dmrc/>).
- (November) State DMC Conference is held - planning provided by DMC Resource Center.

2004

- DMC Committee continues meeting every-other month.
- Allocation initiative with portion of JJDP Act formula grant to local community planning entities – Decats continues. Communities have option of utilizing allocated funds for DMC related issues.
- DMC Diversion effort in Polk County enters third and final year.
- (March) Three year plan update is submitted and includes select DMC data from ICIS.
- (Spring) TA is provided to Chief juvenile court officers regarding risk assessment for juvenile detention screening tool – process begins to draft tool.
- (Summer) Planning data with information from Iowa Department of Human Services (Child Welfare Data) and CJJP's ICIS warehouse is provided to juvenile justice system officials.
- (Summer) Iowa Department of Human Services initiates DMC related child welfare effort thru contract with DMC Resource Center– efforts includes state planning and local site work.
- (Fall) Michael Leiber, Ph.D., initiates process to update Iowa's assessment study in select Iowa counties. Research efforts utilizes information from ICIS.
- DMC Resource Center continues intensive technical assistance in local sites.
- DMC website is maintained by DMC Resource Center (<http://www.uiowa.edu/%7Enrcfcp/dmrc/>).
- (December) State DMC Conference is held - planning provided by DMC Resource Center.

2005

- DMC Committee continues meeting every-other month.
- Allocation initiative with portion of JJDP Act formula grant to local community planning entities – Decats continue. Communities have option of utilizing allocated funds for DMC related issues.
- (March) Three year plan update is submitted and includes select DMC data from ICIS.
- (Spring) Planning data with information from Iowa Department of Human Services (Child Welfare Data) and CJJP's ICIS warehouse is provided for second year to juvenile justice system officials.
- (Summer) DMC Diversion effort in Polk County provides final reports to DMC Committee.
- Iowa Department of Human Services continues DMC related child welfare effort thru contract with DMC Resource Center– efforts includes state planning and local site work.
- (Summer) Representatives from “Urban Children are Really Essential (UCARE)” are added to DMC committee. Site work with UCARE is coordinated with local efforts underway with DMC Resource Center.
- (Fall) CJJP works with Chief juvenile court officers in select jurisdictions to pilot a juvenile detention screening tool.

Additional information on DMC activity in Iowa can be found at:

<http://www.uiowa.edu/%7Enrcfcp/dmrc/>

Summary

An inspection of the identification results and findings from both prior research and the formal assessment study of 1993 indicate that minority youth are overrepresented in many stages throughout Iowa's juvenile justice system. Although legal and extralegal

factors explained most of the decision making in Black Hawk, Woodbury, Polk, and Scott Counties, under certain conditions minority youth, among other outcomes, are more likely to be referred to juvenile court, not participate in informal adjustments, and be recommended for further court proceedings than similarly situated whites. The race findings seem to occur earlier in the proceedings than later.

Chapter Three

The Present Research

The present study is an assessment of the factors, in the form of case-level data, that influence juvenile court proceedings and outcomes in four juvenile court jurisdictions: Black Hawk, Johnson, Linn, and Scott. Under scoring the need for the study is that the first formal assessment research was conducted with case record data from 1980 through 1991 and findings from interviews with juvenile court personnel were conducted in 1991 and 1992 and disseminated as a technical report in 1993 (Leiber, 1993). Therefore, given that more than a decade has past and in light of the activity in the state of Iowa to addresses DMC, the research was under taken to address two objectives: (1) to what extent do legal and extralegal considerations, including race, impact decision making in each of the four jurisdictions, and (2) in Black Hawk and Scott County, how the observed results compare to those reported in 1993.

In this Chapter, the data and sample are described as are the structural characteristics of the jurisdictions, the case characteristics, and the decision making stages. The analysis procedures employed follows and concludes the discussion.

Data and Samples

Data

In contrast to the first assessment study that examined data from juvenile court case files, in this second research effort information was coded from Iowa's Justice Data Warehouse (JDW). JDW is a central repository of key criminal and juvenile justice information. Information for the warehouse is taken from the Iowa Court Information System (ICIS). ICIS is operated on 100 local data bases and is comprised of subsystems:

juvenile court services, consolidated case processing, financial reporting, jury selection, appellate records management, scheduling, tickler system administration, etc. The overall mission of the JDW is to provide the judicial, legislative and executive branches of state government, and other entities, with improved statistical and decision support information pertaining to justice system activities.

For purposes of administration relating to Iowa's court system, Iowa's 99 counties are organized into eight judicial districts. Presently all eight judicial district are inputting and utilizing information from the ICIS. Information from each of those districts is available for analysis from the SPA's JDW.

The SPA has concluded work on a Justice Research and Statistics Association (JRSA) grant. The project assisted in providing information here to enhance Iowa's assessment and monitoring capabilities for the JJDP Act's DMC core requirement. Over the past four years, the SPA has worked with a juvenile court services committee (ICIS User Group) and Iowa's Chief Juvenile Court Officers to create agreed upon procedures for data entry and analysis. Juvenile court officials have also provided feedback on design for a variety of standardized reports. The activities associated with the JRSA grant enhanced Iowa's ability to provide juvenile court processing and monitoring information that is being used for completion of the DMC Matrices for OJJDP.

Each month the SPA works with ICIS User Group staff to validate JDW data against county reports. The data used to complete the below matrices have been through that validation process. **Despite the validation efforts there are still data entry inconsistencies in certain jurisdictions for certain decision points.** Greater faith in the validity of the data entry dictated the inclusion of the four jurisdictions in this study.

Sampling

A number of sampling techniques were used to gather the data for the present research. Three factors influenced the sampling technique. The first factor is that the dominant racial group is white. Therefore, random sampling was employed with this group of youth. A second consideration is that a relatively small number of minority youth (mostly African American) are present in each jurisdiction. Consequently, over sampling of minority youth was used to ensure large enough numbers to make racial comparisons. For both racial groups, sampling was based on delinquent cases referred to each of the four jurisdictions starting in 1998 through 2004.

Initial runs with the data revealed a relatively small number of cases in all four jurisdictions reached the disposition stage and because underlying the DMC mandate is concern over the disproportionate number of minority youth in the juvenile justice system and in particular, secure corrections (Hamparain and Leiber, 1997), dispositional cases were identified. From these dispositional cases, whites were randomly sampled while for minorities over sampling was used. The total sample of cases used in the study is 4,400. Each jurisdiction comprises 25 percent of the total. The racial breakdown by each jurisdiction is discussed in the section on case characteristics.

The Structural Characteristics of the Jurisdictions

Because of the importance that structural contexts have in increasing our understanding of race, decision making, and social control, information is provided that distinguishes each jurisdiction on these indexes. The structural characteristics discussed were selected on the basis of theory and previous research (e.g., Sampson and Laub, 1993; Leiber, 2003).

Table 3.1 provides the distributions on the population for each jurisdiction and race concentration. Linn has the largest population of the four (n= 191,701) but the percent persons 17 and younger is fairly equal for all of the jurisdictions. All four jurisdictions are predominately white or Caucasian. The largest minority presence is in Scott, followed by Black Hawk. Of the minority youth, in three of the four jurisdictions African Americans comprise the largest percentage ranging from 14 percent to 4 percent. Minority youth classified as “other” make up the largest percentage in Johnson.

Within the largest city of each jurisdiction, African Americans make up the largest percentage of minority youth in Waterloo, Davenport, and Iowa City. In Cedar Rapids, the largest reported minority youth group is Asian.

Table 3.2 presents the distributions for the structural indexes represented by underclass poverty, wealth, and juvenile crime. Underclass concentration is represented by the percentage of persons in poverty, the unemployment rate, the percent of 16 year olds and older employed, the ratio of African American persons to white persons in poverty, the percent minority in poverty and the percent of babies born out of wedlock to teenage mothers. Wealth of a community is captured by the per capita personal income, and median family income. Juvenile crime is measured by official data differentiated by race/ethnicity and expressed as the number of arrests.

Black Hawk can be characterized overall as poorer than the three other communities. Of the eight measures representing underclass and wealth, Black Hawk ranks the highest or second highest on the underclass indexes and lower on the wealth indexes. Scott county appears to be more inline with Black Hawk county on these measures whereas Johnson and Linn counties are more alike.

Case Characteristics

The independent variables include extralegal and legal factors representing race, age, gender, prior record, and current offense. Previous research on the influence of race on juvenile justice decision making includes similar variables (e.g., Bishop and Frazier, 1988). Several central variables, however, such as family status, school status, and detention is not included because information on these was not available. The omission of these variables is a limitation of the study due to their importance in decision making and possible association with race/ethnicity and case outcomes (Leiber and Fox, 2005; Leiber and Mack, 2003; Bishop, 2005). Table 3.3 presents the variables, the coding scheme, and the distributions for the full sample differentiated by Black Hawk, Johnson, Linn, and Scott counties.

The social traits are represented by race/ethnicity, gender, and age. Race/ethnicity is operationalized by white and African American or black. Because of the sampling procedures employed, the racial makeup is evenly distributed across all four jurisdictions. The mean age of the sample is about 15 and ½ years old and a large majority are male (70%). There are no jurisdictional differences in terms of age and gender.

The juvenile's previous history of contact with the system is captured by the variable prior referrals and is treated as an interval variable. The mean number of prior referrals for the full sample is 2.23. An examination for differences by jurisdiction reveals that youth in Johnson (mean=1.70) have on average less referrals than any other jurisdiction and in particular compared to Linn (mean= 2.27) and Scott (mean=2.96). Three variables are used to represent the current offense: the number of charges

(interval), the seriousness of the offense (less to more severe, interval), and the type of offense. Because of the theoretical importance of drug offending in a contextual analysis of race and decision making (e.g., Sampson and Laub, 1993), dummy variables were created to distinguish between property, person, drug offenses, and alcohol. Referrals consisting of disorderly conduct, resisting arrest, probation and conduct offenses, and so forth comprise the reference group. Most cases are classified as less serious (mostly, misdemeanors) and the largest percent of crimes involve property offenses (43%).

Tests for differences by jurisdiction show that a greater percentage of cases in Linn involve a person offense (33%) relative to the other three jurisdictions but especially compared to Black Hawk (20%). Differences are also noted between these same two jurisdictions and activity classified as "other". In Black Hawk, 22 percent of the cases involved behavior that fell into this grouping compared to eight percent in Linn. Despite these differences, overall the case characteristics in each jurisdiction are more alike than they are different.

Decision Making Stages

This study focuses on the extent legal and extralegal factors, including race, impact decisions once the youth is in the system. Decision making is measured by intake, petition, consent decree, adjudication, and judicial disposition. As noted previously, detention is not included as a dependent variable because of the lack of information.

Two measures of intake decision making were used as dependent variables. To overcome the shortcoming of past conceptualizations of decision making at intake, this stage in the process was measured in two ways: (1) Intake 1 - release/diversion versus

further court processing and (2) Intake 2 - release versus diversion/further court processing. The most common outcome at intake was court referral (45%), followed by informal adjustment or diversion (32%) and release (24%). In Iowa, juvenile court officers make the decision to release, to offer an informal adjustment in the form of diversion, or to recommend further court processing at intake. State statute requires an admission of guilt as a prerequisite for diversion or an informal adjustment (Iowa Juvenile Code Statute 232.29).

The decision to seek further formal court proceedings is made by the prosecutor and occurs at the stage of petition. A significant majority of the juveniles (92 percent) were petitioned.

The next stage in the proceedings is initial appearance, and analogous to the use of diversion or the informal adjustment at intake, 19 percent of the youth at this stage accept a consent decree while the rest go on to the adjudication stage. As with the intake stage, these youth must admit guilt to participate in the diversionary option.

The adjudication stage is operationalized as dismissed and as the adjudication of delinquency. Eighty-three percent of the cases reaching this stage were adjudicated delinquent.

Next to the death penalty, transfer to adult jurisdiction can be the most severe sanction given to a youth and disproportionately involves African Americans relative to whites (Stahl, 1999). In the present research, youth transferred to adult court were first included within the definition of judicial disposition (see also, Bishop & Frazier, 1988). Judicial disposition was defined as an outcome that resulted in a change of placement (e.g., training school, residential facility, group home) or transfer to adult court versus

probation and/or treatment within the community. Thirty-two percent of the youth at this stage received a disposition involving a change of placement/transfer to adult court. To assess for the possible confounding effects of age and the waiver of youth to adult court, we also examined judicial disposition without this outcome included in the placement category of the dependent variable. Waiver by itself is not analyzed as a separate stage since only four percent of the entire sample was referred to this stage.

Next, each of the decisions is distinguished first by jurisdiction (Part A of the table) then by race and jurisdiction (Part B of the table). The results are presented in Table 3.4 through Table 3.9. **Note that the distributions among outcomes is inflated due to the over sampling of African American youth and judicial disposition cases.**

Intake Decision Making

Decision Making In General. In Part A of Table 3.4., the findings for intake by jurisdiction are presented and jurisdictional differences are evident. In Scott, the intake outcome of release is used by far much more often than any other jurisdiction (44% compared to 9% for Johnson). Conversely, the outcome of diversion or informal adjustment is used relatively infrequently in Scott (10%) compared to Johnson (43%). The case outcome of recommendation for further court proceedings is most evident in Linn (49%) followed by Johnson (48%), Scott (46%) and Black Hawk (36%).

Race and Decision Making. In Part B of Table 3.4, the results for intake differentiated by race and jurisdiction are provided. Two common occurrences exist. African American youth are more likely to be referred for further court proceedings than their white counterpart with the largest discrepancy in both Linn (+16%) and Scott (+16%), followed by Johnson (+14%) and Black Hawk (+6%). A second consistent

finding is that African Americans participate less in diversion than whites. The greatest discrepancies are in Johnson (33% African American, 54% white) followed by Black Hawk (33% African American, 50% white), Linn (27% African American, 38% white) and Scott (7% African American, 13% white).

Overall, evidence of jurisdictional differences in intake decision making as well as the findings that African American youth are more likely to be referred to court and participate less in diversion are consistent with results reported nation-wide (e.g., Bishop, 2005). Keep in mind, that these results involve only two-way comparisons and do not provide any indications as to why these differences exist.

Petition Decision Making

Decision Making In General. Next, we examine petition decision making by jurisdiction and these findings are presented in Part A of Table 3.5. As discussed previously, most cases resulted in a petition. For example, in Scott 98 percent of the cases that reached this stage resulted in a petition while in Johnson it is 87 percent. Tests between jurisdictions and petition decision making failed to reveal statistically significant relationships.

Race and Decision Making. An examination of the distributions in Part B of Table 3.5. show few differences by race and jurisdiction in terms of authorizing a petition. Irrespective of race, youth in general who reach the petition stage will most likely be petitioned.

Initial Appearance Decision Making

Decision Making In General. The distributions by initial appearance and jurisdiction are provided in Part A of Table 3.6. Similar to results are petition, most cases

move on to the next stage in the proceedings. Jurisdictional differences exist in that in both Johnson and Linn there is a greater chance of youth receiving a consent decree (36% and 23%, respectively) than in Black Hawk (11%) and Scott (2%).

Race and Decision Making. Part B of Table 3.6. presents initial appearance decision making by jurisdiction and race. There are no statistically significant associations.

Adjudication Decision Making

Decision Making In General. Most youth that reached the adjudication stage are adjudicated delinquent (Part A, Table 3.7.). However, youth in general in Black Hawk have a slightly less chance of this occurring (not being adjudicated) (23%) than youth in Scott (10%).

Race and Decision Making. Few differences by race, jurisdiction and adjudication decision making are present (Part B, Table 3.7.). There are two exceptions. First, within the racial group of African Americans, a larger percent **is less likely** than whites to be adjudicated delinquent in both Black Hawk (28% of African Americans relative to 17% of whites) and Linn (21% of African Americans relative to 11% of whites). A second finding is that in Scott, nonadjudication was evident for 39 African Americans compared to zero of the whites.

Judicial Disposition Decision Making (Includes Waiver)

Decision Making In General. Jurisdictional differences in judicial disposition decision making exist (Part A, Table 3.8.). In Johnson and Linn, roughly about half of the youth will receive an outcome of placement/waiver compared to 32% in Black Hawk and 36% in Scott.

Race and Decision Making. First, more African Americans than whites are present at the judicial disposition stage in all four jurisdictions (Part B, Table 3.8.). With the exception of Black Hawk, within racial groups and within a disposition outcome, African Americans are more likely to remain in the community than whites. For example, in Linn, 53% of the African Americans received a community sanction compared to 41% of the whites. Involving placement/transfer decisions in Black Hawk, 37% of the African Americans received this outcome relative to 23% of the whites. Conversely, 59% of whites received a change of placement/waiver in Linn compared to 38% of the African Americans.

Judicial Disposition Decision Making (Excludes Waiver)

Decision Making In General. Once waiver is excluded, the reported jurisdictional differences in judicial disposition decision making no longer exist (Part A, Table 3.9.). In Linn, the loss of cases involving transfer to adult court, brought the use of the more severe outcome of placement to be more in line with judicial disposition in the other jurisdictions.

Race and Decision Making. Excluding cases that involved a waiver did not change the overall patterning of results reported above (Part B, Table 3.9.). However, two differences emerge. More specific, it appears that in Black Hawk more African Americans than whites are waived as the percent racial gap in those placed is smaller (from 14% more of the African Americans to 9%). Conversely, in Johnson, a larger percent of whites are waived (racial gap was just 2% with waiver included, with waiver excluded, the percent is 15% or 20% of whites placed compared to 35% of African Americans). A similar occurrence is evident in Linn.

Analysis Procedures

The results from the cross-tabulations, for the most part, suggest that the kinds of youth each jurisdiction handles are more alike than different. Despite these similarities in the legal characteristics associated with cases, variation exists in decision making by jurisdiction. In terms of race, differences in outcomes appear to be present only at intake and this is evident in all four jurisdictions. African American youth are more likely than whites to be referred for further court proceedings than whites and they are less likely to be involved in diversion at intake. Because of the jurisdictional differences in decision making, the analysis to follow will separate out by jurisdiction to determine if these results remain once legal and extralegal factors are considered.

More specific, multivariate analysis, in the form of logistic regression, will be used. This type of statistical tool allows for the ability to take into consideration multiple factors at the same time, and these factors are assumed to be the same (i.e., crime severity, crime type, etc.) that a decision-maker relies on in arriving at a case outcome for a youth. Theoretically, once legal criteria and to some degree, extralegal factors such as age, are taken into account race should not explain decision making. Accordingly, if race differences exist in case outcomes it is because of differences in the legal and extralegal factors. That is, if African Americans are found to be more likely than whites to be recommended for petition, it is, for example, because they evidence greater involvement in more serious crime. This line of thought is how we believe and want the system to work. Conversely, if race differences in case outcomes are present even after legal and extralegal factors are considered, that means in addition to crime severity, etc., something else is going on that might involve some form of bias and/or program deficiency.

In addition to estimating additive models for each dependent variable, separate models for each jurisdiction and each racial group will be estimated to assess for the possibility of interaction effects. Recall that a race interaction relationship with decision making indicates that some variable, such as gender or crime type, works in conjunction with race to influence decision-makers differently than other youth. For example, being African American and a male (African American male) may impact decision making differently than being just African American or being just a male or being a white male.

Therefore, tests for the possibility of combination relationships between race and each independent variable with decision making allows for a more thorough examination of the complexities surrounding juvenile justice decision making than just the assessment of the individual effects of race, crime severity, etc. on case outcomes. Coefficient comparison tests involving z scores were performed to examine the presence of race interaction effects (e.g., Paternoster et al., 1998).

Objectively, after legal and extralegal factors are considered, tests should not produce findings of either individual relationships of race with decision making or evidence of race interaction relationships with other variables and case proceedings. If a race interaction relationship is found to exist, this points once again to the possibility that bias may be operating or at the minimum something exists that is working to disadvantage of one racial group relative to another.

Logistic regression coefficients by themselves do not lend to the interpretation of what impact an individual variable (race, crime severity, etc.) has on a dependent variable (decision making). To allow for the comparison of the relative effect of each variable on decision making, the regression coefficient for each independent variable and the mean of the dependent variable for each equation are used to calculate probability estimates for

variables on that have a statistically significant effect on the dependent variable (for further information on this procedure and how to calculate refer to Peterson, 1985). The probability estimates were used to examine and compare the magnitude of the effect. Ideally, factors such as crime type, crime severity, etc. should increase the probability of receiving an outcome more than race/ethnicity net the effects of legal and extralegal considerations on decision making.

The results from zero-order correlations and from the collinearity diagnostic statistics revealed acceptable levels of shared correlation among variables (Belsley et al., 1980). The zero-order relationships among the variables are provided for the four jurisdictions and are presented in the appendices 3.1. through 3.4.

Chapter Four

The Influence of Legal and Extralegal Factors on Decision Making

In this Chapter, results from examining the factors that explain decision making for each jurisdiction once multiple variables are considered are presented. Each section is differentiated by jurisdiction and a summary section is provided at the end of each discussion.

Black Hawk County

Intake Decision Making

The logistic regression results and the probabilities for intake decision making are presented in Table 4.1. The left side of the table provides the results for the intake decision pertaining to court referral whereas on the right side the results represent the decision to release.

Race is a statistically significant determinant of the intake decision to refer you on for further court proceedings (intake 1, left side of table) even after considerations for the relative effects of other extralegal factors and legal variables. Compared to being a white youth, being an African American youth increases the probability of receiving the more severe outcome at intake by +.10. Furthermore, tests for race interaction relationships with other independent variable and intake decision making revealed one statistically significant joint combination effect. African Americans charged with an alcohol offense increases the likelihood of intake referral relative to all other youth. An examination of the separate models for white and black youth show this relationship between race and alcohol and intake decision making in greater detail. For whites, alcohol impacts the dependent variable in a negative manner by a probability of -.24, while for blacks the effect is positive and increases the chances of court referral by a probability of +.34.

Furthermore, race is not a statistically significant predictor of intake decision making involving the outcome of release (intake 2, right side of table). Interestingly, being charged with alcohol for a white is statistically significant and increases the likelihood of release by +.14. No such effect is present for African Americans.

Dependent on the intake decision, legal factors such as prior referrals, the number of charges, crime severity, and offenses involving persons or drugs are statistically significant predictors, and the direction of the effects are what would be expected. For example, the more severe the crime the greater the chances of receiving a recommendation of court referral (+.09) and not being released (-.04). It is important to note that females are less likely than males to be referred for further court proceedings by a probability of -.09 once relevant factors are controlled.

Formal Court Decision Making

Table 4.2. presents the results for decision making at petition, the initial appearance hearing, adjudication, and two versions of judicial disposition (one with and without waiver included). Overall, there are not as many statistically significant effects with decision making as one would expect. The lack of significant relationships with decision making is most likely the result of two factors: (1) some of the decision making stages do not have much variation – that is, most cases resulted in petition, adjudication, etc. and (2) further into the system, the number of cases is relative small which raises some concern regarding misspecification (e.g., masked effects). Therefore, the results should be viewed with some caution.

Estimations of the relative effects of the variables on each dependent variable revealed one statistically significant race interaction effect at petition and one additive or main effect at adjudication. Older African American youth have an increased likelihood of being petitioned by

a probability of +.02 than all other youth. On the other hand, being African American decreases the chances of being adjudicated by a probability of -.13 than similarly situated whites.

Summary

Legal factors were most often predictors of intake decision making and to a lesser extent, formal decision making as represented by the stages of petition, initial appearance, adjudication and judicial disposition. Race, however, was also a predictor of the decision to recommend further court proceedings at intake, petition, and adjudication. More specific, African American youth and African Americans charged with an alcohol offense were more likely than whites to be referred for further court proceedings at intake. Older African Americans were discovered to be petitioned. Conversely, African American youth were found to be less likely than white youth to be adjudicated delinquent.

Johnson County

Intake Decision Making

The logistic regression results and the converted information into probabilities representing the factors that influence intake decision making are provided in Table 4.3. Similar to intake decision making in Black Hawk county, race has a direct impact on referrals for further court proceedings. African American youth have increased likelihood of receiving the more severe outcome than white youth by a probability of +.15. Race is also a statistically significant determinant of the intake decision involving release. Compared to a similarly situated white being African American increases the chances of being released by a probability of +.10. On the basis of these two findings, it means that African Americans are less likely than whites to participate in intake diversion or informal adjustments.

Legal criteria are statistically significant predictors of intake decision making and operate in the anticipated direction. For example, prior referrals, the number of charges, and crime severity positively effect the decision to recommend further court proceedings and inversely effect the decision to release youth.

Formal Court Decision Making

Table 4.4. provides the logistic regression results and probabilities for the modeling of decision making as represented by petition, initial appearance, adjudication, and judicial disposition with and without waiver included. As in Black Hawk county, there are not as many statistically significant effects with decision making as one would expect. The lack of significant relationships with decision making is most likely the result of the lack of variation in the stages and the relative small number of cases at each stage. Therefore, the results in the table and those discussed below should be viewed with caution.

There is no evidence of main or additive race effects on any of the five dependent variables representing formal court decision making. Tests for race interactions revealed the presence of joint relationships with initial appearance and judicial disposition (without waiver included). A closer examination of the joint relationships between race and crime severity with decision making at initial appearance shows that whites charged with a more severe crime are less likely to move on to adjudication by than all other youth by a probability of $-.09$. At judicial disposition (without waiver), being African American and older decreases the likelihood of receiving a change of placement relative to all other youth by a probability of $-.05$.

Summary

Legal factors were predictors of intake decision making and to a lesser extent, formal decision making as represented by the stages of petition, initial appearance, adjudication, and

judicial disposition. Race was also found to be a predictor of the decision to recommend further court proceedings and release at intake. Whites charged with a more severe crime were more likely than other youth to participate in a formal adjustment at initial appearance. African Americans who are older appear to have an increased probability of receiving community based corrections than all other youth at judicial disposition once waiver is excluded from consideration.

Linn County

Intake Decision Making

The results and probabilities from regressing the two measure of intake with the variables representing race and other extralegal factors and legal criteria are detailed in Table 4.5. After controlling for the independent variables, race remains a statistically significant predictor of the decision to recommend further court proceedings. Compared to being white, an African American has an increased probability of +.12 chance of receiving the more severe outcome.

Factors such as the number of prior referrals, the number of charges, and crime severity predict to varying degrees the decision to recommend further court proceedings and release at intake. Interestingly, while involvement in property offending and alcohol would be expected to be handled possibly with an informal adjustment (as is indicated in the table), so too does participation in person offenses though the relationship appears to be tied to being white. Tests for interaction effects, however, revealed that the effects of each independent variable do not differ by race.

Formal Court Decision Making

Table 4.6. provides the results for decision making at petition, initial appearance, adjudication, and judicial disposition. As in the other two jurisdictions, there are not as many statistically significant effects with decision making as one would expect. The lack of significant relationships with decision making is most likely the result of the lack of variation in the stages and the relative small number of cases at each stage. Therefore, the results in the table and those discussed below should be viewed with caution.

Race is a statistically significant predictor of decision making at adjudication and judicial disposition. Relative to similarly situated whites, African Americans are less likely to be adjudicated delinquent (probability = $-.12$) and to receive a judicial disposition outcome involving placement out of the home or transfer to adult court (probability = $-.18$). Once waiver is not considered, the statistically significant additive effect of race on the dependent variable disappears.

Summary

Legal factors were predictors of intake decision making and were much less evident as predictors of formal decision making as represented by the stages of petition, initial appearance, adjudication and judicial disposition. Being African American was also found to be a predictor of the decision to recommend further court proceedings. African American youth were also discovered to be less likely to be adjudicated delinquent and receive an outcome at judicial disposition involving placement/transfer to adult court than their white counter part.

Scott County

Intake Decision Making

For Scott, the logistic regression results and probabilities for intake decision making are presented in Table 4.7. Once relevant legal factors as well as other extralegal considerations are taken into account, race is still a determinant of the decision to recommend further court proceedings. Being African American increases the likelihood of receiving this outcome by a probability of +.13. Race is not a statistically significant predictor of the decision to release youth at intake.

As expected, legal criteria such as prior referral, the number of charges, crime severity, and being involved in property offending influence intake decision making and in the anticipated direction. That is, the more severe the crime, the greater the chances of being referred for further court proceedings as well as not receiving an outcome of release.

Being a female decrease the probability of receiving a recommendation of further court proceedings by -.09. Differentiating the models by race reveals that the gender effect with intake decision making appears to apply to whites (statistically significant, $p < .01$, probability = -.23) and not African Americans (not statistically significant, probability = +.03). Tests for a race/gender interaction with the dependent variable, however, failed to support a race difference. Thus, the effect of being a female on intake decision making is not conditioned by race.

Formal Court Decision Making

Table 4.8. provides the results for decision making at petition, initial appearance, adjudication, and judicial disposition. As in the other three jurisdictions, there are very few statistically significant effects with decision making. There is no evidence of either direct or interaction effects of race on formal court decision making.

The lack of significant relationships with decision making is most likely the result of the lack of variation in the stages, and the relative small number of cases at each stage. Therefore, the results in the table and those discussed below should be viewed with caution.

Summary

While legal criteria was discovered to predict intake decision making and to a lesser extent formal court decision making, race and gender were found to also influence intake decision making. Being African American increased the chances of receiving a recommendation of further court proceedings more so than their white counter part. In contrast to their male counter part, females appear to be less likely to receive the more severe intake outcome.

— Chapter Five

Summary and Recommendations

In this Chapter, a summary of the results is presented and comparisons will then focus on how those of Black Hawk County and Scott County coincide with the findings reported in the first assessment study (Leiber, 2003; 1993) and previous research conducted nation-wide. The discussion concludes with recommendations for future research and policy.

Summary of Quantitative Findings

Table 5.1. provides a summary of the results from the present research (left hand side of table), and when applicable for Black Hawk County and Scott County those reported by the earlier assessment study (Leiber 2003; 1993) (right hand side of table). Because the present study was not a replication of the earlier assessment study, the results may differ. What is important when examining the table is to look for not only individual results but trends or commonalities in the results from the two studies. Also, keep in mind that the present research is purely quantitative while the earlier assessment study used both quantitative and qualitative research methodologies. For the purpose of this Chapter, only the quantitative findings will be reported from the prior assessment study.

On the basis of the information available, minority youth overrepresentation and in particular, African Americans, in the juvenile justice system, has been and continues to be evident in each of the four jurisdictions and in the state as a whole (refer to identification discussion and Chapter 2). For the state of Iowa and in Black Hawk, Johnson, Linn, and Scott, minority youth are also reported to be less involved in

diversion than are whites. Provided below is a summary of the findings specific to each jurisdiction.

Black Hawk

Legal factors were most often predictors of intake decision making and to a lesser extent, formal decision making as represented by the stages of petition, initial appearance, adjudication and judicial disposition. Race, however, was also a predictor of the decision to recommend further court proceedings at intake, petition, and adjudication even after considerations for the relative effects of other extralegal and legal variables.

More specific, after controlling for relevant legal and extralegal considerations:

- African American youth have a 10 percent increased likelihood than similarly situated whites to be referred for further court proceedings at intake. Or, for every 100 white youth referred, there will be 110 African Americans.
- African Americans charged with an alcohol offense were found to have a 34 percent increased likelihood than other youth to be referred for further court proceedings at intake. Or, for every 100 youth referred, being African American and involved with alcohol will increase the chances of referral by +34 (or 134).
- Being older and African American increased the chances of being petitioned by 2 percent compared to other youth. Or, for every 100 youth petitioned, being older and African American will increase the chances of being petitioned by + 2 (or 102).
- Being African American decreases the chances of being adjudicated by 13

percent than similarly situated whites. Or, for every 100 white youth adjudicated, there will be 87 African American youth.

It is important to note that females are less likely than males to be referred for further court proceedings by 9 percent once relevant factors are controlled.

Johnson

As in Black Hawk, legal factors were predictors of intake decision making and to a lesser extent, formal decision making as represented by the stages of petition, initial appearance, adjudication and judicial disposition. For example, prior referrals, the number of charges, and crime severity increased the chances of being recommended for further court proceedings at intake.

Race, however, was also found to be a predictor of decision making. After controlling for relevant legal and extralegal considerations the findings are:

- African American youth have increased likelihood of receiving the more severe outcome than white youth by 15 percent. Or, for every 100 white youth, there will be 115 African Americans referred.
- Compared to a similarly situated white being African American increases the chances of being released by 10 percent. Or, for every 100 white youth released, 110 African Americans will be released.

On the basis of these two findings, it means that African Americans are less likely than whites to participate in intake diversion or informal adjustments.

- Whites charged with a more severe crime were 9 percent more likely than other youth to participate in a formal adjustment at initial appearance. Or, for 100 youth, being white and charged with a severe crime would

increase the chances of a formal adjustment by +9 (or 109).

- African Americans who are older appear to have a 5 percent increased chance of receiving community based corrections than all other youth at judicial disposition once waiver is excluded from consideration. Or, for every 100 youth, being African American and older increases the chances of community based corrections by +5 (or 105).

Linn

As in the other two jurisdictions, legal factors predict decision making and so too does race. After controlling for relevant legal and extralegal considerations the findings are:

- Compared to being white, an African American has an increased chance of 12 percent of receiving a recommendation for further court proceedings at intake. Or, for every 100 white youth, there will be 112 African Americans referred on at intake.
- Relative to similarly situated whites, African Americans are less likely to be adjudicated delinquent by 12 percent. Or, for every 100 white youth adjudicated, there will be 88 African Americans adjudicated.
- African Americans are less likely than whites to receive a judicial disposition outcome involving placement out of the home or transfer to adult court (by 18 percent). Or, for every 100 white youth placed outside of the home, there will be 82 African Americans.

Scott

Similar to the findings from the other three jurisdictions, legal factors as well as other extralegal considerations and race are determinants of intake decision making and to a lesser degree, formal court proceedings. As expected, legal criteria such as prior referral, the number of charges, crime severity and being involved in property offending influence intake decision making and in the anticipated direction. That is, the more severe the crime the greater the chances of being referred for further court proceedings as well as not receiving an outcome of release. After controlling for relevant legal and extralegal considerations the specific race findings are:

- Being African American increases the likelihood of receiving a recommendation for further court proceedings at intake by 13 percent. Or, for every 100 white youth referred on at intake, there will be 113 African Americans.
- There is no evidence of either direct or interaction effects of race on formal court decision making.

Being a female was found to decrease the probability of receiving a recommendation of further court proceedings by 9 percent.

Discussion of Themes

Results from the multivariate analysis reveal that in all four jurisdictions legal factors in the form of such criteria as crime seriousness and prior referral explain decision making and these are often the strongest predictors and this was especially true at the intake stage. Still, there is evidence of race effects on decision making in all four jurisdictions that are not accounted for by legal and relevant extralegal factors. The race

effects varied by the stage and involved both more severe and more lenient outcomes, sometimes in the same jurisdiction.

Race effects, however, were most pronounced and consistently found at the intake stage in all four jurisdictions even after consideration of offending characteristics.

African American youth are more likely to be referred for further court proceedings than similarly situated white youth. Consequently, it appears that both offending characteristics and racial bias seem to be contributing to African American overrepresentation in the juvenile justice system in each of the four jurisdictions. This conclusion was also arrived at in the earlier assessment study (Leiber, 2003, 1993) when similar results were reported for the influence of legal criteria and race on decision making in Black Hawk and Scott counties. In general, the results also parallel those from research across the country (Bishop, 2005; Tracy, 2002).

Studies have reported that the greatest discrepancies in decision making often occur earlier rather than later in the system (e.g., Pope and Feyerherm, 1992). In the present study, support for this claim can be found in the pervasiveness of the effects of race on intake decision making in all four jurisdictions. African American youth were more likely than white youth to receive a recommendation for further court proceedings. It is important to point out that we do not consistently find evidence of African Americans receiving more severe outcomes than whites and in fact, at times, African Americans received what would be perceived as more lenient outcomes (i.e., intake release, less likely to be adjudicated, less likely to be placed out of the home at judicial disposition).

Inconsistent practices are characteristic of “loosely coupled” organizations in general (Leiber and Jamieson, 1995; Weick, 1976; see also Meyer and Rowan, 1977), where structural elements or subunits of an organization are only loosely linked with each other. Both the adult and the juvenile justice systems have been described as loosely coupled (Hagan et al., 1979; Sampson and Laub, 1993), and the concept applies to differences in outcomes between stages in juvenile justice proceedings. While variation in the nature and correlates of juvenile justice decision making allows for individualized justice, loose coupling may perpetuate system biases more at certain points in the process than others.

Each stage within the juvenile justice system incorporates different actors, goals, and more or less specified criteria for determining the best interests of the youth. It is at intake, initial appearance, and judicial disposition that personal discretion is greatest. It was at these stages and adjudication, where differential treatment, for the most part, was operative. The relationship between system goals and actual practices at these points is relatively flexible and subject to greater individual interpretation. Conversely, discretion is exercised less at petition and adjudication, where legal criteria are generally the most influential factors in determining case outcomes. It may be that these latter stages display a stronger or more direct connection between official goals and actual practices that enhance the influence of legal criteria. Overall, the degree of coupling between institutional goals and technical activities varies by system decision point and this variation may either promote or forestall the application of racial stereotyping. For example, in the case of the findings reported here, decision making involving the receiving of the more lenient outcome of non-adjudication, and even the disposition of

community-based treatment (a loosely coupled stage) for African American youth could reflect efforts on the part of the judiciary to correct for errors in prior decision making and to offset previous injustices (Dannefer and Schutt, 1982). Or, these decision making patterns could reflect the awareness of judges of the DMC issue in general and are simply attempting to reduce the presence of African American youth in the juvenile justice system. Whether one finds greater severity or leniency, differential outcomes by race still represent a bias. The task for future research is to conduct more direct tests through interviews as to *why* we this may be occurring.

Although information from the identification phase revealed that minority youth, especially African American youth, are less likely to participate in diversionary outcomes, evidence of this from the assessment study was found only in Johnson County. Previous study has well documented that minority youth are less likely to be involved in informal adjustments than similarly situated whites (e.g., Bell and Lang, 1985; Bishop, 2005; Leiber, 1994; Leiber and Stairs, 1999; Leiber, 2003). A number of explanations have been offered to explain this consistent occurrence. These explanations range from minority youth and their families being less cooperative (including the failure to admit guilt) to minority youth and families unable to attend the intake meeting to biased perceptions on the part of juvenile court personnel or intake officers that minority youth are not suitable for participation in rehabilitative efforts.

In both Black Hawk and Scott Counties, females were discovered to be less likely than their male counterparts at intake to receive a recommendation of further court proceedings at intake. Research in general has shown mixed findings concerning the effects of gender on case outcomes (e.g., Belknap, 2001; Chesney-Lind and

Shelden, 1998). Some research has discovered that females receive more severe outcomes than males, especially in regard to status offenses (e.g., Chesney Lind, 1988). These findings have typically been explained from a traditional sex-role perspective that suggests juvenile justice officials treat females more harshly than males in an attempt to enforce stereotypical notions of proper female behavior and to protect the sexuality of young women. The results from the present study appear to confirm the second perspective offered to explain gender differentials in case outcomes.

This second perspective, the chivalry perspective, suggests that male decision-makers may treat females more leniently because they have been taught by society to protect females, or they may have stereotypical beliefs that make it difficult for them to imagine that females engage in delinquent behavior (e.g., Bishop and Frazier, 1996; Johnson and Scheuble, 1991). These same beliefs may also foster perceptions that females may be more rehabilitative than males and therefore, provided with the opportunity to participate more often in informal adjustments.

Recommendations

The following recommendations are based on the findings reported in Chapter Four and the previous assessment study that are summarized and interpreted in the prior section. The ordering of the recommendations does not reflect a priority or importance. In addition, the State of Iowa should attempt to consider more than one of the recommendations to reduce DMC in each of the four jurisdictions. **A multi-prong approach is needed that incorporates strategies that address delinquency offending, selection bias, and system issues to reduce DMC.** In Chapter Two, recommendations were discussed that were posited by Leiber (1993; 2003) on the basis of the results from

the previous assessment study. These recommendations should be examined and still considered by decision-makers, especially in Black Hawk and Scott, two of the jurisdictions included in both assessment studies, since some of the findings reported here parallel those reported in the first assessment project.

The recommendations discussed below are meant to be general and apply to all four jurisdictions. However, because decision making in general varies by each jurisdiction, and the factors that influence decision making, including race, are unique to each, local solutions and strategies need to be discussed and developed to address DMC in Black Hawk, Johnson, Linn, and Scott.

Recommendation 1: Consideration of Increased Structured Decision Making at Intake

The results from the present study, the previous assessment research (Leiber, 1993; 2003) and prior research by Leiber and colleagues (1994, 1995, 1999, 2003, see table 2.7. of chapter 2) all point to both race and gender differences occurring at this stage even after taking into consideration relevant legal factors. Differences in case outcomes involving release, informal adjustment, and recommendation for further court proceedings at intake were found for minority youth. The most notable finding was that African Americans are recommended for further court proceedings and were less likely than whites in Johnson to participate in informal adjustments. Females were also less likely than males to be referred to court for formal proceedings in two jurisdictions. As previously discussed, a number of explanations

have been offered to explain this consistent occurrence and these range from minority youth and their families being less cooperative (including the failure to admit guilt) to minority youth and families unable to attend the intake meeting to biased perceptions on the part of juvenile court personnel or intake officers. For females, the chivalry perspective suggests that decision-makers may treat females more leniently because they perceive females to be more rehabilitative than males and therefore, are more often provided with the opportunity to participate in informal adjustments. One solution to address these findings is to reduce discretion through the adoption of structured intake criteria.

*Recommendation 2: **Continue to Require Decision-Makers to Participate in Race and Gender Cultural Sensitivity Training***

Both race and gender were discovered to be consistent factors that influenced decision making involving intake. In addition to the possible engagement of volunteers from the community to act as an advocate or youth ombudsman, race and gender cultural sensitivity training may help in attaining greater equality in decision making involving youth irrespective of race/ethnicity and gender. In addition to the findings, this recommendation is based on the need to recognize that possible **racial and gender bias may be more subtle, indirect, and often unintentional rather than overt and**

intentional (see chapter 2, recommendation 3 below).

Recommendation 3: Conduct Additional Research on DMC

In contrast to the first assessment study that examined data from juvenile court case files, in this second research effort information was coded from Iowa's Justice Data Warehouse (JDW) for Black Hawk, Johnson, Lynn, and Scott Counties for the years 1998 through 2004. The jurisdictions of Black Hawk and Scott were also studied in the first assessment project. Missing from this assessment study but included in the first assessment study are the jurisdictions of Polk and Woodbury. Additional research is needed that includes these two jurisdictions not only because of their size in terms of population and racial makeup but for the purpose of allowing for comparisons of decision making and DMC currently relative to the 1980s and early 1990s when the first assessment was conducted.

Greater faith in the findings could also be obtained if additional cases were included from each of the four jurisdictions since at many stages in the proceedings following intake, a small number of cases were evident that might possibly result in misspecification of the models. Further over sampling of disposition cases for the years of 1998 through 2004 could be used to increase the size of the sample and increase faith in the results.

A third recommendation for future research is to weight the sample since the results reported were based on un-weighted data and therefore do not reflect a “true” indication of case outcomes in each of the jurisdictions. It is important to note that, as indicated earlier, results based on data prior to the over sampling of dispositional cases, yielded findings, especially at intake, similar to those reported with the over sampling of the dispositional cases.

A fourth recommendation for future research is to use qualitative methods in the form of surveys and interviews to gain greater detail and insights into one or more of the stages where race and gender differences were evident. Results from the use of qualitative techniques with juvenile court personnel should produce greater insights into what role race and gender have in decision making and what can be done to change that role(s). As discussed in Chapter Two, the use of the use of semi-structured interviews with juvenile court personnel in the first assessment study (Leiber, 2003; 1993) centered on their views on correctional orientations, race, crime, family, and respect for authority. The respondents were also asked for their explanations of the quantitative findings and suggestions to reduce disproportionate minority confinement (DMC). This strategy was employed because of beliefs that the

effects of race are subtle and often conditioned by factors used by decision-makers to legally justify case processing and outcomes. The use of qualitative methods would drastically improve our understanding by providing a contexts for the findings reported here.

A final recommendation for further research is to expand the inquiry beyond whites and African Americans. Prior research in Iowa and across the country has shown that differences in case proceedings and outcomes may exist among Hispanic or Latino youth relative to Native American youth and African Americans and whites (see Leiber, 1994; 1995). Research is needed to assess how these groups compare in case processing and outcomes relative to whites, African Americans and other minority youth.

Recommendation 4: Continue to Use and Improve Upon Iowa's Justice Data

Warehouse (JDW) System for Case Management and DMC

As noted previously, in the first assessment study information on youth came from a survey of case files whereas for this second assessment data came from JDW. The use of data from JDW was intentional for the purpose of easing the cost and time needed to undertake an assessment study and to assess whether the data could in fact be used to complete an assessment study.

Financially the study was at no cost to the state of Iowa. In terms of time, the savings relative to collecting the information manually is not as clear cut. At the time of this study, we encountered numerous problems with the JDW system, especially with the system either being down or extremely slow (sometimes taking one hour for one piece of information). Thus, the system needs to improve upon being accessible and being made more expedient.

A related suggestion for improvement rests with information that is supposed to be collected but is not, information that is too difficult to track, and information that should be collected and is not.

Improvement along these lines would significantly strengthen the overall study and possible conclusions concerning race and juvenile decision making. For example, information on the type of legal representation and whether a weapon was involved in the referral of a youth are listed as data elements but most often this information was not provided. Whether the youth was held in detention was also listed but you have to examine many fields to determine if detention occurred which was very time consuming and even then, you were not sure when the detention occurred. A simple variable should be created that asks whether the youth has been detained and possibly where in the proceedings. The inability to capture detention status and include it in the assessment study

is a glaring weakness since previous research (e.g., Leiber and Fox, 2005) and state data (see information on identification, chapter 2) reveal that minority youth and in particular, African American youth, are disproportionately held in detention and detention itself contributes to DMC. Additional efforts should be made to collect data on attending school and/or school performance and indications of the family situation. Finally, the latter omission from the JDW is extremely problematic because prior research has shown a significant linkage not only between assessments about the family and juvenile justice outcomes but that such assessments often work more to the disadvantage of African Americans than whites (e.g., Leiber and Mack, 2003; Leiber, 2003).

Another recommendation centers on the need to continue, and possibly offer even more, technical support to jurisdictions in for the purpose of creating better coordination and uniformity in entering data. It has been pointed out that while improvement has occurred, there still remains differences in what is recorded, and how it is recorded, across jurisdictions.

A final recommendation concerning the state-wide data base is that CJJP has begun a process of cross referencing cases in the JDW with a sample of cases maintained in a warehouse by the Iowa

Department of Human Services (child welfare and abuse cares). It is recommended that CJJP continue its work to link such cases. Research reflects that the overrepresentation of minority youth is an issue in both the child welfare and juvenile justice systems. It would seem that linking of the data bases could serve as an important tool in affecting the issues of disproportionate minority contact in the child welfare and juvenile justice realms.

Recommendation 5: Development, Continued Use of Crime Prevention Programs

A constant throughout the two studies is legal criteria accounted for much of the overrepresentation in the juvenile justice system. This is not surprising because legal criteria should influence decision making. Race should not, no matter how relatively small the effects may be compared to legal factors. The finding that legal factors explain decision making suggests that minority youth may be involved in the system, in part, because of their involvement in crime and/or the kinds of crime that they are charged with. Therefore, to reduce the disproportionate number of minority youth coming into contact with the system, community based resources and programs need to be established and/or continued to be funded that focus on delinquency prevention. It is important to establish outreach efforts to both parents and youth

to connect them with activities that already exist. Most important is that minority youth have access to and the opportunity to participate in these programs. As noted previously, a multi-prong approach is needed to reduce DMC that includes a variety of strategies that focus on the prevention of delinquency, possible selection bias, and deficiencies in the juvenile justice system.

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Tables and Figures – Chapter Two

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Table 2.1. Identification of Youth Minority Overrepresentation in Iowa (January to July 2000)

	Total Number of All Youth	Total Number of Minority Youth	Percent Minority	Index Value ¹
Population at risk (ages 0 through 18)	539,968	39,389	7	N/A
Juveniles arrested ²	24,670	3,273	13	1.86
Juveniles confined secure juvenile detention facilities	5,243	1,625	31	4.43
Juveniles confined secure juvenile correctional facilities	299	123	41	5.86
Juveniles confined in adult jails ³	330	131	43	6.14
Juvenile confined in adult lockups	41	18	44	6.29
Total	5,888	1,897	32	4.57

Source: Division of Criminal and Juvenile Justice Planning and Statistical Analysis (2000).

¹ The index value is arrived at by dividing the percentage of minority juveniles represented at each point by the percentage of minority juveniles in the State's total juvenile population at risk for secure confinement. An index value over 1.00 indicates that minorities are overrepresented.

² Hispanic ethnicity was not factored into these figures.

³ Race/ethnicity was only reported on 305 of the youth.

Table 2.2. Identification of DMC in Iowa

Relative Rate Index Compared with White Juveniles		Reporting Period							
		Jan / 2005			Dec / 2005				
State :	Iowa								
County:	State of Iowa								
		Black or African-American	Hispanic or Latino	Asian	Pacific Islanders	Native Hawaiian or other	American Indian or Alaska Native	Other/ Mixed	All Minorities
2. Juvenile Arrests	4.05	1.39	0.61	---	2.15	#DIV/0!	2.33		
3. Refer to Juvenile Court	4.53	1.35	0.62	---	2.23	#DIV/0!	2.61		
4. Cases Diverted	0.68	0.85	0.84	---	0.43	0.94	0.73		
5. Cases Involving Secure Detention	1.71	1.67	1.45	---	2.77	0.03	1.64		
6. Cases Petitioned	1.63	1.04	1.10	---	0.69	0.75	1.38		
7. Cases Resulting in Delinquent Findings	0.96	1.00	0.80	---	1.64	1.10	0.98		
8. Cases resulting in Probation Placement	0.93	0.79	0.57	---	0.79	0.69	0.88		
9. Cases Resulting in Confinement in Secure Juvenile Correctional Facilities	1.08	2.12	---	---	4.18	2.44	1.40		
10. Cases Transferred to Adult Court	0.57	1.00	0.21	---	1.26	0.87	0.66		
Group meets 1% threshold?	Yes	Yes	Yes	No	No	No	No	No	No

release 1/02/04

Table 2.3. Identification of DMC in Black Hawk

Relative Rate Index Compared with White Juveniles		Reporting Period Jan / 2005 through Dec / 2005										
		Black or African-American	Hispanic or Latino	Asian	Pacific Islanders	Native Hawaiian or other	American Indian or Alaska Native	Other/Mixed	All Minorities	Yes	No	
2. Juvenile Arrests	3.75	0.39	0.11	---	---	---	---	---	---	2.91	---	---
3. Refer to Juvenile Court	4.11	0.43	0.34	---	---	2.82	#DIV/0!	---	---	3.26	---	---
4. Cases Diverted	0.66	0.68	0.44	---	---	0.88	0.88	---	---	0.67	---	---
5. Cases Involving Secure Detention	1.64	2.05	1.66	---	---	---	---	---	---	1.61	---	---
6. Cases Petitioned	1.55	0.18	---	---	---	---	---	---	---	1.49	---	---
7. Cases Resulting in Delinquent Findings	1.09	---	---	---	---	---	---	---	---	1.09	---	---
8. Cases resulting in Probation Placement	0.99	---	---	---	---	---	---	---	---	1.00	---	---
9. Cases Resulting in Confinement in Secure Juvenile Correctional Facilities	2.62	---	---	---	---	---	---	---	---	2.57	---	---
10. Cases Transferred to Adult Court	0.69	---	---	---	---	---	---	---	---	0.68	---	---
Group meets 1% threshold?	Yes	Yes	Yes	No	No	No	No	No	No	No	No	No

release 1/02/04

Table 2.4. Identification of DMC in Johnson

Relative Rate Index Compared with White Juveniles		Reporting Period									
		Jan. / 2005					through Dec / 2005				
State :	Iowa										
County:	Johnson County										
		Black or African-American	Hispanic or Latino	Asian	Native Hawaiian or other Pacific Islanders	American Indian or Alaska Native	Other/Mixed	All Minorities			
2. Juvenile Arrests	6.50	1.03	0.72	0.72	---	---	#DIV/0!	3.39			
3. Refer to Juvenile Court	5.91	0.72	0.35	0.35	---	0.90	#DIV/0!	2.96			
4. Cases Diverted	1.29	0.81	0.51	0.51	---	---	1.53	1.23			
5. Cases Involving Secure Detention	1.37	5.75	2.72	2.72	---	2.04	0.68	1.68			
6. Cases Petitioned	1.51	1.56	2.61	2.61	---	---	2.94	1.57			
7. Cases Resulting in Delinquent Findings	0.80	2.49	0.62	0.62	---	#DIV/0!	---	0.88			
8. Cases resulting in Probation Placement	0.62	0.22	---	---	---	---	#DIV/0!	0.55			
9. Cases Resulting in Confinement in Secure Juvenile Correctional Facilities	2.32	---	---	---	---	---	---	1.78			
10. Cases Transferred to Adult Court	---	---	3.52	3.52	---	---	---	0.20			
Group meets 1% threshold?		Yes	Yes	Yes	No	No	No	No			

release 1/02/04

Table 2.5. Identification of DMC in Linn

Relative Rate Index Compared with White Juveniles		Reporting Period Jan / 2005 through Dec / 2005									
		Black or African- American	Hispanic or Latino	Asian	Pacific Islanders	Native Hawaiian or other	American Indian or Alaska Native	Other/ Mixed	All Minorities	Yes	No
2. Juvenile Arrests	2.23	0.06	1.25	---	---	0.38	#DIV/0!	0.22	---	---	
3. Refer to Juvenile Court	4.33	0.01	0.53	---	---	0.10	#DIV/0!	0.31	---	---	
4. Cases Diverted	0.58	---	0.94	---	---	1.75	1.10	0.63	---	---	
5. Cases Involving Secure Detention	0.99	17.37	3.52	---	---	11.09	0.02	1.32	---	---	
6. Cases Petitioned	1.68	1.64	1.31	---	---	0.55	1.09	1.62	---	---	
7. Cases Resulting in Delinquent Findings	1.02	0.46	---	---	---	---	0.65	0.98	---	---	
8. Cases resulting in Probation Placement	0.87	1.73	---	---	---	---	---	0.84	---	---	
9. Cases Resulting in Confinement in Secure Juvenile Correctional Facilities	1.18	---	---	---	---	---	6.93	1.36	---	---	
10. Cases Transferred to Adult Court	0.76	---	---	---	---	---	0.65	0.73	---	---	
Group meets 1% threshold?	Yes	Yes	No	No	No	Yes	No	No	Yes	No	

release 1/02/04

Table 2.6. Identification of DMC in Scott

Relative Rate Index Compared with White Juveniles		Reporting Period							
		Jan / 2005			through Dec / 2005				
State :	Iowa								
County:	Scott County								
		Black or African-American	Hispanic or Latino	Asian	Pacific Islanders	Native Hawaiian or other	American Indian or Alaska Native	Other/ Mixed	All Minorities
2. Juvenile Arrests	4.12	0.77	0.17	---	---	---	---	---	2.46
3. Refer to Juvenile Court	5.39	1.21	0.42	---	---	---	1.54	#DIV/0!	3.62
4. Cases Diverted	0.58	0.83	0.88	---	---	---	1.03	1.13	0.66
5. Cases Involving Secure Detention	1.37	1.31	---	---	---	---	---	---	1.22
6. Cases Petitioned	1.76	1.11	---	---	---	---	1.36	0.52	1.57
7. Cases Resulting in Delinquent Findings	0.87	0.84	---	---	---	---	1.41	1.04	0.88
8. Cases resulting in Probation Placement	0.99	1.11	---	---	---	---	1.66	0.71	1.00
9. Cases Resulting in Confinement in Secure Juvenile Correctional Facilities	0.40	---	---	---	---	---	---	---	0.35
10. Cases Transferred to Adult Court	0.71	1.89	#DIV/0!	---	---	---	---	---	0.81
Group meets 1% threshold?		Yes	Yes	Yes	No	No	No	No	No

release 1/02/04

Table 2.7. Listing of Research on DMC in Iowa Conducted by Leiber

Citation	Topic/Question(s)	Findings
<p>2005 Leiber, Michael and Kristan Fox "Race and the Impact of Detention on Juvenile Justice Decision Making" <u>Crime & Delinquency</u> 51(4): 470-497.</p>	<p>What is the effect of race on detention and the degree that race and detention influence further court processing in one juvenile court jurisdiction in the state of Iowa? Date: Black Hawk 1980-2000</p>	<p>Multivariate analyses using juvenile court data show that although legal factors account for some of the decision making and minority overrepresentation, so too does race.</p>
<p>2003 Leiber, Michael J. and Kristin Y. Mack "The Individual and Joint Effects of Race, Gender, and Family Status on Juvenile Justice Decision-Making" <u>Journal of Research in Crime & Delinquency</u>. 40(1): 34-70.</p>	<p>What is the extent to which the effects of race on youth justice outcomes are influenced by gender & family status? What are the individual & joint effects among race, gender & family status on juvenile justice decision making? Data: Black Hawk, Polk, Woodbury, Scott 1980-1991</p>	<p>Evidence is presented that, through detention, race has direct, interaction, and indirect effects that often work to the disadvantage of African American youth relative to White youth.</p> <p>Results from logistic regressions indicate that being African American affects justice outcomes, outcomes for whites are conditioned by gender & family status & decision-making should be viewed as a process involving both severe & lenient outcomes.</p> <p>African Americans males and females treated similar; white male and from a single-parent home treated differently (more severely) than white female counterpart</p>
<p>2003 Leiber, Michael J. and Kristin Y. Mack "Race, Age and Juvenile Justice Processing" <u>Journal of Crime & Justice</u> 25(2): 23-47.</p>	<p>Does race, age, & the combination of the two impact case outcomes for African American youth? What is the validity of the three hypotheses that involve the individual & the joint effects of race & age on juvenile justice outcomes?</p>	<p>Consistent with the symbolic threat thesis. African American youth receive more severe outcomes than white youth.</p>

Table 2.7. continued

Citation	Topic/Question(s)	Findings
<p>2002 Leiber, Michael J, Kimberly Schwarze, Kristin Y. Mack, and Margaret Farnworth "The Effects of Occupation and Education on Punitive Orientations Among Juvenile Justice Personnel." <i>Journal of Criminal Justice</i>. 30: 1-14.</p>	<p>Data: Black Hawk, Polk, Woodbury, Scott 1980-1991</p>	<p>Partial support for the second hypothesis that says older youth get more severe outcomes than younger youth.</p> <p>Mixed support for the third hypothesis that African American youth of all ages receive more. Being African American increases the likelihood of nonparticipation in diversion at intake & this relationship is not conditioned by age. However, race & age interact to influence the decision to refer youth on from intake but this relationship is conditioned by family status.</p> <p>Probation officers less likely than correctional officers & teachers who worked in correctional facilities to indicate support for punitive responses to delinquent behavior.</p> <p>Increases in education reduced adherence to punishment orientations.</p>
<p>2002 Leiber, Michael J</p>	<p>What are the causes of minority overrepresentation in states' juvenile justice systems? Are the identification and assessment stages of the DMC mandate being complied with?</p>	<p>While educational requirements seemed to have an effect on impacting punitive views toward the treatment of youth, the kind of work personnel performed appeared to be essential when considering changes in how delinquent youth should be handled.</p> <p>The politics of, race, crime, and racial bias, along with state resistance and practical considerations, led OJJDP to adopt an approach to DMC.</p>

Table 2.7. continued

Citation	Topic/Question(s)	Findings
<p>2000 Leiber, Michael J. "Gender, Religion, and Correctional Orientations Among a Sample of Juvenile Justice Personnel." <u>Women & Criminal Justice</u> 11(2): 15-44.</p>	<p>Data: Assessment Studies Nation-wide</p> <p>What is the extent to which women differ from men in their correctional orientation and what effect does religion and in particular, Christian fundamentalism, have in this process?</p> <p>Data: 264 juvenile justice personnel 1992-1994</p>	<p>Resulted in a number of contributions to Understanding the issue of race and Involvement in the juvenile justice System, which includes sensitizing States to the issue and, in some cases a Reduction in DMC and the adoption of innovative initiatives to address the issue.</p> <p>There is also a lack of guidance and criteria to evaluate state compliance. This meant inconsistent implementation of the DMC requirement.</p> <p>Both gender and adherence to biblical literalness and the interrelationship between the two, are predictive of retributive and diversionary attitudes.</p> <p>Females who have a strict interpretation of the Bible favor a more strict juv. crt. Adherence to Christian fundamentalism Increase support for punitiveness; The relationship between religiosity and attitudes toward diversion is not statistically significant.</p> <p>Gender is not a statistically significant predictor of support for the death penalty. But, women favor diversion and retribution whereas males just retribution</p>

Table 2.7. continued

Citation	Topic/Question(s)	Findings
<p>1999 Leiber, Michael J. and Jayne M. Stairs "Race, Contexts, and the Use of Intake Diversion." <i>Journal of Research in Crime & Delinquency</i> 36(1): 56-86.</p>	<p>What is the influence of race on diversionary decision making at intake in three juvenile courts in the state of Iowa? With an emphasis on structural contingencies, racial stereotyping, and punitiveness.</p> <p>Data: 1980-1991 juvenile court records Black Hawk, Woodbury, Scott</p>	<p>Results provided partial support for the hypothesis. There is a need to broaden the scope of the search for the contingencies of decision making, to employ multiple research methodologies and to refine conflict theory to account for the differential treatment of African American youth.</p> <p>Youth were subject to greater social control in jurisdictions evidencing greater social and racial inequality and attitudes indicating beliefs in racial differences and punitiveness. Blacks more likely than whites to be referred for petition and less likely to participate in diversion. Few differences in the kinds of diversion ordered.</p>
<p>1998 Leiber, Michael J., Mahesh Nalla, and Margaret Farnworth. "Explaining Juveniles' Attitudes Toward the Police." <i>Justice Quarterly</i> 15(1): 151-174.</p>	<p>Do attitudes toward authority & agents of social control develop in a larger, sociocultural context? Hypothesized that juveniles' attitudes develop as a function of socialization in their communities' social environment, of their deviant subcultural "preferences", & of the prior effect of these sociocultural factors on juveniles' contacts with the police.</p> <p>Data: Accused and adjudicated delinquent youth 337 males 1991-1992</p>	<p>Social background variables, particularly minority status, & subcultural preferences, particularly commitment to delinquent norms, affected juveniles' attitudes toward the police both directly & indirectly (through police-juvenile interactions). View negatively</p> <p>Attitudes toward the police develop as a function of multiple factors beyond the expected effects of interacting with the police.</p> <p>Police contacts do not mediate the total</p>

Table 2.7. continued

Citation	Topic/Question(s)	Findings
<p>1997 Leiber, Michael J. and Anne C. Woodrick. "Religion, Attributional Styles, and Adherence to Correctional Orientations." <u>Criminal Justice and Behavior</u> 24(4): 495-511.</p>	<p>What are the relationships among religion, attributional style, and the orientations of punitiveness & diversion among a certain sample of juvenile justice personnel? Data: 264 juvenile court personnel 1992-1994</p>	<p>effect of bad neighborhoods on juveniles' respect for the police. Juvenile-police interactions do not diminish these effects of social environment & delinquent subcultures for either whites or minorities, but the significant police contacts differ for the two groups.</p>
<p>1995 Leiber, Michael J. "Toward Clarification of the Concept of 'Minority' Status and Decision Making in Juvenile Court Proceeding <u>Journal of Crime & Justice</u>. 18(1): 79-108.</p>	<p>With regards to juvenile court processing & case outcomes, are the effects of being Latino different from being African American or white? Does race effect the failure to consider all available</p>	<p>Finding failed to provide support for a positive relationship among religion, dispositional attribution, & a punitive orientation. A strict interpretation of the Bible & societal attribution was predictive of attitudes toward punitiveness & diversion. Effects of religion & societal attribution varied in their directions & association with specific correctional responses. Findings provide support or the importance of religion & attributional style in understanding correctional orientations among juvenile justice personnel. Using an interpretation of conflict theory that emphasizes stereotyping on decision-making, the results suggest that differences exist in the case processing & outcomes of Latinos,</p>

Table 2.7. continued

Citation	Topic/Question(s)	Findings
<p>1995 Leiber, Michael J., Anne C. Woodrick and E. Michele Roubush. "Religion, Discriminatory Attitudes and the Orientations of Juvenile Justice Personnel: A Research Note." <u>Criminology</u>. 33: 431-449.</p>	<p>case outcomes at the stage of intake & decision making across the juvenile justice system?</p> <p>Data: Juvenile court data, Black Hawk, Woodbury, Polk, Scott 1980-1991</p> <p>Does a conservative world view reflect a patterning of attitudes that includes interrelationships among beliefs in a literal interpretation of the Bible & racial & gender stereotyping?</p>	<p>African Americans, & Whites.</p> <p>Blacks more likely than whites and Hispanics to receive be released and referred to petition at intake and to participate in diversion; Latinos treated similarly to whites at intake;</p> <p>At petition, blacks and Latinos received more lenient outcome than whites</p>
<p>1995 Leiber, Michael J., and Katherine M. Jamieson. "Race and Decision Making Within Juvenile Justice: The Importance of Context." <u>Journal of Quantitative Criminology</u>. 11(4): 363-388.</p>	<p>Based on a revised conflict perspective, what are the racial differences in case processing decisions within four Midwest jurisdictions? What are the attitudes of juvenile court officials toward the punitiveness of the juvenile court & perceptions</p>	<p>Findings provide support for the existence of a conservative patterning of attitudes that predict punitive orientations.</p> <p>The resonance is less effective in explaining rehabilitative philosophies. strong association between beliefs in gender difference & adherence to a literal interpretation of the Bible.</p> <p>The resonance: more conservative, greater adherence to strict interpretation of Bible and beliefs in racial and gender stereotyping and support for punitiveness</p> <p>Both lenient & harsh treatment of African American compared to whites.</p> <p>Inconsistent racial effects may be a function of variation in structural</p>

Table 2.7. continued

Citation	Topic/Question(s)	Findings
<p>1995 Leiber, Michael J. and Tina Mawhorr "Evaluating the Use of Social Skills Training and Employment with Delinquent Youth" <u>Journal of Criminal Justice</u> 23(2): 127-141.</p>	<p>regarding differences between the behavior & attitudes of white & those of African Americans?</p> <p>Data: Juvenile court data, Black Hawk, Woodbury, Polk, Scott 1980-1991</p> <p>Evaluate the implementation of the Second Chance program in Black Hawk county by Juvenile Court Services. Does the program reduce recidivism?</p> <p>Data: 5 different groups entered the program In late fall of 1990 through June of 1992 4 comparison groups: 2nd chance non-completion (n=28), 2nd chance completion (n=57), equivalent match (n=56), random juvenile court services (n=85)</p>	<p>factors, "coupling" across system.</p> <p>Partial support for the hypothesis that race in combination with decision makers' attitudes would produce evidence of racial disparity in case outcomes.</p> <p>Youth who completed 2nd chance prg. were not less likely to recidivate than control groups. Blacks less likely to complete 2nd chance prg. than whites.</p>
<p>1994 Leiber, Michael J. "A Comparison of Juvenile Court Outcomes for Native North American Indians Relative to African Americans and Whites." <u>Justice Quarterly</u> 11(2): 257-279.</p>	<p>Do Native American youths & African American youths receive more severe outcomes than white youths with similar backgrounds & legal histories? Are Native Americans at a greater disadvantage in general than African Americans?</p> <p>Data: Woodbury juvenile court delinquent Referrals 1980-1989</p>	<p>Youths of both minority groups receive different treatment from white youths.</p> <p>Although the race effects varied with the Stage assessed in he proceedings, it was found that Native American youths were more likely to receive less severe outcomes than African American youths. Native American youths who either are under court authority at the time of the referral or are charged with serious delinquency are less likely than other youths to be referred to petition.</p>

Table 2.7. continued

Citation	Topic/Question(s)	Findings
		<p>Decision to recommend further processing at intake is influenced by several of the legal & extralegal variables: older youths, those attending school but with evidence of behavioral &/or academic problems, those under court authority, those charged with more serious crimes, those involved in a property offense, & those in detention are likely to be referred to the stage of petition.</p>

Table 2.8. Summary of Findings, Community and Organizational Characteristics, and Emerging Themes from Interviews with Decision-Makers Differentiated by Jurisdiction.

		<u>Jurisdiction</u>			
		Black Hawk	Woodbury	Polk	Scott
Youth & Social Control (probability) ¹		14.55	3.61	2.78	8.78
Race & Social Control (probability) ¹	W. ²	14.42	3.58	2.37	7.53
	B.	15.84	6.06	4.66	11.71
	I.		2.90		
Race Effects	Intake	B. referred on	W./prior record referred on ³ W./property diversion W./not attend school release I./court authority diversion I./younger release I./serious crime release	B. referred on	B./family status referred on
	Petition		B. no petition I. no petition		B. no petition
	Initial Appearance			B. diversion	
	Adjudication				B. no adj.
Other Notable Effects	Legal/ Extralegal		Legal/ Extralegal	Legal/ Extralegal	Legal/ Extralegal
Community Characteristics	Poorest Greatest race inequality Greatest black presence Highest crime rate		Smallest pop. Greatest race diversification	Wealthy Largest pop. Lowest crime rate	Relationship b/B. & prior record High on race inequality Highest on babies born to unwed teens Most spent on CJ resources

Table 2.8. continued.

	<u>Jurisdiction</u>			
	Black Hawk	Woodbury	Polk Heaviest caseload	Scott
Organizational Characteristics				
Stated Court Ideology	Accountability Intervention	Rehabilitation Protection of society	Maintain order Protection of society	Accountability Intervention
Themes from Interviews				
Correctional Orientations	Accountability Intervention Rehabilitation	<i>Parens patriae</i> Protection of society Diversion	Legalistic Minimal intervention	Accountability Rehabilitation Early intervention
Source of Orientations	History - Judge Multi-problem youth Younger youth Single-parent families	History - Judge Adherence to middle-class values Immigration Decline in morals	Population Caseload Community pressures Lack of treatment alternatives	Crime as result of poverty & single-parent Subcultural values
Race, Crime, Family & Respect for Authority	Dysfunctional families Kids having kids Distrustful but not uncooperative	More crime Family & youth lack respect indicated by dress, demeanor, behavior Gangs	Distrustful Crime individual choice	More crime Dysfunctional families & single-parent Subcultural values generational Distrustful Uncooperative Unable to secure private counsel & treatment
Explanations for Findings	Correctional orientations At intake, failure to abide to stipulations & appear for meetings	At intake, formal policy agreement w/ Indian Youth of America At petition, breakdown in coordination w/prosecutors & elevated charges	Correctional orientations No race information	At intake, youth given enough chances & family unable to supervise At petition, give break
Suggestions for Reducing DMC	Prevention of delinquency Cultural sensitivity	Adapt to white culture Family support	Prevention of delinquency Mentoring	Parenting classes Role models Employment

¹Probability from initial referral to change of placement/transfer adult court.

²W (white), B. (African American), I. (Native American)

³ W./ or B./ or I./ represents interaction effect.

Tables and Figures -- Chapter Three

Page numbers within this section reflect position in Chapter

Table 3.1. Community Characteristics – Population and Minority Concentration,
Distributions by Jurisdiction

	Jurisdiction			
	Black Hawk	Johnson	Linn	Scott
I. Population	128,012	111,006	191,701	158,668
% Persons age 17 and younger	23.1	20.1	25.1	26.5
II. % of All Youth				
Caucasian	84.4	89.4	90.1	82.1
Native American	0.003	0.005	0.2	0.4
African American	0.14	0.06	3.8	9.1
Asian	0.01	0.04	1.6	1.9
Other	1.7	1.4	0.7	2.4
	Largest City within Jurisdiction			
	Waterloo	Iowa City	Cedar Rapids	Davenport
III. Population	68,747	62,220	120,758	98,359
% Persons age 17 and younger	25.7	24.5	16.2	26.2
IV. % of All Youth				
Caucasian	88.4	93.9	90.1	88.5
Native American	0.2	0.2	2.9	0.3
African American	8.0	2.6	0.3	6.1
Asian	1.0	1.4	4.1	1.6
Other	0.9	0.5	1.0	1.6

Table 3.2. Community Characteristics – Inequality and Juvenile Crime, Distributions by Jurisdiction

Definitions	Jurisdiction			
	Black Hawk	Johnson	Linn	Scott
I. Underclass				
% persons in poverty	13.1	15.0	6.5	10.5
Unemployment (rate)	3.2	2.9	2.6	3.6
% of 16 and older employed	63.0	70.4	69.8	65.4
Racial Inequality				
Ratio of African American persons to white persons in poverty	3.1	2.9	4.9	1.9
% minority in poverty	20.2	33.5	18.0	34.1
Morality/Sexual Promiscuity				
% babies born out of wedlock to teenage mothers	11.3	4.0	6.6	11.0
II. Wealth				
Per capita personal income(\$)	18,885	22,220	22,977	21,310
Median family income(\$)	47,398	60,112	56,494	52,045
III. Juvenile Crime				
Number of Juvenile Arrests (Jan. - Dec. 2005)				
Caucasian	561	490	899	1494
Native American	0	0	0	0
African American	383	255	310	710
Asian	1	18	0	6
Other	0	7	15	0

Table 3.3. Distribution of Independent Variables Differentiated by Jurisdiction (N=4,400)

Variable	Full Sample		Black Hawk		Johnson		Lynn		Scott	
	N	%	N	%	N	%	N	%	N	%
Jurisdiction										
Black Hawk	1095	25								
Johnson	1104	25								
Lynn	1101	25								
Scott	1100	25								
Race										
White	2192	50	542	50	550	50	550	50	550	50
African American	2208	50	553	50	554	50	551	50	550	50
Age										
(young to old)	x = 15.46		15.48		15.78		15.52		15.06	
	std.dev. = 2.30		1.97		3.15		1.98		1.77	
	range = 7.18		8.19		7.19		8.20		7.18	
Gender										
Male	3063	70	741	68	721	65	794	72	807	73
Female	1337	30	354	32	383	35	307	28	293	27
Prior Referrals										
	x = 2.23		1.97		1.70		2.27		2.96	
	std.dev = 3.14		0-20		0-20		0-16		0-24	
	range = 1.24									
#Charges										
	x = 1.46		1.32		1.20		1.34		2.00	
	std.dev. = 1.33		1-10		1-10		1-10		1-10	
	range = 1.10									
Crime Severity (less to more)										
	x = 1.01		0.95		0.81		0.95		1.32	
	std.dev = 1.49		1-7		1-7		1-7		1-7	
	range = 1.07									
Offense Type										
Property	1875	43	445	41	472	43	455	41	503	46
Person	978	22	175	16	221	20	366	33	216	20
Drugs	361	8	111	10	85	8	72	7	93	8
Alcohol	513	12	123	11	160	14	116	11	114	10
Other	673	15	241	22	166	15	92	8	174	16

Note: Analysis of Variance produced indication of statistically significant difference by jurisdiction and prior referrals (F=37.41, p < .01) and Crosstabulations revealed statistically significant difference by jurisdiction and offense type (Chi-Square=175.858, p < .01). ** p < .01

Table 3.4. Intake Decision Making by Jurisdiction

Part A: All Youth

	Jurisdiction			
	Black Hawk	Johnson	Lynn	Scott
Intake				
Release	251 (23)	102 (9)	201 (18)	484 (44)
Diversion	451 (41)	476 (43)	364 (33)	106 (10)
Further Court Proceeding	393 (36)	526 (48)	536 (49)	510 (46)

¹ Represents N, followed by percent within a jurisdiction (Chi-Square Pearson value= 575.518, p= .00).

Part B: Differentiated by Race

	Jurisdiction							
	Black Hawk		Johnson		Lynn		Scott	
Intake	White	Black	White	Black	White	Black	White	Black
Release	122 (22)	129 (23)	32 (6)	70 (12)	115 (21)	86 (16)	270 (49)	214 (39)
Diversion	270 (50)	181 (33)	295 (54)	181 (33)	211 (38)	153 (27)	69 (13)	37 (7)
Further Court Proceeding	150 (38)	243 (44)	223 (41)	303 (55)	224 (41)	312 (57)	211 (38)	299 (54)

¹ Represents N, followed by percent within a racial group and within a jurisdiction. Race differences in intake for Black Hawk (Chi-Square Pearson value=39.66, Johnson (Chi-Square value=53.61, p=00), Lynn (Chi-Square Pearson value=27.87, p=00) and Scott (Chi-Square Pearson value=31.24

Table 3.5. Petition Decision Making by Jurisdiction

Part A: All Youth

Petition	Jurisdiction			
	Black Hawk	Johnson	Lynn	Scott
No	31 (8)	68 (13)	52 (10)	8 (2)
Yes	359 (92)	458 (87)	477 (90)	502 (98)

¹ Represents N, followed by percent within a jurisdiction (Chi-Square Pearson value= 47.655, p= .000).

Part B: Differentiated by Race

Petition	Jurisdiction							
	Black Hawk		Johnson		Lynn		Scott	
	White	Black	White	Black	White	Black	White	Black
No	10 (7)	21 (8)	23 (10)	45 (15)	21 (10)	31 (10)	0 (0)	8 (3)
Yes	139 (93)	220 (91)	200 (90)	258 (85)	196 (90)	281 (90)	211 (100)	291 (97)

¹ Represents N, followed by percent within a racial group and jurisdiction. Tests failed to reveal statistically significant associations.

Table 3.6. Initial Appearance Decision Making by Jurisdiction

Part A: All Youth

Initial Appearance	Jurisdiction			
	Black Hawk	Johnson	Lynn	Scott
Consent Decree	40 (11)	166 (36)	102 (23)	7 (2)
No Consent Decree	317 (89)	290 (64)	335 (77)	393 (98)

¹ Represents N, followed by percent within a jurisdiction (Chi-Square Pearson value= 185.841, p= .00).

Part B: Differentiated by Race

Initial Appearance	Jurisdiction							
	Black Hawk		Johnson		Lynn		Scott	
	White	Black	White	Black	White	Black	White	Black
Consent Decree	19 (14)	21 (10)	73 (37)	93 (36)	32 (19)	70 (26)	1 (1)	6 (3)
No Consent Decree	121 (86)	196 (90)	127 (64)	163 (64)	133 (81)	202 (74)	167 (99)	226 (97)

¹ Represents N, followed by percent within a racial group and within a jurisdiction. Tests failed to reveal statistically significant associations.

Table 3.7. Adjudication Decision Making by Jurisdiction

Part A: All Youth

Adjudication	Jurisdiction			
	Black Hawk	Johnson	Lynn	Scott
No	74 (23)	54 (19)	56 (17)	39 (10)
Yes	243 (77)	236 (81)	277 (83)	355 (90)

¹ Represents N, followed by percent within a jurisdiction (Chi-Square Pearson value= 23.914, p=.00).

Part B: Differentiated by Race

Adjudication	Jurisdiction							
	Black Hawk		Johnson		Lynn		Scott	
	White	Black	White	Black	White	Black	White	Black
No	20 (17)	54 (28)	23 (18)	31 (19)	14 (11)	42 (21)	0 (0)	39 (17)
Yes	101 (84)	142 (72)	104 (82)	132 (81)	117 (89)	160 (79)	168 (100)	187 (83)

¹ Represents N, followed by percent within a racial group and within a jurisdiction. Race differences in adjudication for Scott (Chi-Square Pearson value=32.18, p=00).

Table 3.8. Judicial Disposition Decision Making by Jurisdiction
Includes Waiver

Part A: All Youth

Disposition	Jurisdiction			
	Black Hawk	Johnson	Lynn	Scott
Community based	119 (68)	94 (51)	120 (52)	247 (64)
Placement	55 (32)	91 (49)	111 (48)	141 (36)

¹ Represents N, followed by percent within a jurisdiction (Chi-Square Pearson value= 19.712, p=.00).

Part B: Differentiated by Race

Disposition	Jurisdiction							
	Black Hawk		Johnson		Lynn		Scott	
	White	Black	White	Black	White	Black	White	Black
Community based	50 (77)	69 (73)	43 (42)	51 (50)	45 (41)	75 (53)	116 (63)	131 (64)
Placement	15 (23)	40 (37)	40 (48)	51 (50)	64 (59)	47 (38)	67 (37)	74 (36)

¹ Represents N, followed by percent within a racial group and within a jurisdiction. Statistically significant association in Lynn (Chi-Square Pearson value=9.40, p=.05).

Table 3.9. Judicial Disposition Decision Making by Jurisdiction
Excludes Waiver

Part A: All Youth

Disposition	Jurisdiction			
	Black Hawk	Johnson	Lynn	Scott
Community based	119 (79)	94 (71)	120 (77)	247 (70)
Placement	31 (21)	38 (29)	58 (33)	107 (30)

¹ Represents N, followed by percent within a jurisdiction. Tests failed to yield statistically significant associations.

Part B: Differentiated by Race

Disposition	Jurisdiction							
	Black Hawk		Johnson		Lynn		Scott	
	White	Black	White	Black	White	Black	White	Black
Community based	50 (85)	69 (76)	43 (80)	51 (65)	45 (66)	75 (68)	116 (70)	131 (70)
Placement	9 (15)	22 (24)	11 (20)	27 (35)	23 (34)	35 (32)	51 (30)	56 (30)

¹ Represents N, followed by percent within a racial group and within a jurisdiction. Tests failed to yield statistically significant associations.
**p < .01, *p < .05

Tables and Figures – Chapter Four

Page numbers within this section reflect position in Chapter

Table 4.1. Intake Decision Making - Black Hawk

Variables	Intake 1			Intake 2		
	Full	White	Black	Full	White	Black
	Model			Model		
	[1]	[2]	[3]	[4]	[5]	[6]
Race	.41** (.10)			.20 (.04)		
Age	-.03 (-.01)	-.00 (-.00)	-.03 (-.01)	.06 (.01)	.02 (.00)	.10* (.02)
Gender	-.44** (-.09)	-.23 (-.05)	-.51* (-.11)	.10 (.02)	-.12 (-.02)	.28 (.05)
Prior Referrals	.29** (.07)	.58** (.14)	.19** (.04)	-.05 (-.01)	-.09 (-.02)	-.03 (-.01)
#Charges	.31** (.07)	.35** (.08)	.28* (.07)	-.27* (-.04)	-.12 (-.02)	-.43* (-.07)
Crime Severity	.36** (.09)	.45** (.11)	.30** (.07)	-.24** (-.04)	-.18* (-.03)	-.27** (-.04)
Property	.12 (.03)	-.23 (-.05)	.17 (.04)	-.16 (-.03)	.02 (.00)	-.27 (-.04)
Person	.77** (.19)	.28 (.07)	.90** (.22)	-.44 (-.07)	.16 (.03)	-.86** (-.12)
Drugs	.31 (.07)	.10 (.02)	.34 (.08)	-.66* (-.10)	-.32 (-.05)	-.98 (-.13)
Alcohol	-.46 (-.10)	-1.43** (-.24)	1.40* (.34)	.25 (.05)	.67* (.14)	-.90 (-.12)
-2 Log Likelihood	1143.21	459.53	643.81	1129.38	557.36	559.61

Note: Logistic regression coefficient, probability ().

Test for race interactions revealed a statistically significant effect between race and alcohol with intake 1 ($p < .01$).

** $p < .01$, * $p < .05$

Table 4.2. Formal Court Decision Making – Black Hawk

Variables	Petition		Initial Appearance		Adjudication		Judicial Disposition with Waiver		Judicial Disposition without Waiver						
	Full Model	White Black	Full Model	White Black	Full Model	White Black	Full Model	White Black	Full Model	White Black					
	[1]	[2]	[3]	[4]	[5]	[6]	[7]	[8]	[9]	[10]	[11]	[12]	[13]	[14]	[15]
Race	-31 (-03)			-03 (-00)			-61** (-13)			58 (04)			73 (14)		
Age	.20* (.01)	-.31 (-.03)	.39** (.02)	.01 (.00)	.08 (.01)	-.08 (-.01)	-.02 (-.00)	-.30 (-.06)	.12 (.02)	-.19* (-.028)	-.07 (-.01)	-.25* (-.05)	-.19 (-.03)	.03 (.00)	-.13 (-.02)
Gender	.07 (.00)	-.86 (-.09)	.45 (.03)	-.26 (-.03)	-.31 (-.03)	-.58 (-.07)	-.02 (-.00)	.02 (.00)	-.16 (-.03)	-.65 (-.12)	-.73 (-.13)	-.75 (-.14)	.38 (.07)	-.79 (-.10)	-.71 (-.09)
Prior Referrals	.01 (.00)	-.14 (-.01)	.00 (.00)	.08 (.01)	-.07 (-.01)	-.04 (-.00)	-.05 (-.01)	.15 (.03)	.02 (.00)	.03 (.01)	.11 (.02)	.03 (.01)	.05 (.01)	.35 (.06)	-.03 (-.00)
#Charges	.74* (.04)	.02 (.00)	.51 (.03)	.23 (.02)	.41 (.03)	.21 (.02)	.06 (.01)	-.05 (-.01)	.20 (.03)	-.29 (-.06)	-.06 (-.01)	-.38 (-.08)	.49 (.09)	.39 (.07)	-.25 (-.04)
Crime Severity	-.09 (-.01)	-.15 (-.01)	.01 (.00)	-.12 (-.01)	-.26 (-.03)	.23 (.02)	.16 (.03)	.25 (.04)	.06 (.01)	-.00 (-.00)	.11 (.02)	-.10 (-.02)	.03 (.00)	.02 (.00)	-.19 (-.03)
Property	1.14* (.05)	.82 (.04)	.91 (.05)	-.23 (-.02)	.22 (.02)	.21 (.02)	.84** (.12)	-.28 (-.05)	1.36** (.16)	-1.46** (-.22)	-1.05 (-.18)	-1.69** (-.24)	-.48 (-.07)	-.81 (-.10)	-1.31 (-.14)
Person	.40 (.02)	-.56 (-.05)	.96 (.05)	-.05 (-.01)	.64 (.05)	-.11 (-.01)	.63 (.09)	.28 (.04)	.72 (.10)	.32 (.07)	.49 (.11)	.18 (.04)	.99 (.21)	.06 (.01)	.73 (.14)
Drugs	.76 (.04)	-.72 (-.07)	1.49 (.06)	-1.31** (-.21)	-.66 (-.08)	-.77 (-.10)	.79 (.11)	-.61 (-.13)	1.88** (.19)	-1.18 (-.19)	-2.56 (-.28)	-.73 (-.13)	-.32 (-.05)	-1.97 (-.17)	-.20 (-.03)
Alcohol	-.13 (-.01)	.08 (.01)	-1.02 (-.11)	-.36 (-.04)	-.66 (-.08)	-1.35 (-.22)	1.91 (.19)	.55 (.08)	2.09 (.22)	-.78 (-.14)	-1.13 (-.19)	-.53 (-.10)	-.62 (.08)	-2.17 (-.18)	-2.03 (-.17)

-2 Log Likelihood 200.68 60.30 122.82 576.30 103.36 129.18 324.08 99.68 208.72 192.76 60.68 125.27 138.64 39.40 86.08

Note: Logistic regression coefficient, probability (). Tests failed to reveal statistically significant race interactions.
**p < .01, *p < .05.

Table 4.3. Intake Decision Making - Johnson

Variables	Intake 1			Intake 2		
	Full Model	White	Black	Full Model	White	Black
	(1)	(2)	(3)	(4)	(5)	(6)
Race	.63** (.14)			.83** (.24)		
Age	.01 (.02)	.04 (.04)	-.09 (.05)	.01 (.03)	-.00 (.06)	.04 (.07)
Gender	-.14 (.15)	-.23 (.22)	-.08 (.20)	-.01 (.22)	-.33 (.41)	.15 (.27)
Prior Referrals	.39** (.04)	.50** (.06)	.30** (.05)	-.25** (.07)	-.22 (.13)	-.26** (.09)
#Charges	.64** (.15)	.57** (.19)	.72** (.26)	-.85* (.42)	-1.33 (.96)	-.69 (.48)
Crime Severity	.50** (.06)	.51** (.09)	.52** (.10)	-.34** (.13)	-.13 (.16)	-.55** (.19)
Property	-.10 (.20)	-.10 (.36)	-.13 (.25)	-.06 (.31)	.18 (.66)	-.18 (.36)
Person	-.35 (.23)	.06 (.40)	-.60 (.29)	.44 (.34)	.45 (.72)	.47 (.39)
Drugs	-.08 (.30)	-.14 (.44)	.18 (.50)	.25 (.49)	-.05 (.85)	.65 (.64)
Alcohol	-.05 (.26)	.10 (.38)	-.24 (.43)	-.68 (.48)	-.62 (.77)	-.50 (.68)
-2 Log Likelihood	1257.21	582.79	658.53	625.46	231.91	387.4

Note: Logistic regression coefficient, probability (). Tests failed to reveal statistically significant race interactions.

** p < .01, *p < .05

Table 4.4. Formal Court Decision Making – Johnson

Variables	Petition		Initial Appearance		Adjudication		Judicial Disposition with Waiver		Judicial Disposition without Waiver						
	Full Model [1]	White [2]	Black [3]	Full Model [4]	White [5]	Black [6]	Full Model [7]	White [8]	Black [9]	Full Model [10]	White [11]	Black [12]	Full Model [13]	White [14]	Black [15]
Race	-.34 (-.04)			-.03 (-.01)			-.11 (-.02)			-.05 (-.01)			.73 (.17)		
Age	.08 (.01)	.02 (.00)	.11 (.01)	.01 (.00)	.01 (.00)	-.01 (.00)	-.00 (-.00)	.01 (.01)	-.14 (-.02)	-.09 (-.02)	-.02 (-.00)	-.19 (-.05)	-.19 (-.04)	.01 (.00)	-.25* (-.05)
Gender	-.27 (-.03)	-.71 (-1.10)	-.03 (-.00)	-.26 (-.06)	-.89** (-2.22)	.05 (.01)	.50 (.06)	1.40 (.12)	.12 (.02)	.25 (.06)	.87 (.21)	-.16 (-.04)	.38 (.08)	-.06 (-.01)	.74 (.17)
Prior Referrals	-.07 (-.01)	-.14 (-.02)	-.05 (-.01)	.08 (.02)	.11 (.03)	.05 (.01)	.18* (.03)	.27* (.04)	.14 (.02)	.01 (.00)	.11 (.03)	-.02 (-.00)	.05 (.01)	.10 (.02)	.00 (.00)
#Charges	.03 (.00)	.16 (.02)	-.09 (-.01)	.23 (.02)	.29 (.06)	.17 (.04)	.11 (.02)	.17 (.02)	-.08 (-.01)	.28 (.07)	.18 (.04)	.27 (.07)	.49 (.11)	.98 (.23)	.19 (.04)
Crime Severity	.04 (.00)	-.08 (-.01)	.05 (.01)	-.12 (-.03)	-.38** (-.09)	.06 (.01)	.19 (.03)	.08 (.01)	.34* (.05)	.03 (.01)	.15 (.04)	.06 (.01)	.03 (.01)	-.08 (-.02)	.10 (.02)
Property	.50 (.05)	.31 (.03)	.54 (.05)	-.23 (-.05)	.40 (.09)	-.50 (-1.12)	-.12 (-.02)	-.55 (-1.10)	-.19 (-.03)	.44 (.11)	-.00 (-.00)	-.68 (-1.16)	-.48 (-.09)	1.91 (.44)	-.89 (.15)
Person	-.01 (-.00)	-.51 (-.07)	.04 (.00)	-.05 (-.01)	.86 (.17)	-.64 (-1.16)	-.27 (-.04)	-1.05 (-2.1)	-1.0 (-0.2)	.35 (.09)	1.36 (.30)	-.06 (-.01)	.99 (.23)	2.14 (.49)	-.09 (-.02)
Drugs	.61 (.05)	-.62 (-.09)	1.69 (.10)	-1.31** (-.32)	-1.43* (-.34)	-1.11* (-.27)	-.10 (-.02)	-2.22 (-4.9)	1.09 (.11)	1.01 (.23)	1.94 (.38)	.63 (.08)	-.32 (-.06)	-.00 (-.00)	-.52 (-.09)
Alcohol	.40 (.04)	-.18 (-.07)	.86 (.07)	-.36 (-.09)	-.27 (-.06)	-.28 (-.07)	-.14 (-.02)	-1.48 (-3.2)	1.16 (.12)	.33 (.08)	.18 (.04)	-.74 (-1.0)	-.62 (-1.1)	1.76 (.41)	.08 (.02)
-2 Log Likelihood	393.70	140.93	246.45	576.30	229.67	329.39	269.22	105.58	146.22	241.26	103.19	132.27	138.64	35.89	90.16

Note: Logistic regression coefficient, probability (). Tests revealed a statistically significant effect between race and crime severity with initial appearance (p < .01) and race and age with judicial disposition without waiver (p < .05).
 ** p < .01, *p < .05

Table 4.5. Intake Decision Making - Linn

Variables	Intake 1			Intake 2		
	Full Model	White	Black	Full Model	White	Black
	(1)	(2)	(3)	(4)	(5)	(6)
Race	.50** (.14)			-.31 (.16)		
Age	-.04 (.04)	-.09 (.05)	.00 (.05)	.02 (.04)	-.02 (.06)	.07 (.06)
Gender	.19 (.16)	.16 (.23)	.19 (.22)	-.17 (.18)	-.30 (.25)	-.02 (.26)
Prior Referrals	.32** (.03)	.36** (.05)	.29** (.04)	-.11** (.04)	-.16** (.06)	-.09 (.05)
#Charges	.36** (.09)	.29** (.11)	.48** (.15)	-.24* (.12)	-.27 (.16)	-.22 (.19)
Crime Severity	.33** (.05)	.29** (.07)	.38** (.08)	-.14* (.06)	-.07 (.08)	-.32** (.12)
Property	-1.30** (.28)	-1.40** (.46)	-1.31** (.36)	.31 (.32)	.72 (.57)	-.10 (.40)
Person	-.86** (.29)	-1.18** (.47)	-.68 (.36)	-.12 (.33)	.13 (.59)	-.30 (.41)
Drugs	.01 (.38)	.02 (.56)	-.17 (.54)	-.64 (.50)	-.74 (.81)	-.32 (.64)
Alcohol	-1.31** (.34)	-1.32** (.50)	-1.57** (.51)	-.21 (.39)	.04 (.62)	-.25 (.61)
	1243.42	616.18	619.03	1005.9	536.21	459.11

Note: Logistic regression coefficient, probability (). Tests failed to reveal statistically significant significant race interactions.

**p < .01, *p > .05

Table 4.6. Formal Court Decision Making – Linn

Variables	Petition		Initial Appearance		Adjudication		Judicial Disposition with Waiver		Judicial Disposition without Waiver						
	Full Model (1)	White (2)	Black (3)	Full Model (4)	White (5)	Black (6)	Full Model (7)	White (8)	Black (9)	Full Model (10)	White (11)	Black (12)	Full Model (13)	White (14)	Black (15)
Race	.03 (.00)			-.29 (-.06)			-.71* (-.12)						.01 (.00)		
Age	-.02 (-.00)	-.03 (-.00)	-.00 (-.00)	-.07 (-.01)	-.12 (-.02)	-.04 (-.01)	-.07 (-.01)	.10 (.01)	-.16 (-.02)	.04 (.01)	-.16 (-.04)	.13 (.03)	.38 (.09)	-.26 (-.05)	.04 (.01)
Gender	-.04 (-.00)	.36 (.03)	-.14 (-.01)	-.12 (-.02)	.25 (.04)	-.26 (-.05)	.67 (.07)	.70 (.08)	.71 (.08)	-.01 (-.00)	-.25 (-.06)	.35 (.09)	-.10 (-.02)	-.30* (-.06)	.81 (.19)
Prior Referrals	-.10* (-.01)	-.06 (-.01)	-.13* (-.01)	-.03 (-.01)	.09 (.02)	-.08 (-.01)	.07 (.01)	.02 (.00)	.12 (.02)	.18** (.04)	.26 (.06)	.09 (.02)	.24** (.05)	.41** (.10)	.15 (.03)
#Charges	.17 (.01)	.32 (.02)	.10 (.01)	.31* (.05)	.16 (.03)	.49* (.08)	.36 (.04)	.27 (.03)	.37 (.05)	-.09 (-.02)	-.04** (-.01)	-.46 (-.11)	-.21 (-.04)	-.11 (-.02)	-.49 (-.17)
Crime Severity	.10 (.01)	.05 (.00)	.11 (.01)	.10 (.02)	.12 (.02)	.10 (.02)	.18 (.02)	.21 (.03)	.18 (.02)	.17 (.04)	.23 (.06)	.14 (.03)	.19 (.04)	.37 (.09)	.17 (.04)
Property	-.31 (-.03)	.47 (.03)	-.71 (-.08)	.32 (.05)	.19 (.03)	.50 (.08)	.51 (.06)	-1.89 (-.40)	.86 (.09)	.07 (.02)	-.69 (-.16)	.58 (.14)	1.64 (.39)	-.87 (-.16)	2.61 (.54)
Person	-.19 (-.02)	.94 (.06)	-.76 (-.09)	.18 (.03)	1.02 (.13)	-.14 (-.03)	-.26 (-.04)	-1.93 (-.41)	-.01 (-.00)	.08 (.02)	-.62 (-.15)	.64 (.16)	1.73 (.41)	-.57 (-.11)	2.67 (.55)
Drugs	.14 (.01)	.89 (.06)	-.21 (-.02)	.01 (.00)	1.07 (.14)	-.59 (-.12)	1.92 (.14)	.15 (.02)	1.46 (.12)	.66 (.16)	-.84 (-.20)	2.35** (.43)	2.63* (.54)	-.69 (-.13)	2.26 (.51)
Alcohol	.56 (.04)	1.51 (.07)	-.07 (-.01)	.47 (.07)	.61 (.09)	.58 (.09)	.07 (.01)	-1.91 (-.40)	.36 (.04)	.97 (.23)	.59 (.14)	1.01 (.24)	2.18 (.58)	.22 (.05)	2.10 (.47)
-2 Log Likelihood	330.68	132.64	194.08	459.74	154.64	291.38	273.76	77.90	189.21	290.86	127.90	149.12	199.25	66.75	116.19

Note: Logistic regression coefficient, probability (). Tests failed to reveal statistically significant race interactions.
 ** p < .01, * p < .05

Table 4.7. Intake Decision Making - Scott

Variables	Intake 1			Intake 2		
	Full Model	White	Black	Full Model	White	Black
	(1)	(2)	(3)	(4)	(5)	(6)
Race	.52** (.16)			-.23 (.15)		
Age	-.07 (.04)	-.15* (.07)	-.05 (.05)	-.01 (.04)	-.03 (.07)	-.04 (.05)
Gender	-.39* (.18)	-1.03** (.31)	.12 (.23)	.14 (.16)	.40 (.24)	-.03 (.22)
Prior Referrals	.16** (.02)	.20** (.04)	.14** (.03)	-.11** (.02)	-.10** (.04)	-.08** (.02)
#Charges	.22** (.05)	.17** (.06)	.32** (.09)	-.17** (.05)	-.08 (.05)	-.30** (.09)
Crime Severity	.50** (.05)	.48** (.08)	.59** (.08)	-.43** (.05)	-.39** (.07)	-.53** (.08)
Property	-.02** (.22)	-.27 (.31)	.25 (.29)	-.26 (.21)	.52 (.28)	-.02 (.28)
Person	.16 (.25)	.55 (.35)	-.00 (.32)	-.24 (.24)	-.03 (.33)	.42 (.31)
Drugs	-.43 (.31)	-.75 (.44)	.08 (.42)	.07 (.29)	.78* (.37)	.36 (.41)
Alcohol	-.93** (.36)	-.87* (.44)	-.77 (.64)	.52 (.30)	1.21** (.35)	.77 (.57)
-2 Log Likelihood	1082.11	510.86	580.05	1216.66	639.35	606.22

Note: Logistic regression coefficient, probability (). Tests failed to reveal statistically significant race interactions.

** p < .01, * p < .05

Table 4.8. Formal Court Decision Making – Scott

Variables	Petition		Initial Appearance		Adjudication		Judicial Disposition with Waiver		Judicial Disposition without Waiver						
	Full Model (1)	White (2)	Black (3)	Full Model (4)	White (5)	Black (6)	Full Model (7)	White (8)	Black (9)	Full Model (10)	White (11)	Black (12)	Full Model (13)	White (14)	Black (15)
Race	-1.73 (.07)			-2.09 (.02)			-1.95 (.34)			-20 (.04)			-21 (.04)		
Age	.00	.01 (.00)	-.31 (.01)	-.83** (.01)	-.31 (.01)	-.97* (.03)	.32* (.03)	-.23** (.02)	.32* (.03)	.26 (.06)	.68** (.17)	.40** (.10)	.08 (.02)	.50** (.11)	.16 (.03)
Gender	.03	.02 (.00)	1.34 (.01)	1.04 (.01)	1.35 (.01)	.70 (.01)	.21 (.02)	-.99** (.13)	.21 (.02)	.53** (.06)	-.78 (.16)	.66 (.16)	.32** (.07)	-.83 (.14)	.42 (.10)
Prior Referrals	-.04	-.05 (.00)	-.48 (.01)	.67* (.01)	-.48 (.01)	2.25* (.02)	-.08 (.01)	-.11** (.01)	-.08 (.01)	.21** (.05)	.20** (.05)	.22** (.05)	.21** (.05)	.20** (.04)	.23** (.05)
#Charges	.35	.35 (.00)	-.08 (.00)	.03 (.00)	-.08 (.00)	.16 (.00)	-.05 (.00)	.07 (.01)	.05 (.00)	.00 (.00)	-.01 (.01)	.03 (.01)	-.01 (.00)	-.03 (.01)	.01 (.00)
Crime Severity	-.14	-.14 (.00)	1.30 (.01)	.38 (.00)	1.30 (.01)	.29 (.00)	.28** (.02)	.36** (.03)	.28** (.02)	.07 (.02)	.11 (.03)	.09 (.02)	.08 (.02)	.10 (.02)	.08 (.02)
Property	.58	.50 (.01)	1.89 (.02)	.06 (.00)	1.89 (.01)	-.56 (.01)	-.61 (.07)	-.27 (.03)	-.71 (.08)	.25 (.06)	.19 (.04)	.43 (.10)	.13 (.03)	-.05 (.11)	.50 (.11)
Person	-1.00	-1.08 (.03)	-1.51 (.05)	-1.56 (.01)	-1.51 (.06)	-1.75 (.09)	-.26 (.03)	.63 (.04)	-.37 (.04)	-.20 (.04)	-.43 (.09)	.28 (.07)	-.16 (.03)	-.45 (.09)	.45 (.10)
Drugs	1.69	1.75 (.02)	1.77 (.02)	1.67 (.01)	1.77 (.01)	1.59 (.01)	.60 (.04)	-.40 (.04)	.49 (.04)	-.26 (.06)	-.12 (.03)	-.12 (.03)	-.41 (.08)	-.21 (.04)	-.58 (.11)
Alcohol	1.66	1.75 (.02)	2.11 (.03)	1.72 (.01)	2.11 (.02)	1.75 (.01)	-.60 (.07)	-.75 (.09)	-.70 (.08)	-.00 (.00)	.34 (.07)	.05 (.01)	-.07 (.01)	.01 (.00)	.22 (.05)
-2 Log Likelihood	66.96	67.11	5.94	44.70	5.94	25.35	192.33	535.57	193.01	398.57	180.74	211.56	361.89	167.41	188.11

Note: Logistic regression coefficient, probability (). Tests failed to reveal significant race interactions. Models for petition and initial appearance are unstable-view results with caution.

** p < .01, * p < .05

Table – Chapter Five

Page numbers within this section reflect position in Chapter

Table 5.1. Summary of Quantitative Results Differentiated by Jurisdiction, Identification, Decision Making Stage, Present Research, and Past Assessment Study

Jurisdiction	Identification	Decision Making Stage	Present Research	Past Assessment Study
Black Hawk	Blacks overrepresented at arrest, court referral, secure detention, petition, confined in secure facilities, underrepresented in diversion	Intake	Legal factors predict, Blacks more likely to be referred to court, also conditioned by involvement in alcohol offense, Females less like to be referred to court	Legal factors predict, Blacks more likely to be referred to court
		Petition	Legal factors predict to some degree, Older Blacks petitioned,	Legal factors predict
		Initial Appearance	Legal factors predict to some degree	Legal factors predict
		Adjudication	Legal factors predict to some degree, Blacks less likely to be adjudicated	Legal factors predict
		Judicial Disposition	Legal factors predict to some degree	Legal factors predict
Johnson	Blacks overrepresented at arrest, court referral, confinement in secure facilities	Intake	Legal factors predict, Blacks more likely to be referred to court, released, less likely to participate in diversion	Not studied
		Petition	Legal factors predict to some degree	Not studied
		Initial Appearance	Legal factors predict to some degree, Whites charged with more severe crime received consent decree	Not studied
		Judicial Disposition (without waiver)	Legal factors predict to some degree, older Blacks more likely to get community disposition(s)	Not studied

Table 5.1. Summary of Quantitative Results Continued

Jurisdiction	Identification	Decision Making Stage	Present Research	Past Assessment Study
Linn	Blacks overrepresented at arrest, juvenile court referral, underrepresented in cases diverted	Intake	Legal factors predict, Blacks more likely to be referred to court	Not studied
		Petition	Legal factors predict to some degree	Not studied
		Initial Appearance	Legal factors predict to some degree	Not studied
		Adjudication	Legal factors predict to some degree, Blacks less likely to be adjudicated	Not studied
Scott	Blacks overrepresented at arrest, juvenile court referrals, secure detention and petition, underrepresented in diversion	Judicial Disposition (includes waiver)	Legal factors predict to some degree, Blacks less likely to be placed out of home	Not studied
		Intake	Legal factors predict, Blacks more likely to be referred to court, females less likely to be referred to court	Legal factors predict, Blacks from single-parent home more likely referred to court, females more likely to participate in diversion
		Petition	Legal factors predict to some degree	Legal factors predict, Blacks less likely to be petitioned
		Initial Appearance	Legal factors predict to some degree	Legal factors predict

Table 5.1. Summary of Quantitative Results Continued

Jurisdiction	Identification	Decision Making Stage	Present Research	Past Assessment Study
Scott		<i>Adjudication</i>	Legal factors predict to some degree	Legal factors predict, Blacks less likely to be adjudicated

Judicial Disposition Legal factors predict to some degree Legal factors predict Note: Past Assessment study by Leiber (2003; 1993). Johnson and Linn were not studied in the past assessment research.

Appendix 3.1. Zero-Order Correlations, Black Hawk County

	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17
Race	1.00																
Age	-.01	1.00															
Gender	-.01	.02	1.00														
Prior Criminal	.22**	.01	-.20**	1.00													
Offense	.05	-.06	-.07*	.14**	1.00												
Number of Charges	.03	.04	-.19**	.10**	.10**	1.00											
Crime Severity	.07*	.00	.09**	-.07	-.04	.15**	1.00										
Property	.05	.00	-.01	.05	.05	-.09**	-.36*	1.00									
Person	-.09**	.01	-.11**	-.04	-.03	.04	-.28**	-.15**	1.00								
Drugs	-.27**	.00	.05	-.06*	-.07*	-.12**	-.29**	-.16**	-.12**	1.00							
Alcohol	.17**	-.02	-.19**	-.36**	.20**	.29**	-.01	.11**	.01	-.14**	1.00						
Intake I	.01	.04	.07*	-.07*	-.09**	-.14**	-.00	-.04	.07*	.08**	-.41**	1.00					
Intake II	-.04	.09	.01	.01	.09	-.01	.09	-.01	.01	-.06	-	1.00					
Petition	.06	-.01	-.06	-.02	.08	-.00	.05	.03	-.08	-.08	-	-	1.00				
Initial Appearance	-.13	-.01	-.04	.04	.03	.12*	.10	-.02	.03	.08	-	-	-	1.00			
Adjudication	.14	-.08	-.08	.10	.01	-.05	-.25**	.21**	-.05	-.05	-	-	-	-	1.00		
Disposition	.11	-.07	-.05	.09	.07	-.10	-.17*	.23**	-.04	-.13	-	-	-.42**	-.38**	-	1.00	

Note: first disposition includes waiver, second disposition excludes waiver
 **p ≤ .01; *p ≤ .05

Appendix 3.2. Zero-Order Correlations, Johnson County

	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17
Race	1.00																
Age	-.03	1.00															
Gender	-.01	-.03	1.00														
Prior Criminal	.10**	-.03	-.10**	1.00													
Offense																	
Number of Charges	-.05	-.01	-.00	.00	1.00												
Crime Severity	-.02	-.03	-.12**	.06*	.15**	1.00											
Property	.05	-.04	.04	-.08*	-.06*	.08**	1.00										
Person	.06*	-.02	.01	.07*	.09**	.04	-.43**	1.00									
Drugs	-.09**	-.01	-.09**	.03	-.01	.05	-.25**	-.14**	1.00								
Alcohol	-.22**	.08*	.01	-.05	.02	-.12**	-.36**	-.21**	-.12**	1.00							
Intake I	.14**	-.02	-.09**	-.33**	.16**	.27**	-.00	.01	.01	-.06	1.00						
Intake II	.12**	-.01	.01	-.09**	-.07*	-.09**	.00	.05	-.01	-.07*	-.30**	1.00					
Petition	-.07	.00	-.04	-.07	.02	.04	.06	-.05	.03	.02	-	-	1.00				
Initial Appearance	.00	.04	-.03	.08	.08	-.07	-.01	.05	-.14**	.00	-	-	-	1.00			
Adjudication	-.01	-.02	.06	.12	.04	.08	.02	-.03	-.00	-.00	-	-	-	-	1.00		
Disposition I	.02	-.10	-.08	.02	.11	.04	-.14	.10	.17*	-.07	-	-	-	-	-	1.00	
Disposition	.15	-.10	.05	.06	.15	.02	-.13	.24**	-.02	-.11	-	-	-	-.13	-.63**	-	1.00

Note: first disposition includes waiver, second disposition excludes waiver

**p ≤ .01; *p ≤ .05

Appendix 3.3 Zero-Order Correlations, Linn County

	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17
Race	1.00																
Age	-.16**	1.00															
Gender	.04	.02	1.00														
Prior Criminal	.17**	.20*	-.18**	1.00													
Offense																	
Number of Charges	-.09**	.10*	-.15**	.11**	1.00												
Crime Severity																	
Property	-.05	-.03	-.25**	.16**	.38**	1.00											
Person	.10**	.10*	.01	.07*	.09**	.23**	1.00										
Drugs	.08**	.07*	.01	.05	.03	-.06*	-.45**	1.00									
Alcohol	-.06	.11*	-.12**	-.01	-.05	-.09**	-.28**	-.15**	1.00								
Intake I	-.21**	.19*	.07*	-.11**	-.09**	-.13**	-.31**	-.17**	-.10**	1.00							
Intake II	.16**	-.04	-.20**	.32**	.30**	.45**	.14**	.06*	-.08**	-.19**	1.00						
Petition	-.10**	-.02	.15**	-.22**	-.23**	-.37**	-.11*	-.02	.06*	.18**	-.82**	1.00					
Initial Appearance	-.11*	.01	-.03	-.03	.06	.01	-.04	-.08	.03	.03	-	1.00					
Adjudication	-.08	-.10	.01	.09	.02	.04	.07	-.11*	.03	.03	-	-	1.00				
Disposition I	-.29**	.12*	-.06	-.08	.06	.11*	-.07	.01	.05	.03	-	-	-.02	1.00			
Disposition	.01	.38*	-.01	.42**	.08	.05	-.08	-.05	-.02	.01	-	-	-.04	-	1.00		
	.01	.26*	-.05	.41**	.05	.04	-.08	-.03	-.04	-.02	-	-	.04	-	-.04	-	1.00

Note: first disposition includes waiver, second disposition excludes waiver

**p ≤ .01; *p ≤ .05

Appendix 3.4. Zero-Order Correlations, Scott County

	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17
Race	1.00																
Age	-.16**	1.00															
Gender	.04	.02	1.00														
Prior Criminal Offense	.17**	.20*	-.18**	1.00													
Number of Charges	-.09**	.10*	-.15**	.11**	1.00												
Crime Severity	-.05	-.03	-.25**	.16**	.38**	1.00											
Property	.10**	.10*	.01	.07*	.09**	.23**	1.00										
Person	.08**	.07*	.01	.05	.03	-.06*	-.45**	1.00									
Drugs	-.06	.11*	-.12**	-.01	-.05	-.09**	-.28**	-.15**	1.00								
Alcohol	-.21**	.19*	.07*	-.11**	-.09**	-.13**	-.31**	-.17**	-.10**	1.00							
Intake I	.16**	-.04	-.20**	.32**	.30**	.45**	.14**	.06*	-.08**	-.19**	1.00						
Intake II	-.10**	-.02	.15**	-.22**	-.23**	-.37**	-.11*	-.02	.06*	.18**	-.82**	1.00					
Petition	-.11*	.01	-.03	-.03	.06	.01	.04	-.08	.03	.03	-	-	1.00				
Initial Appearance	-.08	-.10	.01	.09	.02	.04	.07	-.11*	.03	.03	-	-	-	1.00			
Adjudication	-.29**	.12*	-.06	-.08	.06	.11*	-.07	.01	.05	.03	-	-	-	-.02	1.00		
Disposition I	.01	.38*	-.01	.42**	.08	.05	.08	-.05	-.02	.01	-	-	-	.04	-	1.00	
Disposition	.01	.26*	-.05	.41**	.05	.04	.08	-.03	-.04	-.02	-	-	-	.04	-	-	1.00

Note: first disposition includes waiver, second disposition excludes waiver

**p ≤ .01; *p ≤ .05

