

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

EXECUTIVE BRIEF

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Background

In late spring of 2004, Michael Leiber met with staff of the Division of Criminal and Juvenile Justice Planning (CJJP) to discuss the possibility of conducting a second assessment of disproportionate minority contact with Iowa's juvenile justice system. His proposal, which was accepted, involved an update of a 1993 Leiber study that required manual collection of data from case files in Black Hawk, Scott, Woodbury and Polk counties. The new study, included Black Hawk, Scott, Linn, and Johnson Counties, and made use of Iowa's Justice Data Warehouse (JDW) and covered juvenile justice activity from 1998 through 2004. Specific information on the detailed history of DMC activities in Iowa, sampling, tables, and findings for each jurisdiction can be found in the full technical report: *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* as well as in the executive summary (both by, Leiber, Johnson, and Fox, 2006).

Basis for Existing Study:

Iowa and 49 other states participate in the Federal Juvenile Justice and Delinquency Prevention Act (JJDP Act). A core requirement of the JJDP Act is that states assess the extent to which minority youth are overrepresented in the juvenile justice system. This study is an effort to determine the extent to which minority youth are overrepresented in Iowa's juvenile justice system.

Study Sample:

The sample includes 4,400 cases involving delinquent court referrals with 1,100 cases being taken from each of the four jurisdictions. The population studied included a random sample of white youth, with African American youth and judicial disposition cases over-sampled to increase numbers in the study and to assess decision making across the juvenile justice system.

Statistical Tests:

Zero order correlation and logistic regression with tests for race interactions.

Limitations:

- The study was based on an un-weighted sample that involved over-sampling of African American youth and cases that reached judicial disposition. A majority of the cases processed in the juvenile court are not African American and most cases do not reach judicial disposition. The sample of African Americans was chosen to allow for greater numbers for the purpose of comparisons to whites and the back-end cases was chosen to provide analysis on cases at a number of the court's major decision making phases.
- JDW, the state-wide system from which the study data were taken, focuses on capturing information regarding the juvenile justice system's legal decision-making process. The system contains only limited information regarding family and school status information. This is a major weakness, as other studies have identified family and school factors as variables that influence detention decision-making.
- JDW is a statewide system that is the product of data input at the local level. There are inconsistencies regarding data entry in certain jurisdictions for certain decision points. Data entry for the decision phase of juvenile probation was being reported inconsistently in some of the jurisdictions during some of the years of the existing study. Similarly, JDW includes a screen that provides basic information regarding whether or not youth are being placed in juvenile detention facilities. A variety of research has demonstrated that minority youth are often overrepresented in juvenile detention compared to their representation in the general population. Unfortunately, Leiber's research found that local jurisdictions are not routinely completing the detention placement screen in the JDW, further limiting the data available in the research.

Major Findings:

In the four counties examined, offense seriousness and other legal variables most often had the strongest effects on decision making; these variables have a significant impact on the extent of minority overrepresentation. However, race was also found to have an effect on system decision making. Race effects were most pronounced and consistently found at the court decision-making phase of intake in all four jurisdictions even after controlling for offending characteristics. African American youth were 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 is consistent with Leiber's 1993 findings.

Leiber and colleagues also found in this current study that females were less likely than males to be referred to court for formal proceedings in two jurisdictions.

Note: Staff in the counties studied shared concerns regarding the finding that minority youth were treated more harshly at the decision-making phase of intake. They questioned whether or not the study group, a sample of cases reaching the court decision-making phase of disposition, may have contributed to the finding. After performing a test on an additional sample of cases at the decision making phase of intake, Leiber's conclusion pertaining to African American overrepresentation was unchanged.

Recommendations

Recommendation 1: Increase Structured Decision Making at Intake

- Develop quantitative tools to aid decision-making at intake. Limited numbers of jurisdictions across the county have had some success in reducing minority overrepresentation by combining the use of decision making tools with increased support for community based alternatives.

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

- Support participation in sensitivity training. Both race and gender were discovered to be consistent factors influencing decision making at intake. Many studies have documented the importance of gender/cultural training as a tool to improve decision-maker knowledge and understanding of the issues faced by diverse populations of youth.

Recommendation 3: Conduct Additional Research on DMC

- Increase sample size in the four studied jurisdictions at the decision stages following intake.
- Include a sample of cases at various stages in the court decision-making process – not just those that advanced to the dispositional phase.
- 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.
- Conduct further research to include Hispanics and Native Americans youth.
- Expand the study to include other jurisdictions (Polk and Woodbury Counties) included in the first study.

Recommendation 4: Improve Upon Iowa's Justice Data Warehouse (JDW) System for Case Management and DMC

- Improve accessibility and expediency of the system.
- Expand the JDW to include certain demographic (school and family) information, and ensure that certain information is being input on the system (e.g., detention screens exist on the system but aren't routinely being completed in some jurisdictions).
- Provide technical support to jurisdictions for the purpose of creating better coordination and uniformity in entering data, as there are differences in the amounts and types of information recorded in the JDW
- Link the statewide data systems of CJJP and the Iowa Department of Human Services to facilitate improved study of disproportionate minority contact in the child welfare and juvenile justice realms. Research suggests that overrepresentation of minority youth is an issue in both the child welfare and juvenile justice systems. Linking data systems will further research in both systems.

Recommendation 5: Expand Crime Prevention Programs

- Establish or strengthen community based resources and programs focusing on delinquency prevention. Facilitate minority access to crime prevention programs to reduce the disproportionate number of minority youth coming into contact with the juvenile justice system.
- Create a multi-prong approach to reduce DMC that includes a variety of strategies focusing on the prevention of delinquency, possible selection bias, and deficiencies in the juvenile justice system.