

JUVENILE COURT DISPOSITIONS: ALTERNATIVES AND LIMITATIONS

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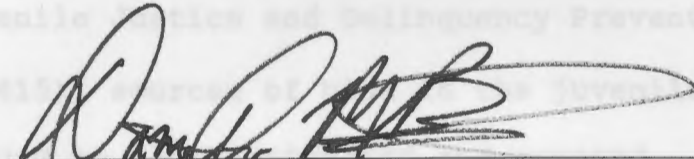
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Juvenile Court Dispositions: Alternatives and Limitations

Danielle M. Bequeath

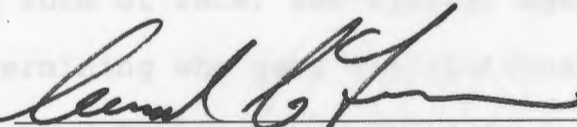
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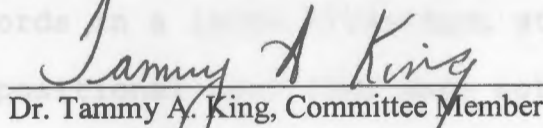

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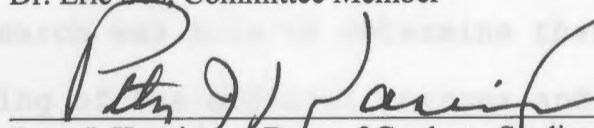
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ABSTRACT

The current research is a quasi-experimental study of juvenile case dispositions that seeks to identify what dispositions are being utilized by the juvenile courts in a large Midwestern state. As a result of the 1974 federal Juvenile Justice and Delinquency Prevention Act (§207, P.L, 93-415), sources of bias in the juvenile justice system needed to be investigated and removed. Therefore, the current research examined if bias exists in the system in the form of race, sex-typing, age, or judges/magistrates determining who gets institutionalized. One year's worth of county data was collected from juvenile court and probation records in a large Midwestern state. The study found that dispositional sanctions were not utilized evenly across the judges. Furthermore, the research investigated the time between the official filing of charges and disposition. The research was able to determine that the time between the filing of the official charges and disposition (mean=152) was significantly longer ($t=13.218$, $df=458$, $p<.001$) than the 80 day period recommended by the National Advisory Council Committee for Juvenile Justice and Delinquency Prevention. Future research should investigate the effect of the time between filing and disposition on committing subsequent offenses.

Acknowledgements

First and foremost, I would like to thank my committee, especially the chair Dr. Gordon Frissora, for their infinite wisdom and advice. Without them, none of this would have been possible. Also, I would like to thank the entire Criminal Justice Department for everyone's time and help over the past two years. Furthermore, I would like to thank the Juvenile Court Judge and staff at the research site, without their cooperation this study would not have been possible. Last, I would like to thank my family and friends for their love and support.

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CHAPTER ONE

INTRODUCTION

State of the Problem

According to the Office of Juvenile Justice and Delinquency Prevention in 2000, almost 100,000 delinquency petitions were filed in the large Midwestern state of interest (Juvenile Court Statistics 2000, 2004), from which a county was the focus of this research. In order to preserve the anonymity of the juveniles, the name of the state and location of the data collection will remain anonymous. The Juvenile Justice and Delinquency Prevention Act of 1974 (§207, P.L, 93-415) initiated reform of the juvenile justice system and required the states to investigate and reduce bias in the system. With such a large number of petitions, questions still arise such as do any disparities exist in the dispositions that juveniles receive based upon the juvenile's age, race, and sex? The present study will address some of these issues.

The juvenile court process proceeds in the following manner for cases that make it all the way through the court system. First a referral, or "a notification made to juvenile court authorities that a juvenile requires the

court's attention" (Champion, 2004, p. 142) is made and then a petition, or an "official document filed in juvenile courts on the juvenile's behalf, specifying reasons for the youth's court appearance" (Champion, 2004, p. 540), is filed. The petition can be filed within three categories: dependent or neglected, status offenses, or delinquency. Dependent or neglected means that the juvenile is considered to be in need of some type of adult supervision. Status offenses are violations that would not be considered criminal if committed by an adult such as running away or truancy. The last, delinquency are acts that would also be considered criminal if committed by an adult (Champion, 2004).

From there, a judge or magistrate decides the matter in an adjudicatory hearing (Champion, 2004). A magistrate is a "civil or judicial official vested with limited judicial powers" (Merriam-Webster, 1996). An adjudication, or "judgment on a petition filed with the juvenile court" (Champion, 2004, p. 153) of delinquency is found if the adjudicatory hearing supports the allegations in the petition. The judge or magistrate then disposes, or "decides the punishment to be imposed on a juvenile following an adjudication hearing" (Champion, 2004, p. 532) according to a range of dispositions or punishments

(Champion, 2004). In the juvenile system, either a judge or a magistrate disposes, or "decides the punishment to be imposed on a juvenile following an adjudication hearing" (Champion, 2004, p. 532). State statutes define the upper age limit for the jurisdiction of delinquency matters. In the state of interest, the upper age limit is 18 and those that have not reached this age are considered juveniles (Champion, 2004, p. 39).

When a youth commits a criminal offense in the state of interest, the judge has a range of available dispositions such as fines, detention commitments, probation, restitution, community service, etc. For juveniles, a detention facility is the equivalent of a jail and commitments to the department of youth services are equivalent to prison in the adult criminal system. On a side note, dispositions can also be held in abeyance which means the punishment will not be imposed at that time, but can be imposed if the juvenile commits another offense or violates the terms of his or her probation.

Importance of the Problem

The juvenile court system is often the last hope for juvenile offenders and their families. Juvenile records are confidential and are not part of his or her permanent criminal record unless they commit predatorial sex offenses.

Rather, juvenile proceedings are civil, not criminal. Therefore, the juvenile courts are the last formal control of a juvenile offender. Because of the importance of the juvenile court system, disparities in the treatment of juvenile offenders need to be addressed (Champion, 2004).

In response to the growing call for local alternatives for juvenile courts and overcrowding in the State Department of Youth Services (DYS), a House Bill was passed in 1993 and implemented statewide in 1995. The bill is a funding initiative that encourages juvenile courts to develop local community-based disposition programs to meet the needs of juvenile offenders or youth at risk of offending. The courts are able to increase the funds available locally through the bill by diverting youth from DYS institutions.

Summary

The purpose of the present research is descriptive. The research seeks to describe what types of dispositional sanctions are being used for juveniles that have been adjudicated delinquent. The present research first identified what options are being utilized by the judge and magistrates when it comes to dispositions at the county level and the state level. The time between the initial charges being file and disposition was also explored.

Furthermore, the research investigated any patterns or

correlations for youth that are given DYS (Department of Youth Services) commitments held in abeyance versus those youth that are automatically sent there for similar offenses. Additionally, the research examined if race, sex-type, age, or judge/magistrate helps determine who gets a DYS commitment and who gets handled at the local level. Sex-type, as defined by Bem (1974) refers to the differential treatment of people according to their biological sex.

This thesis is divided into five chapters. Chapter One has identified the problem, stated the importance of the problem, and briefly introduced the present research. Chapter Two is the literature review and addresses some of the relevant previous research related to the present problem. Chapter Three is a detailed explanation of the methodology. The results of the analysis make up Chapter Four. The last chapter, Chapter Five, is the summary of the research project, findings, weaknesses, and implications for further research.

CHAPTER TWO

LITERATURE REVIEW

Introduction

While a vast number of studies address juvenile delinquency, only a handful investigate juvenile case dispositions and the timing of justice. The purpose of this chapter is to summarize the literature that relates to the problem at hand. The chapter also develops the framework for the hypotheses of the present study.

Development of the Model

One study that investigated disparities in disposition decisions was Ruback & Vardaman (1997), which looked at disposition decisions in Georgia. The study used an experimental simulation and an archival analysis of adjudication decisions to determine whether race, length of prior record, and if the juvenile admitted or denied committing their offense, were treated more severely than those that denied committing their offense. For the archival analysis, they found that whites were treated more severely than blacks as were juveniles that admitted their offense rather than denying it. However when the researchers controlled from whether or not the juvenile admitted or

denied their offense, the race differences were no longer significant. The experimental simulation found that juveniles that admitted their offense were treated more severely which was consistent to the archival analysis. The present study will also use archival data, but it will also look to see if race and gender have an effect on what dispositions the juvenile receives.

A study that addressed the timing of juvenile justice was Butts (1997). He analyzed delinquency cases in nearly 400 jurisdictions by looking at the length of time between referral and disposition. The study found that one fourth of all cases required 90 days or more from referral to reach disposition. Building on this, the present study looked at the length of time from the initial charges being filed until disposition and also the time between the adjudication hearing and disposition.

Prior research (i.e, Guevara, Spohn, & Herz, 2004; Horowitz & Pottieger, 1991; MacDonald & Chesney-Lind, 2001; Sanborn, 1996) has generally focused on factors that may influence dispositional sanctions. These same studies failed to look at what dispositional alternatives were available and which dispositional alternatives were being used in the juvenile court. The present research focused attention on what sanctions juveniles with multiple charges

in 2003 received.

Because few studies have looked at what dispositional sanctions are being utilized, one would hypothesize that certain dispositional sanctions are probably being used quite frequently while others are hardly used. Prior studies (Butts, 1997; Butts & Sanborn, 1999) have shown that a large percentage of cases exceed the recommended time frames from referral to disposition, so one would hypothesize that this would also be the case for the present research. Based on prior research (Horowitz & Pottieger, 1991), one would expect that it is more likely for males to be institutionalized than females.

A thorough review of the literature encountered only two studies that examined the swiftness of the juvenile justice system (Butts, 1997; Butts & Sanborn, 1999). Beccaria (Beccaria, 1986) argued that in order for punishments to be effective deterrents of further criminal behavior, the punishment must occur quickly after the crime so that the offender relates the punishment with the criminal behavior. However, it is difficult to determine what constitutes quick punishment.

For juveniles, several organizations have suggested standards for the length of time from referral to disposition. The Institute of Judicial Administration and

the American Bar Association (IJA/ABA) suggested a period of no more than 60 days for nondetained juveniles and 30 days or less for detained juveniles (Shepherd ed., 1996). The National Advisory Committee for Juvenile Justice and Delinquency Prevention established standards in 1974 by the federal Juvenile Justice and Delinquency Prevention Act (§207, P.L, 93-415). It suggests 80 days for nondetained juveniles and 33 days for detained juveniles. The National District Attorneys Association recommends 60 days for detained juveniles and 90 days for nondetained cases (Shine and Price 1992). After a review of legal statutes in the state of interest, legal controls for the amount of time that can pass from the time of referral until the disposition hearing could not be found. Therefore, if Beccaria's theory holds true, one would hypothesize that the shorter the time between the referral and the disposition hearing, the lower the recidivism rate. This being the case, juveniles that received swift justice would be much less likely to commit another offense. However, the focus of this study will be upon the time between the filing of the initial charges and disposition, not upon recidivism.

"Radical approaches to criminology contend that the designation of some people as criminal and others as law abiding is influenced by 'extralegal' identities such as

class, gender, and race as much as by the actual harms people commit" (Lynch, Michalowki, & Grooves, 2000). Historically grounded structural inequalities lead to different laws for different groups of social actors. Most punitive forms of criminal law are applied to wrongdoing among socially disadvantaged groups, such as minorities, while less punitive administrative laws, or no laws at all, are applied to wrong doings of advantaged groups. Radical criminologists identify three consequences of the procedural model of justice. First, social inequalities are reinforced and rationalized by applying rules that are unequal in their origin, but that appear equal, neutral, and unbiased in their application. Second, the appearance of equality under law reinforces the belief that the typical defendant in criminal courts are not as good, hard-working, or humane as the rest of society, and produces a bias that is more covert and not as easy to detect. Last, by focusing on individual wrongdoers, it legitimizes structural inequality (Lynch et. al., 2000). If the radical criminological point of view holds true, the present study would expect to find a racial bias in juvenile court dispositions.

The following table (Table 1) lays out the research questions of the present study (see next page).

Table 1.

Research questions

1. What dispositional sanctions are being utilized by the judge and magistrates?
 2. Is the time between the filing of the initial charges and disposition significantly longer than the recommended standards?
 3. Is race associated with receiving a DYS commitment or commitment held in abeyance?
 4. Is sex-type associated with receiving a DYS commitment or commitment held in abeyance?
 5. Is age associated with receiving a DYS commitment or commitment held in abeyance?
 6. Is the judge or magistrates associated with receiving a DYS commitment or commitment held in abeyance?
-

In response to the growing concern about juvenile delinquency, the United States Congress passed the Juvenile Justice and Delinquency Prevention Act (JJJPA) of (1974). One of the advances of the Act was that it authorized the establishment of the Office of Juvenile Justice and Delinquency Prevention (OJJDP). The OJJDP has been a great

source of general data and influential in circulating information about juvenile offending and prevention (Champion, 2004).

The JJDPBA benefits the states by providing a major source of federal funding for improving states' juvenile justice systems. However, in order to receive federal funds, the states must maintain four core protections for children. First is the deinstitutionalization of status offenders (DSO). The purpose of the DSO provision is to keep status offenders out of secure juvenile facilities. In 1977, the states were given five years to comply with the DSO mandate (§207, P.L, 93-415).

The second provision is that juveniles may not be detained in adult jails and lockups excepted for in a few limited circumstances (§207, P.L, 93-415). However in 1977 the JJDPBA was modified so that when juveniles are placed in an adult jail or lockup, the jail or lockup must comply with the third provision, "sight and sound" separation. This means that the juvenile must be separated from adult offenders by both sight and sound (Champion, 2004).

Last, the fourth provision addresses disproportionate minority confinement (DMC). The DMC provision required states to assess and address the disproportionate confinement of minority juveniles in all secure facilities.

In 1980, states were urged to refrain from detaining juveniles in jails and lockups by Congress. Then in 1992, Congress issued that noncompliance with each of the JJDPAs mandates would lead up to a 25 percent cut of its formula grant money according to the extent the state was not in compliance. The JJDPAs has stimulated widespread reform in the various state juvenile justice systems (Champion, 2004).

Summary

The present research expects black males will receive the most DYS commitments. Also, juveniles with prior commitments and commitments held in abeyance probably are more likely to receive another commitment in 2003. Based on prior research (Horowitz & Pottieger, 1991), one would expect that it is more likely for males to be institutionalized than females. Since no laws could be found in the state that limit the time between the filing of the initial charges and disposition, one would expect that is time period will exceed the recommended standards.

CHAPTER THREE

METHODOLOGY

Introduction

The present research first identified what options are being utilized by judges and magistrates when it comes to dispositions at the county level and the state levels. The present research also looked at the time between the initial charges being filed and disposition. Furthermore, the research investigated any patterns or correlations for youth that are given DYS (Department of Youth Services) commitments held in abeyance versus those youth that are automatically sent there for similar offenses. Additionally, the research will examine if race, sex-type, age, or the judge or magistrates helps determine who goes to a state facility and who stays at the local level.

Sample and Design

The research looked at a sample of all the juveniles that were charged with two or more offenses in 2003 in one county in a large Midwestern state. Juveniles with multiple dispositions were used so that the range of dispositions used on each juvenile would factor into the research. Convenience sampling was used for obtaining the sample

(Babbie, 1999). The general research design was quasi-experimental (Babbie, 1999). Data were collected by reviewing computer court and probation files from a county detention facility. The data were then entered and analyzed using Statistical Program for Social Scientists (SPSS). The SPSS file that contains no identifiers was stored at the court where the data was obtained and only the researcher had access to it. Approval for exemption from full review by the Human Subjects Committee at the Youngstown State University was obtained for the research project (see Appendix B for approval form). Upon completion of the research, the data was returned to the court and the data will not be available to any other researchers.

Procedure

The researcher analyzed juveniles with more than one adjudication in 2003 from a computer generated list consisting of a sampling frame of all juvenile delinquency adjudications in 2003. The list was generated by querying the court's database for juvenile adjudications that occurred in 2003 and also multiple adjudications in 2003. The sample contained 465 adjudications (n=465). The case disposition was the primary unit of analysis. The sample consisted of males in 86.2% (n=401) of the adjudications and females in the remaining 13.8% (n=64). Fifty-one percent (n=237) of the sample was black, 44.1% (n=205) was white,

and 4.9% (n=23) was Hispanic. The age of the juveniles ranged from 11 to 18 at the time the official charges were filed, 56.6% (n=263) of the sample was 16 or older. The researcher looked at the variables listed in Table 2.

Table 2.

Research variables

1. age at the time of offense, (juveniles age in years)
 2. race, (White, Black, Hispanic)
 3. sex-type, (Male, Female)
 4. the date the official charges were filed,
 5. the date the case was disposed,
 6. the time between official charges and disposition (in days),
 7. the judge/magistrate that disposed the case,
 8. whether the juvenile received a DYS commitment in 2003,
 9. whether the juvenile received a DYS commitment held in abeyance in 2003.
-

The statistical analysis used on the data first consisted of descriptive statistics and all data analysis were conducted using the statistical program SPSS version

12.0.1. Frequencies were obtained for sex-type, race, age at the time of offense, the judge/magistrate on the case, and the number of DYS commitments and commitments held in abeyance. Means were obtained for time between the initial filing of charges and disposition. A Gaussian population was not obtained, so nonparametric tests were used for statistical analysis (Healey, 2005). First, a correlation matrix was ran to see which variables were significant. Spearman nonparametric correlation coefficients were calculated because Spearman's r is commonly used and accepted by social scientists (Caruso & Cliff, 1997). The correlation told the strength of the association between the variables. A zero order correlation was also calculated to account for any overlap between the independent variables and to control for the effect of a third variable. The last statistical analysis used was Chi-Square for association to see if receiving or not receiving DYS commitments was associated with race, gender, age, or judge/magistrate. A t-test was used to compare the means for the time variable (Healey, 2005).

Summary

Chapter Three examines the issues related to the research methodology and statistical issues. The descriptive statistics of the sample were provided. The variables were identified and discussed. The following chapter, Chapter

Four, presents the finding of the analysis.

RESULTS

Introduction

The goal of the study was to identify any patterns or correlates associated with which dispositional sanctions juveniles receive. The design was quasi-experimental, which was used to answer the six research questions that were previously stated. The year of disposition (1985) given by juveniles to a specific juvenile court was selected for analysis in this study. Of those cases, 107 were white, 217 were black, and 21 were Hispanic. Males constituted 80% of the sample with females making up the remaining 20%. Statistical analysis was performed on each question and the results are presented in Table 3 (see next page).

CHAPTER FOUR

RESULTS

Introduction

The goal of the study was to identify any patterns or correlates associated with which dispositional sanctions juveniles receive. The design was quasi-experimental, which was used to answer the six research questions that were previously stated. One year of dispositions (n=465) given to juveniles in a countywide juvenile court were selected for analysis in this study. Of those cases, 205 were white, 237 were black, and 23 were Hispanic. Males constituted 401 of the sample with females making up the remaining 64. Statistical analysis was performed on each question and the results are presented in Table 3 (see next page).

Table 3. (Continued)

Results for each of the six research questions

Question 1:

H₀: The dispositional sanctions are being utilized equally across the judge/magistrates.

H₁: The dispositional sanctions are not being utilized equally across the judge/magistrates.

<u>Statistical Test</u>	<u>Results</u>
Dismissal: One-way ANOVA	Reject Ho (F=4.481, df=5, p<.001)
Detention: One-way ANOVA	Reject Ho (F=6.379, df=5, p<.001)
Probation: One-way ANOVA	Reject Ho (F=8.888, df=5, p<.001)
Transfer: One-way ANOVA	Accept Ho (F=.552, df=5, p=.737)
Fines & costs: One-way ANOVA	Reject Ho (F=10.078, df=5, p<.001)
Treatment: One-way ANOVA	Accept Ho (F=1.951, df=5, p<.085)
Community: One-way ANOVA	Reject Ho (F=2.856, df=5, p=.015)
Restitution: One-way ANOVA	Reject Ho (F=7.883, df=5, p<.001)

Table 3 (Continued)

Conditions:	
One-way ANOVA	Reject H_0 ($F=2.553$, $df=5$, $p=.027$)
Commitment held in abeyance:	
One-way ANOVA	Reject H_0 ($F=9.480$, $df=5$, $p<.001$)
Commitment:	
One-way ANOVA	Reject H_0 ($F=4.673$, $df=5$, $p<.001$)

Question 2:

Ho: The time between the filing of the initial charges and disposition is the same as the recommended standards.
 Ha: The time between the filing of the initial charges and disposition is significantly longer than the recommended standards

<u>Statistical Test</u>	<u>Results</u>
One-Sample t-test	Reject H_0 ($t=13.218$, $df=458$, $\alpha<.001$)

Question 3:

Ho: Race is not associated with receiving a DYS commitment.
 Ha: Race is associated with receiving a DYS commitment.

<u>Statistical Test</u>	<u>Results</u>
Chi-Square	Accept H_0 (1 cell has expected count less than 5)

Ho: Race is not associated with receiving a DYS commitment held in abeyance.
 Ha: Race is associated with receiving a DYS commitment held in abeyance.

<u>Statistical Test</u>	<u>Results</u>
Chi-Square	Reject H_0 (Chi-Square=6.449, $df=2$, $p=.040$)

Table 3 (continued)

Question 4:

Ho: Sex-type is not associated with receiving a DYS commitment or commitment held in abeyance.

Ha: Sex-type is associated with receiving a DYS commitment or commitment held in abeyance.

Statistical Test

Results

Chi-Square

Accept Ho (1 cell has expected count less than 5)

Question 5:

Ho: Age is not associated with receiving a DYS commitment or commitment held in abeyance.

Ha: Age is associated with receiving a DYS commitment or commitment held in abeyance.

Statistical Test

Results

Chi-Square

Accept Ho (multiple cells have expected count less than 5)

Question 6:

Ho: The judge/magistrate is not associated with receiving a DYS commitment held in abeyance.

Statistical Test

Results

Chi-Square

Reject Ho (Chi-Square=43.384, df=5, p<.001)

Ho: The judge/magistrate is not associated with receiving a DYS commitment.

Statistical Test

Results

Chi-Square

Reject Ho (Chi-Square=22.489, df=5, p<.001)

Descriptive Statistics

As stated in the introduction of this chapter and the introduction in Chapter One, the purpose of this study is to identify what dispositions are available to the judges and magistrates and what dispositions are being used. One manner in which this was done was to perform descriptive statistical analysis on the information collected from the court and probation files. The following tables report the means, the standard deviations for the variables for each type of disposition, and the frequencies of the dispositions.

Dispositions

The following table, [Table 4], reports the results of the descriptive statistics for the dispositions used by the judge and magistrate.

Table 4.

Frequencies for juvenile case dispositions

Disposition by:	Yes (%)	No (%)
Dismissed	30.8	67.7
Detention	35.3	63.2
Probation	41.1	57.4
Transfer	94.4	4.1
Fines & costs	56.3	42.2
Treatment	26.5	72.0

Table 4 (continued)

Community service	5.4	93.1
Restitution	17.0	81.5
Conditions	20.6	77.8
DYS commitment held in abeyance	24.1	74.4
DYS commitment	4.7	93.8

Note. N=465. Seven cases were left out so percentages do not equal 100.

Of the 465 cases, 458 provided usable data for analysis. The number of cases was reduced by seven due to the cases being consolidated or combined with another case. The most frequent disposition of the cases was fines and costs. This type of disposition accounted for 56.3% of all dispositions.

Sex-Typing and Commitments

The null hypothesis of non-association of sex-type and juveniles receiving a Department of Youth Services (DYS) commitment could not be rejected. The Chi-Square test was unuseable because the parameters exceeded the requirements of the procedure (Babbie, 1999). The null hypothesis of non-association of sex-type and juveniles receiving a DYS commitment held in abeyance could be rejected (Chi-Square=5.621, df=1, p=.018). Although most juveniles did not receive a DYS commitment held in abeyance (75.7% did not, 24.3% did), males received DYS commitments at twice the rate as females (26.2% males, 12.5%).

Age and Commitments

The null hypothesis could not be rejected that there is no association between the age of the juvenile at the time the charges were filed and receiving a DYS commitment held in abeyance in 2003. Again, the Chi-Square test was unuseable because the parameters exceeded the requirements of the procedure. Additionally, the null hypothesis could not be rejected that there is no association between the age of the juvenile at the time the charges were filed and receiving a DYS commitment in 2003. The Chi-Square test was unuseable because the parameters exceeded the requirements of the procedure.

Race and Commitments

The null hypothesis for the non-association of race and receiving a DYS commitment in 2003 could not be rejected at the .05 level. However, a statistically significant difference was found for receiving a DYS commitment held in abeyance when measured across race (Chi-Square=6.449,df=2,p=.040). Most juveniles do not receive DYS commitments held in abeyance (75.5% do not, 24.5% do). Although it was not statistically significant, blacks received commitments held in abeyance at a higher rate than the other races (blacks=29.4%, whites=18.9%, and Hispanics=22.7%). However, the null hypothesis could not be rejected at the .05 level that there was no association

between race and receiving a DYS commitment in 2003.

Judge/Magistrate and Commitments

The null hypothesis of non-association for judge/magistrate and receiving a DYS commitment held in abeyance in 2003 was rejected at the .05 level (Chi-Square=43.384, df=5, $p<.001$). This means that some of judge/magistrates gave DYS commitments held in abeyance at a higher rate than the other judge/magistrates. Furthermore, the null hypothesis of non-association for judge/magistrate and receiving a DYS commitment in 2003 was rejected at the .05 level (Chi-Square=22.489, df=5, $p<.001$). Similarly, some of the judge/magistrates gave DYS commitments at higher rates than the other judge/magistrates. A Chi-Square was also run to take into account for only certain judges/magistrates hearing certain types of cases, however this control did not impact the results.

Time between Official Filing and Disposition

The following table, [Table 5], reports the results of the descriptive statistics for the time between official filing and disposition. Frequencies were also obtained for the data when the number of days were equal to or less than 80 days or greater than 81 days between official filing and disposition. Approximately two-thirds (67.5%) of the cases exceeded the recommended standard of 80 days between official filing and disposition that was established by the

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National Advisory Committee for Juvenile Justice. The mean time in days (mean=152.2397) between official filing and disposition was also significantly longer, almost twice as long as the recommended standard of 80 days ($t=13.218$, $df=458$, $p<.000$). The median time (median=127.0000) between official filing and disposition was also greater than 80 days.

Table 5.

Days elapsed between filing of official charges and final disposition for delinquency cases handled during 2003 by juvenile court in sample county

	N	%	Disposition Time	
			Median (days)	% over 80 days
Total delinquency cases	465	98.7	127	69.0

Correlational Statistics

The dispositional sanctions were categorized into ten groups. The following table shows which sanctions were included in each group (see Table 6 on the next page).

Table 6.

Groups of dispositional sanctions defined

Variable	Definition
Dismissed	All cases that were dismissed
Detention	Secure juvenile detention facility commitment or adult jail commitment
Probation	Regular probation, intensive probation, or day reporting
Transfer	Transfers to another court such as drug court or another jurisdiction, also includes transfers to unofficial docket
Fines and Costs	Fines and costs, just fines, or just costs
Treatment	Drug/alcohol assessments, counseling, and any other forms of therapy
Community service	Community service
Restitution	Restitution was ordered or remained open

Table 6. (Continued)

Conditions	Conditions such as must attend
------------	--------------------------------

	school, must attend AA
	meetings, must submit to
	random drug testing, must
	obtain GED, etc. were given
Commitment held in	Received a DYS commitment held
abeyance	in abeyance
Commitment	Received a DYS commitment

Correlational statistics were also used on a couple of the cases that were analyzed using descriptive statistics. First, age was correlated with receiving a DYS commitment held in abeyance; however significant results were not obtained ($r = -.065$, $df=458$, $p=.163$). Furthermore, when age of the juvenile and receiving a DYS commitment held in abeyance was controlled for sex of the juvenile, a significant relationship was still not obtained ($r = -.060$, $p=.202$).

Summary

This chapter has presented the results of the current study. The results were split into two types of analysis, descriptive and correlational. The next chapter will discuss problems or weaknesses of the current study, contributions, conclusions, and implications for further research.

Introduction

This study was a descriptive study of dispositional sanctions in the juvenile justice system. An attempt was made to describe the patterns that exist in which dispositional sanctions were distributed to the juveniles. The factors researched included race, sex-type, age, and the judge/magistrate that disposed the case.

Two of the variables, sex-type and race, were not analyzed in the study were based on previous literature and research. The other variables used for analysis were an expansion of previous literature and research. Previous research has shown that race and sex have an effect on the handling of juveniles.

Four types of analysis were employed in this study: a correlational design (Spearman's R), a t-test to assess the statistical significance of observed differences, a one-way ANOVA, and a Chi-Square to test for association.

Frequencies were obtained for gender, race, age at the time of offense, the judge/magistrate who disposed the case, and the number of DHS commitments and commitments held in abeyance. A

CHAPTER FIVE

DISCUSSION AND SUMMARY

Introduction

This study was a descriptive study of dispositional sanctions in the juvenile justice system. An attempt was made to describe the patterns that exist in which dispositional sanctions were disbursed to the juveniles. The factors researched included race, sex-type, age, and the judge/magistrate that disposed the case.

Two of the variables, sex-type and race, used for analysis in the study were based on previous literature and research. The other variables used for analysis were an expansion on previous literature and research. Previous research has found gender and racial bias in the handling of juveniles.

Four types of analysis were employed in this study; a correlational measure (Spearman's r), a t-test to assess the statistical significance of observed differences, a one-way ANOVA, and a Chi-Square to test for association. Frequencies were obtained for gender, race, age at the time of offense, the judge/magistrate on the case, and the number of DYS commitments and commitments held in abeyance. A

correlation matrix was run for the ten categories of dispositional sanctions to identify any relationships of interest. This chapter provides a summary and discussion of the problems or weaknesses of the current study, contributions, conclusions, and implications for further research.

Methodological Limitations

One of the weaknesses of the present research is that the results are not generalizable to juvenile courts across the nation because of the use of convenience sampling. A pitfall of convenience sampling is that it does not allow the researcher to generalize the results (Babbie, 1999). Babbie (1999) states that convenience sampling should only be used for hypothesis or theory testing as was the case for the present study. In America, 51 separate juvenile justice systems exist (National Center for Juvenile Justice, 2004). Each state has its own laws and guidelines for dealing with juvenile offenders so generalizing across all the separate systems is nearly impossible.

Another limitation is that the present research only collected data for one year. Data for 2003 was readily available at the time and the convenience of using that data played a role in using one year of data. However, even though a year's worth of data was used for time from referral until disposition, a large number of cases were

still able to be obtained (n = 465).

Contributions

The present research expands on previous research by examining what dispositional sanctions are being utilized, not what factors correlate with harsher dispositional sanctions. To date, studies could not be found that have examined what specific dispositional sanctions are being utilized. However, the purpose of the research is to only identify what options are being utilized by the court, not to determine if the programs are effective or overused.

A possible benefit of the research is that by identifying what dispositional sanctions are being utilized the most, the court could invest more money into the programs that are being used and possibly cut programs that are not being utilized. The court could also evaluate the programs that are used the most and the least to see what action should be taken.

Additionally, the county that is being investigated in the study has a very high per capita murder rate (Uniform Crime Report, 2003). The juvenile court system can be instrumental in preventing juveniles from becoming serious adult offenders. Any study that suggests improvements on the juvenile court system, which the present study hopes to do, could reduce the number of people that leave the

juvenile system and go on to commit murder or other serious felony acts.

Discussion

The present research was able to reject the null hypothesis for the first research question; the dispositional sanctions are being utilized equally across the judge/magistrates. The results of the statistical analysis showed that the judge/magistrates do not utilize the same dispositions sanctions equally. For example, fines and costs were found by this study to be one of the most frequently used dispositions. This can be explained by the fact that fines and costs generate extra revenue for the court so it would be expected that courts use that dispositional sanction consistently. Furthermore, this could be a reflection of the adult system which also uses fines and costs to generate extra revenue.

For the second research question, the null hypothesis was also able to be rejected; the time between the filing of the initial charges and disposition is the same as the recommended standards. The results showed that the time between the filing of the initial charges and disposition was almost twice as long as the 80 day standard recommended by the National Advisory Committee for Juvenile Justice. This was also consistent with the research hypothesis that the time between the filing of the initial charges and

disposition is significantly longer than the recommended standards; however it raises an important question. Is juvenile justice speedy enough? If swift justice is defined as 80 days or less between the filing of the initial charges and disposition, assuming Beccaria's theory holds true, the majority of juveniles in this study are not being deterred from committing further criminal acts. Subsequent studies should focus on the relationship of time between the filing of the initial charges and disposition with committing subsequent crimes. Additionally, future studies should investigate if continuances requested by attorneys are causing the extended length of time from the filing of the official charges and disposition.

The study was not able to reject the null hypothesis for race and commitments; however it was able to reject the null hypothesis of non-association between race and receiving a DYS commitment held in abeyance. Race is not associated with receiving a DYS commitment, but is associated with receiving a DYS commitment held in abeyance.

Additionally, the study was not able to reject the null hypothesis that age is not associated with receiving a DYS commitment or commitment held in abeyance. The average person may think that as age increases, the juvenile would be more likely to receive a DYS commitment or commitment held in abeyance, but this was found not to be the case in

this study.

Furthermore, the descriptive analysis showed that there was a significant relationship between sex and receiving a DYS commitment held in abeyance. Males were twice as likely to receive a DYS commitment held in abeyance. However, additional research would be needed to determine the extent of the relationship since the sample consisted of mostly males (sex was male in 397 cases versus 64 cases the sex was female). This is consistent with previous research that has found that most women are diverted out of the system and the ones that remain are usually charged with more severe crimes.

Future Research

The results showed a significant correlation between probation and conditions. However, an extremely strong correlation would be expected since all probation has conditions. This raises a problematic question. Do all the dispositional sanctions make it into the court record? Research is only as good as the data that is being analyzed. Court records are first recorded by a court reporter, then entered into a computer files by another person. This leaves at least two opportunities for errors to be made in the record assuming that only two people handle the records. In reality, it is more likely that multiple people will come in contact with the record before it becomes the "official"

court record. Therefore, additional research needs to evaluate the accuracy of juvenile dispositional data by attempting to answer these two questions; are court reporters recording all the sanctions that are given to the juvenile at disposition and do all the dispositional sanctions that were given at disposition make it to the official court record? Further research of interest should evaluate committing subsequent offenses for the various sanctions used and if the time between arrest and disposition correlates with committing subsequent offenses.

APPENDIX A

Table 7.

Hypothesis statements

H₀: The dispositional sanctions are being utilized equally across the judge/magistrates.

H₁: The dispositional sanctions are not being utilized equally across the judge/magistrates.

H₀: The time between the filing of the initial charges and disposition is the same as the recommended standards.

H_a: The time between the filing of the initial charges and disposition is significantly longer than the recommended standards.

H₀: Race is not associated with receiving a DYS commitment or commitment held in abeyance.

H_a: Race is associated with receiving a DYS commitment or commitment held in abeyance.

H₀: Sex-type is not associated with receiving a DYS commitment or commitment held in abeyance.

H_a: Sex-type is associated with receiving a DYS commitment or commitment held in abeyance.

Table 7 (continued)

Ho: Age is not associated with receiving a DYS
commitment or commitment held in abeyance.

Ha: Age is associated with receiving a DYS commitment
or commitment held in abeyance.

Ho: The judge/magistrate is not associated with
receiving a DYS commitment or commitment held in
abeyance.

Ha: The judge/magistrate is associated with receiving
a DYS commitment or commitment held in abeyance.

[Handwritten Signature]
Paul J. Kowalski
Dean, School of Graduate Studies
Research Compliance Office

PH/oc

Dr. Gordon E. Brown, Chair
Department of Criminal Justice

August 1, 2005

Dr. Gordon Frissora, Principal Investigator
Ms. Danielle Bequeath, Co-investigator
Department of Criminal Justice
UNIVERSITY

RE: HSRC Protocol Number: 03-2006
Title: Juvenile Court Dispositions: Alternatives and Limitations

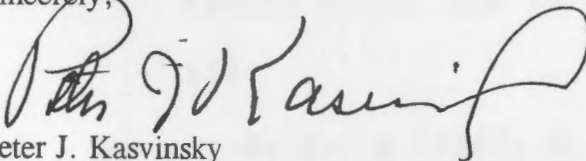
Dear Dr. Frissora and Ms. Bequeath:

The Human Subjects Research Committee has reviewed the abovementioned protocol and determined that it is exempt from full committee review based on a DHHS Category 4 exemption.

Any changes in your research activity should be promptly reported to the Human Subjects Research Committee and may not be initiated without HSRC approval except where necessary to eliminate hazard to human subjects. Any unanticipated problems involving risks to subjects should also be promptly reported to the Human Subjects Research Committee.

The HSRC would like to extend its best wishes to you in the conduct of this study.

Sincerely,



Peter J. Kasvinsky
Dean, School of Graduate Studies
Research Compliance Officer

PJK/cc

c: Dr. Gordon Frissora, Chair
Department of Criminal Justice

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