

AN EVALUATION OF THE DISPOSITIONAL PRACTICES
OF THE
BEAVER COUNTY JUVENILE PROBATION DEPARTMENT
FROM
FEBRUARY 1, 1973 TO FEBRUARY 1, 1974

by

FRANK J. BOZICH

Submitted in Partial Fulfillment of the Requirements
for the Degree of
Master of Science
in the
Criminal Justice
Program

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YOUNGSTOWN STATE UNIVERSITY

May, 1975

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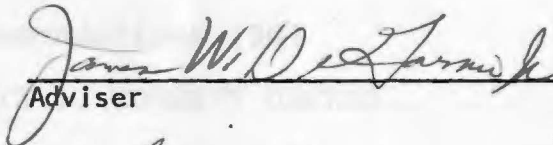
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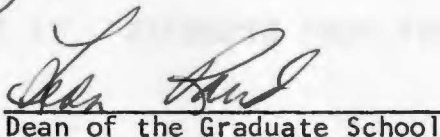
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CHAPTER I

INTRODUCTION

Much has been written about discretionary decision-making in the criminal justice system, and it is well known that all along the continuum of the criminal justice process, considerable discretion is exercised by individual public agencies and officials.¹ In this study an attempt was made to examine an individual juvenile court and its probation department. Essentially because the law in Pennsylvania, and the policy of this particular court, permit the informal, non-judicial disposition of any delinquency complaint regardless of charge, the staff of the juvenile probation department exercises broad discretion.

The Beaver County Juvenile Court, Beaver, Pennsylvania, was the setting of this study. The focus was on the decision-making of its juvenile probation department as it pertains to the disposition of cases. This particular probation department was chosen because of the large proportion of its total cases in which the dispositions stop short of any formal court action. In fact, data collected

¹Richard Quinney, The Social Reality of Crime (Boston, Mass: Little, Brown, and Co., 1970), pp. 101-150.

by a Pennsylvania statewide agency, indicates that Beaver County proportionately disposes of more cases without a formal court hearing than any other jurisdiction within the state.² An evaluation of its performance seems particularly timely considering the growing trend toward the diversion of juvenile offenders from the juvenile justice system.

In February, 1973, the state legislature of Pennsylvania adopted a new Juvenile Court Act. The new law guaranteed various legal safeguards for juvenile defendants mandated by United States Supreme Court decisions. More relevant to the purposes of this study, this new law also outlined procedures for the non-judicial disposition of juvenile cases. Briefly, this legislation empowered the probation department with the legal authority, with the consent of the involved parties, to determine the disposition of any delinquency case without the need for a formal juvenile court hearing. Although this process does not insure the complete diversion of juvenile offenders, it does provide an avenue for the minimization of the penetration of juvenile offenders into the juvenile justice system.

Historically, informal case processing methods, to varying degrees, have been in operation in many juvenile court jurisdictions. In Beaver County, the Juvenile

²Pennsylvania Juvenile Court Dispositions, Pennsylvania Department of Justice, Governor's Justice Commission (Harrisburg, Pa.: Bureau of Criminal Justice Statistics), p. 11.

Probation Department has been screening cases from formal juvenile court hearings for a number of years. Even though this method of case processing had been in use prior to this new law, the sanctioning of these procedures by the state legislature makes an evaluation of its effectiveness all the more appropriate.

Thus, the intent of this study was to evaluate the decision-making process of the Beaver County Juvenile Probation Department as it relates to the disposition of its cases. An examination of the variables that are related to the different types of dispositions used by the probation department was made. Also in this study, a comparison of the recidivism or re-referral performance of the different groups was made with the intention of determining the effectiveness of the differential case processing methods. Finally, an effort was made to evaluate the financial effectiveness of the non-judicial handling of juvenile cases. This analysis consisted of a comparison of costs between placing a juvenile under the supervision of the probation department by a full juvenile court hearing, and the cost of providing this same supervision by informal non-judicial processing.

CHAPTER 2

BACKGROUND

The staff of the Beaver County Juvenile Probation Department consists of the director, one supervisor, one intake officer, four probation counsellors, a legal investigator, and a part-time solicitor. At the direction of the President Judge of the Court of Common Pleas, the probation department has been granted wide latitude and discretion in exercising control over the processing and the disposition of juvenile cases.

The method of case processing at the probation department consists of a two-stage screening process which involves decision-making by the intake officer, and the investigator and solicitor. Initially, all complainants of delinquency are scheduled for what this department calls a preliminary inquiry. The investigator and solicitor jointly conduct this inquiry and only two issues are reviewed. They are; (1) whether or not the alleged acts consist of behavior which would bring the juvenile under the jurisdiction of juvenile court, and (2) is there sufficient evidence to establish that particular allegation against the juvenile. If sufficient evidence is presented, and it is found that

the court does have jurisdiction over the alleged behavior, the juvenile and his parents or guardians are required to appear for a conference with the officer. It is at this intake conference that the decision as to the disposition of the case is made. However, interviews with the intake officer and the administrator indicate that the present offense, prior referrals (offenses) to the Juvenile Probation Department, and the need for supervision are the primary considerations in determining disposition. The first two variables are not difficult to measure and compare, however, the third is not so amenable to objective calculation. The staff of the probation department indicates that the consideration as to the need for supervision is a judgement of the risk the juvenile presents as to re-referral to the probation department. Essentially, this is a subjective evaluation based on the juvenile's adjustment to family life and school.

There are three distinct alternatives available to the intake officer when determining disposition. Probation department records indicate that all three methods are used regularly by the intake staff. The first of these is --- Adjustment. This disposition consists of a warning, and brief counselling by the intake officer at the intake conference. No further intervention or supervision of the case is provided by the probation department beyond this point, although the intake staff may recommend to the juvenile

and his parents that they solicit assistance from a social service agency in the community.

The second alternative available is --- Informal Probation by Consent Decree (See Appendix I). By employing this disposition, which requires the consent of the juvenile and his parents, formal adjudication and court proceedings are averted. Juveniles selected for this type of disposition are seen as in need of help, but not yet requiring court intervention. Accordingly, these juveniles are provided with services comparable to those afforded under formal probation supervision.

The third alternative of the intake staff is to file a petition for a formal court hearing. In this case the judge determines the final disposition, although the probation department has the input of making a recommendation for disposition to the judge. The judge has wide latitude and discretion in making a determination as to what decision will be imposed. Generally, however, juveniles are either placed on formal probation, or committed to some type of youth correctional facility. For the purposes of this study, however, the concern will be with those juveniles who are placed on --- Formal Probation Supervision.

In order to gain some perspective of the volume of cases which are handled by the Beaver County Juvenile Probation Department, and the manner in which they are processed, the following descriptive data gathered from the

statistical reports of the probation department is presented.

From February 1, 1973, until January 31, 1974, 383 cases received the disposition of Adjustment, Informal Probation, or Formal Probation by the probation department. The following table displays the frequency of each type of disposition, and their percentage of the total.

TABLE I

DISPOSITIONS OF THE
BEAVER COUNTY JUVENILE PROBATION DEPARTMENT
From February 1, 1973, to January 31, 1974

	Number	Percentage of Total
Adjustments	204	53.3%
Informal Probation	135	35.2%
Formal Probation	<u>44</u>	<u>11.5%</u>
Total	383	100.0%

These figures do not account for all the cases processed by the Beaver County Juvenile Probation Department because a number of cases had to be eliminated from the study sample. The reason for this was that, in certain types of cases the probation department does not, because of the nature of these cases, dispose of them according to policies that were examined by this study. The cases which were eliminated fall in the following categories: 1) cases in which charges were dismissed due to insufficient evidence;

2) cases where charges are withdrawn by the complainant; 3) cases involving runaway juveniles from other jurisdictions, who are simply returned to their home counties or states; 4) cases which were requests for courtesy probation supervision from other counties or states; and 5) cases in which juveniles charged are residents of another county and the charges are certified to the juvenile's resident county for disposition. Also, another group of cases, i.e., those cases involving commitment of a juvenile to a youth correctional facility were not included because of the nature of the study.

Statement of the problem
and research assumptions

This study did attempt to identify those variables being employed by the intake staff of the Beaver County Juvenile Probation Department which resulted in one of three dispositions: (1) Adjustment, (2) Informal Probation, or (3) Formal Probation.

It was assumed that those who received the disposition - Adjustment - were the least likely to be re-referred to the probation department; that those who received the disposition - Informal Probation - were more likely to be re-referred to the probation department; and those who received the disposition - Formal Probation - were the most likely of the three to be re-referred to the probation department. By

assessing and comparing the re-referral performance of these three groups, this study attempted to determine whether or not appropriate decisions were being made by the intake staff of the probation department. Since the problem of the study was to evaluate the past performance of the probation department, and the data gathered was descriptive in nature, no formal research hypotheses are stated.

The importance of this study

The importance of this study rests in the fact that a comparative analysis of re-referral as related to disposition employed has never been undertaken in Beaver County. Also, no investigation has been made as to those variables which are related to disposition. This study has examined both of these areas.

Further, it was assumed that the findings of this study would be of value to the probation department itself, in that it should have implication as to whether or not the department should consider review, or possible alteration of its present policies and procedures.

CHAPTER 3

METHODOLOGY

This study has examined all cases in which the disposition employed was Adjustment, Informal Probation, or Formal Probation for a period of one year beginning with February, 1973. Cases were assigned to one of three groups according to the disposition received in the case. The follow-up of the three groups on their performance as to re-referral to the probation department was limited to a six month period from the date of the disposition. This course was chosen because all cases placed under Informal Probation supervision were required to be terminated six months after disposition by law (See Appendix 2). Accordingly, the follow-up on all three groups was limited to this same time period, although it is common for Formal Probation cases to be under supervision for periods of up to one year or longer.

Data collection

The method used for the data collection on the variables related to the disposition employed is very similar

to that used in a prior study of the effectiveness of Informal Probation.³ The data collected is contained in records of the Beaver County Juvenile Probation Department, and is recorded in all cases at the time of the disposition by the intake staff. The variables which were selected for examination and comparison were limited to those recorded by the data source, i.e., the records of the probation department.

Thus, the method of data collection for the variables related to disposition consisted of an examination by the researcher, of the records of all cases dispositioned by the Beaver County Juvenile Probation Department during the study period. The data gathered is presented for the three study groups by developing an attribute profile of each group. The attribute profile consists of those variables contained in the records of the probation department. For purposes of comparison the data for each study group was converted to percentages.

The data collection on the re-referral performance of the three study groups consisted of further examination of the intake records of the probation department. Each case included in the three study groups was followed for

³Peter Venezia, "Unofficial Probation: An Evaluation of Its Effectiveness," Journal of Research in Crime and Delinquency, Vol. 9, No. 2 (July, 1972), pp. 149-170.

a period of six months from the time of its disposition to determine whether or not the juvenile was re-referred to the probation department.

Data reliability

From February 1, 1973 to February 1, 1974, the same staff member of the Juvenile Probation Department held the position of intake officer. Additionally, the immediate supervisor of that intake officer, and the director of the probation department held their positions for some time prior to the study period and all through that period. Considering this stability in staff, it was assumed that the decisions made, and the data gathered by the probation department would be consistent and reliable.

Since the data collection methods were substantially similar to ones used in a prior study on probation department effectiveness, which was shown to be reliable in measuring probation department performance, it is asserted that this is a reliable method.⁴ Further, since the data source is the official probation department records, it was also assumed that these records can be accepted at face value.

Finally, the data gathered was subjected to statistical analysis to test the differences among the three

⁴Ibid., p. 159.

study groups. Those differences found to be significant are indicated by asterisks and are explained in notes at the end of each table.

CHAPTER 4

DATA PRESENTATION AND ANALYSIS

The following discussion deals with the subjective findings of the data collection process utilized in the previous chapter. Since the intent of this study was to develop profiles of the three study groups, the results for the most part, will be discussed in terms of comparisons and contrasts among the three groups.

As stated previously, the Beaver County Juvenile Probation Department reports that its decision making process in regard to disposition practices is based on three variables - present offense, prior referrals (history) to the Juvenile Probation Department, and the need of the particular juvenile for supervision by the probation department. The attitude profile (Table 2) employed in this study provides the data collected in an attempt to determine whether or not the Juvenile Probation Department utilizes policies in decision as regards to disposition according to the stated criteria.

Attitude Profile of the Study Groups
Characteristics, Individual and Total

The data presented in the attitude profile (Table 2)

CHAPTER 4

DATA PRESENTATION AND ANALYSIS

The following discussion deals with the objective findings of the data collection process outlined in the previous chapter. Since the intent of the study was to develop profiles of the three study groups, the results, for the most part, will be discussed in terms of comparisons and contrasts among the three groups.

As stated previously, the Beaver County Juvenile Probation Department asserts that its decision making process in regard to disposition practices is based on three variables: present offense; prior referrals (offenses) to the Juvenile Probation Department; and the need of the particular juvenile for supervision by the probation department. The attribute profile (Table 2) employed in this study presents the data collected in an attempt to determine whether or not the Juvenile Probation Department actually makes its decisions in regard to disposition according to the stated criteria.

Attribute comparisons among the study groups:
Adjustment; Informal; and Formal

The data presented in the attribute profile (Table 2)

TABLE 2

ATTRIBUTE PROFILES OF THE THREE STUDY GROUPS:
ADJUSTMENT (ADJ); INFORMAL PROBATION (IF); AND, FORMAL PROBATION (FP)

Attribute	Description	Groups		
		ADJ	IF	FP
1. Age; Years	11 or less	5.4%	3.7%	2.3%
	12	3.9%	3.0%	2.3%
	13	11.8%	11.1%	9.0%
	14	14.2%	12.6%	9.0%
	15	20.6%	21.5%	29.5%
	16	17.6%	25.2%	22.7%
	17	26.5%	23.0%	25.0%
2. Avg. Age	Years	15.2	15.3	15.8
3. Sex	Male	73.0%	90.4%	86.4%
4. Race	White	75.9%	85.2%	81.8%
5. Referral Source ***	Police	53.4%	86.7%	85.0%
	Parents	16.2%	6.9%	4.1%
	Private Citizen	13.7%	3.7%	-
	Probation Officer	-	.7%	4.5%
6. Prior Referrals ***	0	73.0%	57.8%	9.0%
	1	15.7%	21.5%	29.5%
	2	8.3%	14.1%	15.9%
	3	.9%	5.2%	13.6%
	4 or more	1.8%	2.2%	31.8%
7. Reason for Referral **	Assault	16.7%	5.9%	4.0%
	Burglary	9.8%	37.8%	27.2%
	Auto Theft	-	8.9%	4.5%
	Drug Offense	1.9%	19.3%	15.9%
	Vandalism	6.9%	3.7%	2.3%
	Runaway/Incorrigible	29.9%	6.7%	18.0%
	Violation of Probation	-	.7%	9.0%
	Theft	13.7%	7.4%	9.0%
Summary Offense+	12.7%	-	-	

TABLE 2 - Continued

		Groups		
Attribute	Description	ADJ.	IF	FP
8. Living Arrangement of Juvenile	w/Both Parents	51.9%	53.3%	52.3%
	w/Mother & S. Father	7.8%	8.1%	2.3%
	w/Father & S. Mother	4.4%	4.4%	6.8%
	w/Mother Only	24.0%	28.9%	25.0%
	w/Father Only	4.9%	2.2%	4.5%
	w/Relatives	4.9%	2.9%	6.8%
	Foster Home	1.5%	-	2.3%
9. School Status	In School	82.8%	88.2%	81.8%
	Grades 9 - 12	50.0%	60.7%	54.5%
10. School Achievement *	At Expected Grade Level or Better	66.7%	62.2%	43.1%
11. School Adjustment **	Behavior Problems	13.7%	22.2%	38.6%

* Indicates significant Chi-Square differences at the .05 level.

** Indicates significant Chi-Square differences at the .01 level.

*** Indicates significant Chi-Square differences at the .001 level.

+ Including traffic, shoplifting, trespass, curfew violations, and disorderly conduct.

for the three study groups, Adjustment, Informal, and Formal, in regard to age reveals there are no substantial differences among the three groups; although, the formal group has a slightly older average (mean) age than the other two groups.

Sex appears to be related to disposition when comparing the Informal and Formal groups to the Adjustment group, in

that males account for a larger proportion of the Formal and Informal groups. However, the actual cause of this difference may be attributed to the fact that females referred to the Juvenile Probation Department tend to be concentrated in the offense category of runaway/incorrigible.

From the data, race is not an important variable in determining disposition. In fact, the largest proportion of blacks and other non-whites is found in the Adjustment group.

The three variables reviewed to this point (age, sex, race) do not seem to be directly related to the type of disposition employed. This was not unexpected, however, because according to the statements of Juvenile Probation Department officials, these variables are not intended to be considered by its intake staff in determining the disposition of a case.

The data in Table 2 on prior referrals to the Juvenile Probation Department does reveal considerable differences among the study groups. The relationship between prior record and the disposition employed by the probation department is in the expected direction, i.e., the more lengthy the prior record, the greater the likelihood of a more severe disposition. Only nine per cent of the Formal cases had no prior record with the probation department, while 57.8 per cent of the Informal group had no prior record, and 70.1 per cent of the Adjustment group had no prior record. In fact, the most marked differences among the three groups appears

in the data collected on this variable. Although there are considerable differences among the groups on this variable, the data also indicates record alone, does not dictate the type of disposition that was employed. This is indicated by the fact that there are members of each study group in all categories within the range of zero to four or more prior referrals to the probation department.

Comparisons among the study groups on the reason for referral to the probation department, also display considerable differences. Summary offenses, and runaway/incorrigibility charges were more frequently found in the Adjustment group than in either the Informal or Formal groups. Also, it appears that burglary cases, drug offenses, and auto theft cases almost always result in either Informal or Formal supervision by the probation department, and very rarely do these type of offenses result in Adjustment as the disposition. Again, as when examining prior record as a variable, the data suggests that although there are some apparent strong relationships between present offense and type of disposition, prior record alone does not determine the type of disposition.

Aside from prior record and present offense, the Beaver County Juvenile Probation Department asserts that the other important factor considered in determining the disposition is a judgement by the intake officer as to the risks the particular juvenile presents as to re-referral to the

probation department. According to the probation department, this subjective evaluation is based on the juvenile's family life and school adjustment.

As stated earlier, the data collected in this study is limited to the information contained in the probation department's records. Accordingly, although the family life of each juvenile is considered to be an important variable by the probation department in determining the disposition, the records kept by the probation department in this area are limited to data on the living arrangement of the juvenile. As the attribute profile (Table 2) indicates, there were no large differences among the three groups in regard to this variable.

The records of the probation department are much more extensive in regard to school performance. As the attribute profile (Table 2) shows, there are four areas in which data was available. Compared to the Adjustment and Formal groups, which were nearly equal, the Informal group had the highest percentage of members who were in school at the time of disposition by the probation department. A similar comparison exists among the three groups in regard to the percentage of each group which was in grades nine through twelve. Thus, the implication of the data in this area is most significant when the comparison is limited to the Informal and Formal groups. In both areas the Informal group shows a better adjustment to school than the Formal group.

The differences among the study groups in regard to school performance are more pronounced in the remaining two areas of comparison. Sixty-six and seven tenths per cent of the Adjustment group was at the expected grade level in school, compared to 62.2 per cent of the Informal group, and only 43.1 per cent of the Formal group. The data on the percentage of each study which displayed behavior problems in school also indicates marked differences among the three groups. Almost three times as many members of the Formal group displayed behavior problems in school, as did those in the Adjustment group. The difference between the Formal group and the Informal group is also quite large, 38.6 per cent to 22.2 per cent respectively.

In reviewing all of the data on the variables related to school performance, it can be concluded that considerable differences do exist among the three groups in overall school adjustment and performance. The most pronounced differences are evident in the comparisons between the Informal and Formal groups.

Reviewing all of the findings in the attribute profile (Table 2), some conclusions regarding the variables employed by the Beaver County Juvenile Probation Department in determining disposition are evident. First, as stated earlier, two variables which the probation department considers in its disposition practices are easily amenable to objective calculation and comparison. Specifically, findings of this

study indicate that there are strong relationships between present offense and type of disposition, and prior referrals to the probation department and type of disposition. Secondly, this same objective data seems to indicate that neither of these two variables taken separately is sufficient to determine the type of disposition. Third, the data on the relationship between the living arrangement of the members of the three study groups was inconclusive. Fourth, school performance and adjustment do appear to be related to disposition. Finally, considering all of the data presented in the attribute profile on the three study groups, it seems apparent that a combination of factors, specifically, prior record, present offense, and school adjustment, are considered by the probation department in determining the disposition of the cases which are processed through its intake procedures.

Re-referral performance of the three study groups:
Adjustment; Informal; and Formal

The findings of this study to this point clearly indicate that there are considerable differences among the three study groups on a number of variables. Therefore, it should be emphasized that there is no assumption in this study that the three study groups are comparable. The intent of the follow-up on the three study groups is restricted to an attempt to determine whether or not the Beaver County

Juvenile Probation Department is appropriately selecting cases, for the different dispositions, by examining the re-referral performance of the study groups.

This study has shown that the Beaver County Juvenile Probation Department is making its decisions in regard to dispositions according to the stated criteria of that department. It has been established that the more serious the offense, the longer the prior record, and the less school achievement and more adjustment problems, the greater likelihood the case will result in a more severe disposition. It remains then, whether or not disposition practices based on the criteria used by the Beaver County Juvenile Probation Department are an effective method of decision-making, resulting in lower re-referral rates. In an attempt to make this determination, a follow-up study of the three groups was conducted. Table 3 presents the data on the re-referral performance of the three study groups.

TABLE 3

RE-REFERRAL PERFORMANCE OF THE THREE STUDY GROUPS:
ADJUSTMENT; INFORMAL PROBATION; AND FORMAL PROBATION
(FROM FEBRUARY 1, 1973 - FEBRUARY 1, 1974)

GROUP	ADJUSTMENT	INFORMAL	FORMAL	TOTAL
Total number in group	204	135	44	383
Percentage * rereferred	11.2%	18.6%	38.6%	17.2%

* Indicates significant Chi-Square differences at the .001 level.

The data on the re-referral performance of the three study groups displays considerable differences among all three study groups, with the Formal group by far showing a much higher degree of re-referral to the probation department. As explained in the statement of the problem for this study, the results were as expected. It seems clear from these findings that those juveniles who are selected for Formal probation supervision present a comparatively greater risk as to re-referral to the probation department than do those in either the Adjustment or the Informal group. And that those juveniles who are selected for Informal probation supervision present a greatly reduced risk, while the cases which are dispositioned by Adjustment prove to be the best risk among the three groups.

Since the follow-up period is limited to six months, the findings of this study were not intended to be, and are not a statement about long range recidivism rates among the study groups. However, the data does indicate that the selective use of informal case processing methods can result in successful disposition practices.

Reviewing the findings on the re-referral performance of the three study groups, they seem to indicate that the criteria used by the Beaver County Juvenile Probation Department is an effective method of making decisions of dispositions. The fact that only 11.2 per cent of the Adjustment group and

only 18.6 per cent of the Informal group were re-referred to the probation department during the follow-up period as compared to 38.6 per cent of the Formal group, is a convincing statement for the selective use of both of the non-judicial dispositions used by the Beaver County Juvenile Probation Department. Accordingly, it is apparent that the Beaver County Juvenile Probation Department is providing the most supervision and the fullest legal processing to those cases which present the greatest risk toward further delinquency. In those cases which presented lesser degrees of risk, the probation department either provides probation supervision by a less formalized and more economical process, or quickly diverts the case from further processing in the juvenile justice system.

Financial effectiveness of informal case processing methods

The discussion which follows is a comparative analysis of the differing costs involved in processing cases by informal methods as opposed to a full judicial hearing. By the case processing procedures outlined in Chapter 2 of this study, it is evident that both of the informal disposition alternatives, i.e., Adjustment and Informal Probation, require identical procedures by the intake staff of the Beaver County Juvenile Probation Department. Therefore, it follows that up to the point of the disposition the financial costs

are equal. However, there are considerable other financial costs involved in bringing a case through a full juvenile court hearing.

Since the decision to make an informal disposition of a case eliminates the need for judicial attention, a whole array of related costs are removed. For example, the costs of formally adjudicating a filed petition include such factors as: public defender staff time; district attorney staff time; court reporting staff time, including the cost of recording and transcribing the court proceedings; and additional staff time, both clerical and professional, of the Juvenile Probation Department.

During the calendar year 1973, there were 87 cases which were processed by full judicial hearings in the Beaver County Juvenile Court. A conservative estimate of the additional costs involved in such proceedings is \$450. per case.⁵ As an indication of the economics inherent in informal disposition practices, if just the 144 cases, from a one year period, which were disposed of by Informal Probation would have been sent to court for disposition, the additional cost to Beaver County would have been:

$$144 \text{ cases} \times \$450. = \$64,800.$$

These figures indicate there are considerable financial savings available to the community with the selective use of Informal Probation.

⁵Clifford P. Kirsch, private interview, Court Administrator, Beaver County.

This contention is based primarily on the evidence produced by this study that with selective screening, informal case processing methods have resulted in a favorable performance by these cases on re-referral rates to the probation department, as compared with those cases which receive full judicial processing. This suggests that Beaver County is realizing considerable economic efficiencies by the extensive use of informal methods of disposition, while maintaining an expected superior performance by the cases processed informally.

CHAPTER 5

CONCLUSIONS AND IMPLICATIONS

The problem of this study was twofold. First, an effort was made to identify those variables which were employed by the Beaver County Juvenile Probation Department to determine a disposition. Then, the study attempted to evaluate the effectiveness of these practices.

It was known from the outset that the Beaver County Juvenile Probation Department was diverting a great proportion of its cases from formal juvenile court hearings by regular use of non-judicial dispositions. This practice was endorsed by the President's Commission of Law Enforcement and Administration of Justice, in 1967, when the Commission stated:

The formal sanctioning system and pronouncement of delinquency should be used only as a last resort. In place of the formal system, dispositional alternatives to adjudication must be developed for dealing with juveniles, including agencies to provide and coordinate services and procedures to achieve necessary control without unnecessary stigma. Alternatives already available, such as those related to court intake, should be more fully exploited.⁶

⁶President's Commission on Law Enforcement and Administration of Justice, The Challenge of Crime in a Free Society (Washington, D.C.: U.S. Government Printing Office, 1967), p. 81.

Specifically as a means of accomplishing this end the Commission recommended the use of Consent Decrees and other preliminary conferences whenever feasible and possible.⁷ The findings of this study clearly indicate that the Beaver County Juvenile Probation Department is making extensive use of these practices within the stated policies and criteria of that probation department.

The attribute profile used in this study has employed data already on file with the probation department in a manner by which the probation department can continually review its dispositional decision making process to determine whether or not its stated policies are being followed in the discretionary decisions of its intake staff.

The findings of this study indicate that there are considerable differences among the three study groups (Adjustment, Informal Probation, and Formal Probation) on a number of characteristics in the attribute profile. These observed differences suggest that the discretionary decisions made by the intake staff of the Beaver County Juvenile Probation Department were based on a number of factors. It seems clear from the data gathered that the variables which are related to a disposition are: present offense; prior record; and school adjustment and performance. It is these three variables in combination which

⁷Ibid., p. 84.

appear to be the determinants of the type of disposition which will be employed by this probation department.

Therefore, with a limited reservation caused by the lack of sufficient or conclusive data on family life and adjustment, it is reasonable to conclude that the Beaver County Juvenile Probation Department does determine disposition according to its stated criteria.

Further, combining the data presented in the attribute profile, with the findings on the re-referral performance of the three study groups, it seems reasonable to conclude that the intake staff of the Beaver County Juvenile Probation Department is appropriately selecting cases for the various dispositional alternatives. This conclusion is supported by the evidence presented that the informal disposition methods, as opposed to formal processing, can be used while maintaining the expected comparatively superior re-referral performance of those juveniles selected for informal disposition.

Coupling the findings on re-referral performance with the financial economies inherent in informal disposition practices, the results suggest that a community can realize considerable fiscal savings with extensive, but selective use of such disposition practices.

Finally, admittedly the goals of this study were modest. No attempt has been made to study the long term effects of informal case processing methods versus formal

methods. There has been no implication that either of these methods has caused, or will cause a reduced rate of delinquency in those juveniles who have been processed in either manner. Rather, the intention has been to evaluate the dispositional practices of this particular probation department, with the hope of generating some conclusions as to the relative effectiveness of the extensive use of informal disposition practices.

Recommendations

As a result of the findings of this study the following recommendations are suggested:

- 1) This study has shown that the selective use of informal case processing methods can be an effective method of disposition in a juvenile probation department, and other juvenile courts might consider expanding the use of these procedures.
- 2) The results of this study support the contention that a community can benefit financially from the judicious use of informal case processing methods, consequently other communities might realize considerable fiscal savings by adopting these methods.
- 3) This study has demonstrated a methodology by which this probation department and

others can continually evaluate their decision-making processes in regard to the disposition of cases.

- 4) The study results indicate that further research might more closely examine the area of re-referral performance, as it relates to those variables (prior record, offense, school achievement and adjustment) which have been demonstrated to be related to disposition. Findings in this area could have implications for the refinement, and improved effectiveness of informal case processing practices.

BEAVER COUNTY JUVENILE PROBATION DEPARTMENT

ORDER OF PROBATION

Date _____

The charge(s) _____ have been filed against _____ at the Juvenile Probation Department of Beaver County by _____ on _____.

In lieu of any formal proceedings as regard to the aforementioned charge(s), I, _____ do hereby voluntarily agree to be placed on probation by the Juvenile Probation Department of Beaver County for _____.

I do hereby accept the following:

APPENDIX I

Consent Decree

of

Beaver County Juvenile Probation Department

- (1) I will be under the supervision of the Juvenile Probation Department of Beaver County and will report regularly to my Counselor from the Juvenile Probation Department according to his or her instructions.
- (2) I will not violate any laws, and abide by any written instructions of the Beaver County Juvenile Probation Department.
- (3) I will not leave the state of Beaver County without written permission of my Counselor from the Juvenile Probation Department of Beaver County.
- (4) I will reply promptly to any communication from a member of the Court, a member of the Juvenile Probation Department, or an authorized representative of the Court, and I further agree to appear at any further juvenile proceedings pertaining to this case.
- (5) I will comply with the following conditions of probation or any special conditions which will subsequently be imposed by my Counselor.
 - (A) _____
 - (B) _____
 - (C) _____

CONSENT DECREE

BEAVER COUNTY JUVENILE PROBATION DEPARTMENT

AGREEMENT AS TO CONDITIONS OF PROBATION

Date _____

The charge(s) _____ have been filed against _____ at the Juvenile Probation Department of Beaver County by _____ on _____.

In lieu of any formal proceedings in regard to the aforementioned charge(s), I, _____ do hereby voluntarily agree to be placed on probation by the Juvenile Probation Department of Beaver County for _____.

I do hereby agree to the following:

- (1) I will be under the supervision of the Juvenile Probation Department of Beaver County and will report regularly in person or in writing to my Counselor from the Juvenile Probation Department according to his or her instructions.
- (2) I will comply with all Municipal, County, State and Federal criminal laws, and abide by any written instructions of the Beaver County Juvenile Probation Department.
- (3) I will not travel outside of Beaver County without written permission of my Counselor from the Juvenile Probation Department of Beaver County.
- (4) I will reply promptly to any communication from a member of the Court, a member of the Juvenile Probation Department, or an authorized representative of the Court, and I further agree to appear at any further juvenile proceedings pertaining to this case.
- (5) I will comply with the following conditions of probation or any special condition which will subsequently be imposed by my Counselor.
 - (a) _____
 - (b) _____
 - (c) _____

(6) If I am convicted of a crime committed while on probation, or violate the conditions of my probation, the Juvenile Probation Department of Beaver County has the authority to revoke probation and these original charges could be presented to the Court.

I understand that the effect of this agreement is not in any way a statement of guilt in regard to the aforementioned charges. Any statements that I have made in regard to the signing of this agreement will not be used against me in any proceeding before the Juvenile Court of Beaver County unless I have given my consent.

Juvenile

JUVENILE PROBATION DEPARTMENT

BY _____
Intake Officer

Witnessed: _____

Parents signature

Section 2. (a) Whenever a juvenile is committed to the custody of the State or any other officer or employee of the State, the parent or other person having custody of the child shall, in the case of a child committed to the custody of the State, file with the State Department of Public Welfare, and in the case of a child committed to the custody of any other officer or employee of the State, file with that officer or employee, a written report within three months after the date of the commitment, containing the following information:

APPENDIX II

Excerpts

From

Pennsylvania Juvenile Court Act

(b) Such social agencies and the probation officer or other officer of the court may give counsel and advice to the parent or other person having custody of the child as to the care and custody of the child, and may, if it is in the best interests of the child, refer the child to any other officer or employee of the State for treatment or care, and may, if it is in the best interests of the child, refer the child to any other officer or employee of the State for treatment or care, and may, if it is in the best interests of the child, refer the child to any other officer or employee of the State for treatment or care.

(c) The parent or other person having custody of the child shall, in the case of a child committed to the custody of the State, file with the State Department of Public Welfare, and in the case of a child committed to the custody of any other officer or employee of the State, file with that officer or employee, a written report within three months after the date of the commitment, containing the following information:

- (1) Counsel and advice without an admission would be in the best interests of the child, and
- (2) The child and his parents, guardian, or other person having custody of the child, and

EXCERPTS FROM PENNSYLVANIA JUVENILE COURT ACT

Section 8. Informal Adjustment - (a) Before a petition is filed, the probation officer or other officer of the court designated by it, subject to its direction, shall, in the case of a deprived child or in the case of a delinquent child to be charged under section 2(2)(ii), and may, in the case of a delinquent child to be charged under section 2(2)(i) of this act, where commitment is clearly not appropriate and if otherwise appropriate, refer the child and his parents to any public or private social agency available for assisting in the matter. Upon referral, the agency shall indicate its willingness to accept the child and shall report back to the referring officer within three months concerning the status of the referral. The agency may return the referral to the probation officer or other officer for further informal adjustment if it is in the best interests of the child.

(b) Such social agencies and the probation officer or other officer of the court may give counsel and advice to the parties with a view to an informal adjustment if it appears:

- (1) Counsel and advice without an adjudication would be in the best interest of the public and the child; and
- (2) The child and his parents, guardian, or other custodian consent thereto with knowledge that consent is not obligatory; and

(3) In the case of the probation officer or other officer of the court, the admitted facts bring the case within the jurisdiction of the court.

(c) The giving of counsel and advice by the probation or other officer of the court shall not extend beyond six months from the day commenced unless extended by an order of court for an additional period not to exceed three months. Nothing herein contained shall authorize the detention of the child.

(d) An incriminating statement made by a participant to the person giving counsel or advice and in the discussions or conferences incident thereto shall not be used against the declarant over objection in any criminal proceeding or hearing under this act.

Section 8.1 Consent Decree - (a) At any time after the filing of a petition and before the entry of an adjudication order, the court may, on motion of the district attorney or that of counsel for the child, suspend the proceedings, and continue the child under supervision in his own home, under terms and conditions negotiated with probation services and agreed to by all parties affected. The court's order continuing the child under supervision shall be known as a consent decree.

(b) Where the child objects to a consent decree, the court shall proceed to findings, adjudication and disposition. Where the child does not object, but an objection is made by

the district attorney after consultation with probation services, the Court shall, after considering the objections and reasons therefor, proceed to determine whether it is appropriate to enter a consent decree.

(c) A consent decree shall remain in force for six months unless the child is discharged sooner by probation services. Upon application, of probation services or other agency supervising the child, made before expiration of the six month period, a consent decree may be extended by the court for an additional six months..

(d) If prior to discharge by the probation services or expiration of the consent decree, a new petition is filed against the child, or the child otherwise fails to fulfill express terms and conditions of the decree, the petition under which the child was continued under supervision may, in the discretion of the district attorney following consultation with probation services, be reinstated and the child held accountable just as if the consent decree had never been entered.

(e) A child who is discharged by the probation services, or who completes a period of continuance under supervision without reinstatement of the original petition, shall not again be proceeded against in any court for the same offense alleged in the petition or an offense based upon the same conduct.