

THE DIFFERENTIAL SELECTION OF JUVENILE OFFENDERS  
FROM THE SCHOOLS FOR COURT APPEARANCE

by

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## ABSTRACT

THE DIFFERENTIAL SELECTION OF JUVENILE OFFENDERS  
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This study was conducted within the confines of the Youngstown City School District, Youngstown, Ohio. The various schools in this system work in conjunction with the Mahoning County Juvenile Court to combat the problems of delinquent behavior by students in the schools. Thus, the aim of this study is to examine the selection process, as it is applied by school personnel, in order to ascertain which students are more likely to appear in juvenile court. It is hoped that a delineation of who is sent to court by the schools will aid in more effective programming for these offenders.

An ex post facto research model was employed in this study. A sample of 136 recorded school offenders was drawn from the records of the schools. These students constituted two groups which were compared, those referred to juvenile court by the schools and those not referred to the court. The influence of various inherent factors such as sex, age, IQ, grade level, amount of school contact, school attended, and the occupation of the major

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wage earner of the youthful offender's family are explored.

Using a chi-square test of statistical significance, it was concluded that definite differential liability for selection does exist for certain types of students.

## ACKNOWLEDGEMENTS

I greatly appreciate the advice and guidance of the members of my graduate committee, Mr. James DeGarmo, Dr. John F. Davies, and Dr. James Kiriazis.

A special thanks goes to Mr. Robert L. Pegues, Superintendent of the Youngstown City School System, Mr. Harold Kennedy, Director of Pupil Personnel Services, Mr. William C. Rabel, Chief Probation Officer, Mahoning County Juvenile Court, and the many visiting teachers and administrators of the Youngstown City School System. Without their thoughtful assistance and cooperation, this study would not have been possible.

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## CHAPTER I

### INTRODUCTION

#### Statement of the Problem

This study attempts to determine and describe certain factors that enter into the differential selection of juvenile offenders by school authorities for court appearance. It endeavors an analysis of this selective process as it is applied by authorized personnel in the Youngstown City School System.

Interest in this problem developed as a result of working with juvenile court personnel, who deal largely with referrals from the various schools. Since court appearance often is contingent upon the initiation of the child by the referral agency (often the school) into the official channels leading to the court, it may seem that our conception of juvenile delinquency may be determined at this point. If this is plausible, then the school, in making a decision as to which child will become officially known to the court, is exercising a large influence on the nature of the known delinquent population. Thus, it is of interest to examine who is sent to juvenile court by the schools and the criteria for their selection. In conjunction with this it has been noted "that the officially designated criminal is the final product of a long process of



selection... consistently demonstrating that certain groups and certain classes of persons are overrepresented while others are underrepresented in the criminal justice system."<sup>1</sup>

The aforementioned would seem to imply that offenders seen in a juvenile court are a selected group rather than a random sample of the universe of delinquents. Such circumstances would hinder any reliance placed on statistics derived from court records since any such statistical information would obviously be biased. Consequently, the problem becomes one of investigating the differential selective process employed by the schools in order to reach a clearer conceptualization of the social phenomenon of juvenile delinquency, and in so doing to provide a better basis for the evaluation and definition of the delinquent population.

#### Importance of the Problem

It is a well known fact that juvenile delinquency has been "increasing both in terms of absolute number of offenses committed and in terms of rate of delinquent behavior."<sup>2</sup> As a social problem, juvenile delinquency has reached unlimited proportions. Public concern is centered

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<sup>1</sup>Eugene Doleschal, "Toward a New Criminology," "Crime and Delinquency Literature, V (December 1973), p.612.

<sup>2</sup>Herbert C. Quay, Juvenile Delinquency (New Jersey: D. Van Nostrand Company, 1965), p.1.

on the establishment of prevention and control programs. The increasing numbers of behaviorally disruptive students referred to the juvenile courts by the schools are indicative of the general trend. Obviously, programs must be established to break the geometric type progression of juvenile delinquency.

A logical place for the institution of preventive and rehabilitative programs is the school. With assistance from Juvenile Court such programs could be instituted and maintained effectively. However, before any such program can even be designed it is imperative to ascertain exactly for whom to program. If the schools are to accept the responsibility for such programming, they must approach the problem with representative data concerning the type of youth who is delinquent prone. An examination of court records does not provide sufficient information. A closer examination must be made - an examination and comparison of those students referred to juvenile court by the schools as opposed to those not referred to juvenile court by the schools.

The selective process employed by the schools in deciding court referrals is a vital area for scrutiny, for court referrals from the school helps to delineate who, among all students who offend certain established codes of behavior, shall become officially designated as delinquent. Consequently, an insight into the discriminating factors affecting the differential selection of juveniles for court appearance may be of value.

A further concession to the importance of examining this selective process stems from the observation that, "Research efforts have been largely focused on the juvenile as he emerges at the end of this series of official contacts. Little or nothing is known of the roles which the various official functionaries play in this selective process, or of the bases on which they make their selections from among the juveniles who came to their attention."<sup>3</sup> Since there exists a lack of research in this area, and since an examination of the selective process can have a direct bearing on the future of the youthful offender, it appears that this study may provide some new insights into the social phenomenon of juvenile delinquency.

#### The Null Hypothesis

This study investigates the accuracy of the following hypothesis: There is no statistically significant difference between those juvenile offenders referred to juvenile court by the schools and those who are not referred to juvenile court by the schools. In order to scrutinize the probability that the above hypotheses is true, the effect of several variables upon the selective process is examined. These variables include the sex, IQ, age, grade, and school attended by the students in the sample.

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<sup>3</sup>Nathan Goldman, The Differential Selection of Juvenile Offenders for Court Appearance (National Research and Information Center, 1963), p.6.

Other variables inspected are the nature of the offense committed, the amount of official school contact encountered by the student, and the occupation of the major wage earner in the offender's family.

#### Limitations of the Study

Any study is limited by a set of predisposing factors. Awareness of this fact leads to a delineation of the following limitations of this study:

- A. Geographic Area: The study is limited to the public schools comprising the Youngstown City School System, Youngstown, Ohio; any findings should consequently be applied only to an area comparable in size, population, administrative structure, and disciplinary practices used.
- B. Judicial Agency: The study is limited specifically to Mahoning County Juvenile Court.
- C. Scope: The study does not purport to discover all factors which play a role in the selective process. Such a proposition, in the opinion of this writer, would be rather unrealistic.

## CHAPTER II

### Review of the Literature

A survey of the existing literature revealed no material focused directly on the differential selection of juvenile offenders by the school for court appearance. Some literature exists on the topic of selection in general and a great deal of information was found on the relationship between schools and delinquency and the court and delinquency. Therefore, this chapter focuses on the topic of selection as well as describes the roles of the two agencies involved in the study - namely, the school and juvenile court.

### Differential Selection

Any decision is influenced by a multitude of factors. The decision regarding what type of action should be taken when a juvenile has violated some code of conduct is no exception.

Reckless and Smith have found the existence of regional and sectional differences in the treatment afforded juvenile offenders. They also find that age and seriousness of offense may be discriminating factors. Evidence that differential selection is made by the police is found in the fact that of "18,141 complaints made to the police concerning boys and girls, only 2,617 children passed

through juvenile court or were given hearings in any other way."<sup>4</sup>

Dennis Chapman insists that there is a very selective bias in our legal system. He feels that uneducated working men are more liable to face penalties for their offenses than the more influential members of middle and upper classes.<sup>5</sup>

Sophia Robison gives further evidence of the operation of a differential liability factor. "... breakdown of these data indicate a differential reporting from various religious, age, sex, and ethnic groups. Variations in value orientation between different communities, degree of social organization, the activity of community social agencies, fluctuations in police enforcement policies, and special local regulations were posited as having an important effect on the proportion of delinquency which is officially registered."<sup>6</sup>

Nathan Goldman studied the problem of differential selection of juvenile offenders for court appearance by the police. He contends that the fact that there is a differential liability for juvenile offenders is obvious. His

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<sup>4</sup>Walter Cade Reckless and Mapheus Smith, Juvenile Delinquency (New York: McGraw-Hill, 1932), pp.21-22.

<sup>5</sup>Dennis Chapman, "The Stereotype of the Criminal and the Social Consequences," International Journal of Criminology and Penology, XV (1973) p.30.

<sup>6</sup>Sophia Robison, Can Delinquency Be Measured? (New York: Columbia University Press, 1936), passim.

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purpose in conducting the study was to examine the factors which ultimately influence the decision of policemen as to who will go to court and who will not. Such factors need not necessarily be inherent in the child. Such factors as community attitude, nature of offense, and personality of the officer all play a role in the selection process.<sup>7</sup>

Goldman's study, conducted in the Pittsburgh area, reached the following conclusions:

1. Different communities exhibit different rates of arrest.
2. Seriousness of offense is a discriminating factor upon deciding which juvenile offenders are sent to court.
3. Race appears to be a significant variable in the selection process.
4. The rate of court referral is directly proportional to the age of the juvenile.<sup>8</sup>

In general, he also found that the "differential selection of offenders for court appearance by the police is determined by the attitudes of the policeman toward the offender, his family, the offense, the juvenile court, his own role as a policeman, and the community attitudes toward delinquency."<sup>9</sup>

The above all lends support to the contention that there does exist a differential selection policy in working with juveniles. This selectivity depends upon a myriad

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<sup>7</sup>Goldman, Differential Selection, pp.1-6

<sup>8</sup>Ibid., pp.125-128.

<sup>9</sup>Ibid., p.129.

of factors which vary not only from community to community but also from individual to individual. Thus the complexity of the problem is compounded.

### Schools and Delinquency

The daily newspaper consistently lends evidence to the fact that youth of school age are committing acts which label them as "delinquent". Concerned parents and civic groups pressure school personnel to develop methods of combating delinquency. This is probably a reasonable demand in light of the fact that most children between the ages of six and eighteen spend a large part of each day within the portals of the school.

Compulsory education laws demand attendance in school. Consequently "...classroom teachers are the logical ones to observe deviant behavior. They see almost all children and have the opportunity to observe the type of behavior which is frequently indicative of predelinquency... this information... can help to locate children who are delinquent prone. It can also help educators to recognize some of the school situations which fester the delinquency cancer."<sup>10</sup>

Brodsky and Knudten concur that schools can be a vital part of the early detection of delinquency. However, they contend that schools affect the lives of children in

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<sup>10</sup>Quay, Juvenile Delinquency, pp.315-316.



a far greater sense, since, in their opinion, schools are "major agents of status definition in our society. They are social transmission institutions that label winners and losers, and in so doing, frequently determine which students are which."<sup>11</sup>

While early recognition of delinquent prone children by school personnel may be a complex problem, it is nonetheless one with which the schools must deal.<sup>12</sup> There exists a preponderance of evidence suggesting that delinquency begins during the school years for one reason or another. The Gluecks have found that at least ninety per cent of the delinquent population exhibited delinquent tendencies in school. They persistently misbehaved, not only in such minor misconduct as cutting class, but in more serious offenses such as assault on a teacher.<sup>13</sup> A further report by the New Jersey Delinquency Commission revealed that "of 2,021 inmates of prisons and correctional institutions in the state of New Jersey, two out of every five had first been committed because of truancy as a child."<sup>14</sup>

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<sup>11</sup>Stanley L. Brodsky and Richard D. Knudten, Strategies for Delinquency Prevention in the Schools (University of Alabama, 1973), p.1.

<sup>12</sup>Eli Michael Bower, "How Can Schools Recognize Early Symptoms of Maladjustments in Children and Youth," Federal Probation, XVI (June, 1952) p.4.

<sup>13</sup>Sheldon and Eleanor Glueck, Delinquents In The Making, (New York: Harper and Row, 1952) p.76.

<sup>14</sup>Paul H. Hahn, The Juvenile Offender and the Law, (Cincinnati: W.H. Anderson Co., 1971) p.207.

Thus, it becomes evident that delinquent and often criminal behavior has its origins during the formative school years. As a consequence it is imperative that the schools learn to recognize indications that a particular child may develop into a juvenile delinquent. Such indicators include absenteeism, failure, truancy, and general behavioral problems.<sup>15</sup>

Although the key to the solution of the problem of juvenile delinquency may lie with the schools, it is possible that the schools are aiding in the growth of the problem. Some people feel that "the existence of juvenile delinquency... proves in a broad sense, that education has not been fully successful... the delinquent child may be an inescapable headache for the schools, but the schools may be an even greater headache for the deviant child!"<sup>16</sup> Perhaps the schools are not meeting the needs of a certain group of students. Existing evidence proposes that "delinquency results in part from negative school experiences, and that there are fundamental defects within the school system that increase the likelihood that some youth will select the illegitimate alternative."<sup>17</sup>

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<sup>15</sup>Quay, Juvenile Delinquency, p.307.

<sup>16</sup>Bernice M. Moore, "The Schools and the Problems of Delinquency," Crime and Delinquency, VII (July, 1961), pp.201-203.

<sup>17</sup>Brodsky and Knudten, Strategies for Delinquency Prevention in the Schools, pp.2-3.

The relationship between the schools and the problem of delinquency may be summed up by Brownell:

"Delinquency is related to the school in three ways. Schools may produce delinquency. Schools may help prevent delinquency. Schools may help with delinquency through curriculum and program of activities."<sup>18</sup>

### Juvenile Court and Delinquency

Juvenile Courts have their origins in Chicago at the turn of this century. Within twenty years of the establishment of the first juvenile court, all states, with the exception of Connecticut, Maine, and Wyoming, had enacted laws providing for the institution of Juvenile courts.<sup>19</sup> The purpose of the juvenile court encompasses several aspects. Ultimately the court hopes to aid youth along the road to becoming a responsible member of society. In light of this aspiration, it not only deals with violations of the law and status offenses, but also focuses attention upon those children who have been neglected or mistreated.<sup>20</sup> In short its primary purpose is "to provide for the care, protection, and mental and physical development of children subject to the jurisdiction of the juvenile

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<sup>18</sup>Brownell quoted in Quay, Juvenile Delinquency, p.299.

<sup>19</sup>Reckless and Smith, Juvenile Delinquency, pp. 225-229.

<sup>20</sup>Harold N. Fields, "Guideposts for Juvenile Court Operation," Federal Probation, XXII (December, 1958)p.12.

court, and to protect the welfare of the community; and to protect the public interest by treating children as persons in need of supervision, care, and rehabilitation."<sup>21</sup>

The orientation of the juvenile court is thus one of reformation, development, and assistance rather than one of punishment. Relying upon the assistance of social workers, psychologists, and psychiatrists, the juvenile court judge attempts to provide each individual with what he needs to grow into a worthy citizen. Thus, there is an obvious departure from the philosophy of the adult courts. A doctrine of "parens patriae" is used to justify this departure from due process as well as to extend the court's jurisdiction to include acts not illegal in the usual sense. Such acts include, truancy, disobedience, and associating with undesirables. In this way, it is felt that the child will receive guidance and direction which will deter him from the path of criminality.<sup>22</sup>

Although juvenile courts have a philosophy theoretically different from that of adult courts, it should not be inferred that these courts lean toward leniency. Granted that the juvenile courts are less punitive than their counterparts; nonetheless, a scrutiny of several facts will illustrate that they can be more stringent with

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<sup>21</sup>"Ohio Rules of Juvenile Procedure", Ohio State Bar Association, Columbus, Ohio, 1972, p.(XIX).

<sup>22</sup>Douglas J. Besharov, Juvenile Justice Advocacy (Practicing Law Institute, 1974), pp.1-2.

juvenile offenders than adult courts are with adult offenders. First of all, juveniles can be brought to court for deeds which are not in violation of criminal laws - an act that can never happen in adult courts. Secondly, children are not given the same procedural protection as adults. There is no jury. Heresay evidence is often admissible. There is no stipulation that guilt must be established beyond a reasonable doubt. If the judge concludes that a "preponderance of the evidence" points to the delinquency of the defendant, the youth is judged as delinquent.<sup>23</sup>

Consequently, it appears "that most children who come to juvenile court for delinquency have not committed offenses which make them a threat to their community..."<sup>24</sup> While there is adherence to the premise that a youthful offender should be treated differently in the courts than the adult offender, juvenile court statutes appear to embrace a wider field of jurisdiction.<sup>25</sup>

It might be noted that, in conjunction with the topic of selection, the intake process of juvenile court uses great discretion in deciding referrals to juvenile court.

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<sup>23</sup>Sol Rubin, Crime and Juvenile Delinquency (New York: Oceans Publications, Inc., 1970), p.46.

<sup>24</sup>Thomas Mason Jr., "Delinquency and Juvenile Courts: Confusion and Diversity," Federal Probation, XXV (December, 1961), p.47.

<sup>25</sup>Stephen M. Herman, "Scope and Purpose of Juvenile Court Jurisdictions," Journal of Criminal Law, XLVIII (March-April, 1958), p.47.

Intake refers to the initial point of contact made by a juvenile with the court. It is during the intake procedure that the decision is made as to what type of action will be taken toward the delinquent child. The primary purpose of intake is to screen the offender and weigh the evidence in order to defer from initiating any court proceedings that may be unnecessary. It has been found that at this point over fifty per cent of the cases will be diverted from the court. Intake officers basically decide which cases need no action; which cases should be referred to other agencies such as Child Guidance; which cases would benefit if they received short-term treatment; and which cases should go to court.<sup>26</sup> In making these decisions many factors are examined.

#### School - Court Relations

A preponderance of evidence supports the need for a working relationship between the schools and the juvenile courts. In order to effect a workable relationship, mutual understanding of policies must take place. "A definite system of mutual operation is essential from the standpoint of each agency involved to avoid duplication of effort and to achieve unity of purpose."<sup>27</sup>

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<sup>26</sup>Besharov, Juvenile Justice Advocacy, p.157-58.

<sup>27</sup>Fields, "Guideposts for Juvenile Court", pp.12-13.

Arnold Wallace stresses the importance of cooperation between these two entities in order to promote effective handling of youth problems.

"Since the basic principle of Children's Court is the guardianship of youth based on understanding the child's needs, this court has a particular responsibility to establish working relationships with the public schools. Both the court and the school are charged by the community to serve our youth. Thus, it is of great importance for each to recognize the values and positive aspects of our respective responsibilities."<sup>28</sup>

Louis W. McHardy campaigns for a coalition of effort:

"In our struggle against juvenile delinquency, it is generally agreed that no community institution or agency can function effectively in a vacuum. Segments of the problem become the province of different agencies, but no one institution or agency has complete responsibility for coming to grip with the juvenile delinquent and his problems... If ever a need existed for a positive relationship among agencies, it does so today with the juvenile court, the police, and the school."<sup>29</sup>

Not only is there a need for solid school - court relationships, there is an unavoidable sharing of responsibilities. Delinquent behavior is a thorn to both agencies.

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<sup>28</sup>Arnold Wallace, "Discipline and Delinquency: School-Court Relations," (Ph.D. dissertation, St. John's University, 1965), p.30

<sup>29</sup>Louis W. McHardy, "The Court, the Police, and the School," Federal Probation, XXXI-XXXII (1967-68) p.47.

In the past schools were reluctant to publicize their problems. Consequently they infrequently dealt with any of their problems through the courts. However, since the magnitude of the delinquency problem has grown to such large proportions, the trend appears to be just the opposite. The schools seek and need help from the courts.<sup>30</sup> The predominant act necessitating court assistance is truancy. However, schools often refer cases involving drugs, violence, and child abuse to the court. Yet, even when the offense is a major one, school officials file complaints only when they have tried all its own resources to correct the problem.<sup>31</sup> "Problems of discipline are predisposing factors of delinquency. When schools have utilized all means of disciplinary correction allowable to them by State statutes or common law, it is their right and responsibility to seek and receive further aid from other state agencies. Children's court, as an agency of, and acting for the state, must assume appropriate responsibility."<sup>32</sup>

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<sup>30</sup>Hahn, Juvenile Offender, p.204.

<sup>31</sup>Besharov, Juvenile Justice Advocacy, pp.113-114.

<sup>32</sup>Wallace, "School-Court Relations," p.69.



## CHAPTER III

## METHODOLOGY

Experimental Design

After the researcher has selected an appropriate topic for investigation, the next task is to develop an experimental model for that investigation.<sup>33</sup> Therefore, this chapter discusses in detail the methodology utilized in this study.

Due to the nature and composition of this study, the classical experimental model was not feasible, nor were any quasi-experimental designs adaptable to the study. "The majority of studies done in the social and behavioral sciences are primitive by comparison to the true and quasi-experimental designs."<sup>34</sup> Consequently, an ex-post facto design was used. Although such a design cannot provide as much valuable information as a more sophisticated design, it does, nonetheless, "offer more information than would have been available without any study at all."<sup>35</sup>

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<sup>33</sup>Carol H. Weiss, Evaluation Research (New Jersey: Prentice-Hall Inc., 1972), p.60.

<sup>34</sup>H.W. Smith, Strategies of Social Research (New Jersey: Prentice-Hall Inc., 1975), p.99.

<sup>35</sup>Weiss, Evaluation Research, pp.73-74.

### Basic Assumptions

For purposes of this study it is assumed that:

1. The records and files of the Youngstown City Schools contain valid and reliable information.
2. The decision as to who will be referred to juvenile court by the schools is not a purely arbitrary one.
3. Students who continually misbehave in school are likely to become involved officially in the Juvenile Justice System.

### Operational Definitions

Some terminology appears to either be unique to the schools and the courts or to have a specific connotation in that particular context. For purposes of clarification the following terms are defined:

Adjudication: This is the action of a court that determines officially whether a child is delinquent, or nondelinquent or whether a child is neglected and should come under the custody of the State. In short, this hearing makes a formal judgment on the behavior of the youth.

Child: Any individual under the age of eighteen is considered a child.<sup>36</sup>

Intake: Intake refers to the initial contact with the court. It is the stage at which screening takes place and decisions are made concerning which cases should be sent to court and which should not.

Juvenile Court: Juvenile Court is a legal entity having jurisdiction over juveniles. It is responsible not only for those juveniles who are in violation of some law, but it also deals with the protection of youths who are neglected or mistreated.

Juvenile Delinquency: Juvenile delinquency will be interpreted as "The violation of a law or municipal

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<sup>36</sup>"Ohio Rules of Juvenile Procedure," p.xix-xx.

ordinance by persons within the age jurisdiction of juvenile courts, or it is conduct on the part of such persons so seriously anti-social as to interfere with the rights of others or to menace the welfare of the delinquent himself or of the community."<sup>37</sup>

Parens Patriae: "Parens Patriae" is a Latin phrase that literally means "father of his country". It is used to describe the demeanor of the court in accepting the responsibility to protect the welfare of the child and make provisions for the care and treatment of the child.<sup>38</sup>

Pre-delinquent Behavior: This term refers to behavior that is continually nonconformant, overtly hostile and beligerent.

School Contact: This refers to any recorded contact with an authority figure as a result of some misbehavior.

Status Offense: Status offense refers to any offense committed by a juvenile, which if committed by an adult would not be a violation of the law. Such offenses include truancy and use of profane language.

Violent Offense: Offenses such as assault on a teacher or fighting are indicated by use of this term.

#### Selection of the Sample

In order to study the differential selection of juvenile offenders by the school for court appearance, it is necessary to decide upon a population from which a sample can be drawn, for "conclusions cannot be drawn concerning a population until the nature of the units that comprise it is clearly identified."<sup>39</sup> Keeping in mind that the study

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<sup>37</sup>Wallace, "School-Court Relations," p.6.

<sup>38</sup>Besharov, Juvenile Justice Advocacy, p.12.

<sup>39</sup>Deobold B. Van Dalen, Understanding Educational Research (New York: McGraw-Hill, 1962) p.296.

proposes to investigate which students who have violated some code of conduct are referred to court as opposed to those who are not referred to court, one might define the population as all students who have been in official contact with the school office for disciplinary action. However, some students may be sent, at the discretion of the teacher, to the office for conduct ranging from chewing gum to assault. The former act may be viewed by many to be insignificant and not indicative of a delinquency prone student. Consequently, it has been decided to define the population as those students who have had official school board hearings during the 1973-74 school year. The decision to use the 1973-74 school year instead of the current school year is predicated on the fact that the 1974-75 school year was still in session at the time this study was undertaken and official records would be incomplete.

"After defining a population and listing all the units, an investigator selects a sample of units from the list... A good sample must be as nearly representative of the entire population as possible."<sup>40</sup> From a list of all students in the Youngstown City Schools who have had official school board hearings for reasons of misconduct, a representative sample was selected using a list of random numbers to insure randomness of the sample. It is this sample of students who were studied and compared.

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<sup>40</sup>Ibid., pp.297-298.

### Collection of the Data

In order to collect the data the cooperation and support of Mr. Robert L. Pegues, Superintendent of Youngstown City Schools, Mr. Harold Kennedy, Director of Pupil Personnel, and Mr. William C. Rabel, Chief Probation Officer was assured. From the records of Mr. Kennedy, a list of all official board hearings could be found. Thus, the original sample was taken from these records. Once this was accomplished, a visit was made to the various Youngstown City Public Schools. From the files of the assistant Principals, information concerning the nature of the offenses committed by the students in the sample was collected. From the school individual pupil files, demographic data was recorded. In order to ascertain which students, who had board hearings did indeed face a court hearing, the files of Mr. Rabel were used. The tenability of collecting this data was investigated beforehand and no unforeseen problems were encountered.

### Validity and Reliability

As recorded in the basic assumptions, it is assumed that the information that was found in the school and court records is valid. Such an assumption could be made since in this study the data are "used descriptively rather than as a basis for inferences about underlying dynamics. Such measures, which focus directly on behavior of the kind in which the tester is interested, are often said to have

'face validity'; that is, the relevance of the measuring instrument to what one is trying to measure is apparent 'on the face of it.'<sup>41</sup>

There may be some question as to the reliability of the data collected from the school files. Since the files are kept by different individuals at the different schools, the records themselves may vary. However, as a school system, the Youngstown City Schools have established codes of conduct which students are to follow. Violations of this conduct may not necessarily be recorded in exactly the same manner in each school, but it is assumed that the violations are recorded. At this stage, personal bias should not be a salient factor.

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<sup>41</sup>Clair Sellitz and Maria Jahoda, Research Methods in Social Relations (New York: Holt, Rinehart, and Winston, 1963), pp.164-165

## CHAPTER IV

### ANALYSIS OF THE DATA

In order to ascertain whether or not a differential liability exists in the selection of juvenile offenders for court appearance by the schools, it is necessary to closely scrutinize and analyze the data collected. For this purpose, the variables of type of offense, school attended by the student, grade level, age, sex, and IQ of the offender, amount of school contact had by the youth, and the occupation of the major wage earner in the student's family were investigated as possible contributing factors in the selection process.

#### Statistical Test of Significance

Since the aforementioned variables exhibit a variety of levels of measurement from nominal level to ratio level, a statistical test was chosen that would be appropriate to the lowest level encountered - namely, nominal level. Such a statistical test would also be applicable at all higher levels of measurement. Several nominal - level tests of significance exist. Among these, one of the most commonly used is the chi-square test, and it is this test that was used to discover whether or not the observations were significantly different from what would be expected by chance. For purposes of statistical

analysis a level of significance of .05 was established. This is a frequently used level of significance. However, if it was found that rejection at a higher level of significance than .05 was warranted, this was also indicated.

Generally, prior to deciding upon a statistical test of significance, it is necessary to determine whether or not all the underlying assumptions have been satisfied. However, in the case of the chi-square test, there are few assumptions to be met. An investigator must only be certain that no cell should have an expected frequency of less than five. This fact was given ample consideration and on occasion it became necessary to collapse categories in order to elevate the cell frequencies.<sup>42</sup>

#### Demographic Data

Some demographic information contributes to any insights gained from an analysis of the data collected in this study. The City of Youngstown is situated in Mahoning County in the northeastern quadrant of Ohio. The city itself accounts for fifty-five per cent of the county's population. Steel production, fabrication, and assembly-line jobs constitute the major sources of income.

The early population of the city was largely Germanic in background. However, advancing years saw the

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<sup>42</sup>Dean J. Champion, Basic Statistics for Social Research (Pennsylvania: Chandler Publishing Company, 1970) pp.134-136.



influx of immigrants from central, eastern, and southern Europe. Subsequent migrations to Youngstown included southern blacks. As of 1970 the population of Youngstown was 139,709. Of this figure one-fourth is black.<sup>43</sup>

The Youngstown City School District comprises a total of forty-two schools. As of 1974, the total enrollment in these schools was 21,417, 11,657 of which were enrolled in grades seven through twelve. Almost one-half (49.5 per cent) of the student body are black, another 4.3 per cent are of other minority backgrounds, and the remainder are non-minority. There are 1,158 members of the professional staff, 59 per cent of whom are at the Master's Degree level. Among the staff 11.5 per cent are minority members.<sup>44</sup>

### Descriptive Analysis

A group of 136 students, 97 male and 49 female, from the thirteen junior and senior high schools in the Youngstown City School District were studied. These students, from grades seven through twelve, ranged in age from twelve to eighteen; they exhibited IQ's from 48 to 124; they had parents who were employed in a myriad of

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<sup>43</sup>Juvenile Justice Center Project, by Jack D. Foster, Project Director (Department of Criminal Justice, Youngstown State University, 1974), p.1A-2A.

<sup>44</sup>Robert L. Pegues, Jr., Superintendent's Annual Report 1974 (Youngstown, 1974), pp.3-10.

occupations including engineers, nurses, tradesmen, steel workers, secretaries, waiters, and taxi-drivers. Collectively, this group of students committed a total of 1,505 recorded offenses during the nine month school year beginning in September, 1973. Of these 1,505 offenses, 1,302 were status offenses, 105 were violent offenses, and 98 were non-violent offenses. Table 1 gives a complete breakdown of the offenses committed.

Table 1  
OFFENSES COMMITTED

Offense		Number
<u>Status Offenses</u>	<u>1302</u>	
Truancy		202
Cutting Class		480
Cutting Detention		154
Smoking Violation		36
Tardiness		77
Disruptive Behavior		185
Disrespect/Disobedience		124
Leaving School Without Permit		44
<u>Violent Offenses</u>	<u>105</u>	
Fighting		90
Assault		10
Destruction of Property		5
<u>Non-Violent Offenses</u>	<u>98</u>	
Profanity		44
Alcohol/Drug Use		6
Possession of Weapon		4
Theft		7
Trespassing		6
Verbal Threat		23
Forged Permit		8
<b>Totals</b>	<b>1505</b>	<b>1505</b>

Of these 136 offenders who were given official school board hearings, 27 males and 15 females, a total of 42 students, were referred to juvenile court. Table 2 delineates the offenses which ultimately necessitated a school board hearing for the individuals in the sample.

Table 2  
DISPOSITION OF CASES BY THE SCHOOL BOARD ACCORDING TO OFFENSE

Offense	Committed By	Disposition		Per Cent To Court
		Court	Other	
Truancy	58	22	36	37.9
Fighting	5	1	4	20.0
Destruction of School Property	2	0	2	0.0
Assault on Teacher	8	3	5	37.5
Cutting Class or Detention	17	5	12	29.4
Arson	1	1	0	100.0
Tardiness	9	1	8	11.1
Disrespect/Disruptive Behavior	32	9	23	39.1
Theft in School	1	0	1	0.0
Carrying Weapons	1	0	1	0.0
Profanity	2	0	2	0.0
<b>Totals</b>	<b>136</b>	<b>42</b>	<b>94</b>	

Almost one-half (42.6 per cent) were given a school board hearing because of truancy. Another one-fourth of the sample (23.5 per cent) were given hearings because of disrespectful or disruptive behaviors. These two offenses make

up nearly three-fourths of the sample. As might be expected they also constitute 73.8 per cent of those offenders who were referred to court.

### Statistical Analysis

The original intention of this study was to test the following hypothesis: There is no statistically significant difference between those juvenile offenders referred to juvenile court by the schools and those who are not referred to juvenile court by the schools. In order to assay the tenability of the above hypothesis it is essential to delineate some of the factors which may have an effect upon the selection process. One of the factors is sex. It is possible that the sex of the offender may cause differential treatment in the ultimate disposition of the case. The data on the disposition of the cases according to the sex of the offender is presented in Table 3.

Table 3

#### DISPOSITION OF OFFENDERS ACCORDING TO SEX

Sex	Total in Sample	Number Sent to Court	Per Cent to Court	Per Cent of Total
Male	87	27	31.0	64.3
Female	49	15	30.6	35.7
Totals	136	42		100.0

chi-square = .0026 ~~3~~ 3.841    p < .05

As illustrated above 31.0 per cent of the boys in the sample were referred to court, while 30.6 per cent of the girls in the sample were referred to court. The computed value of chi-square, .0026, was not large enough to reject the hypothesis that there is no statistically significant difference between those offenders who are sent to juvenile court by the school and those who are not sent to juvenile court by the school in regards to sex.

It might be expected that the occupation of the major wage earner in the offender's family may be a discriminating factor. For purposes of statistical analysis, occupations were categorized as professional, skilled, semi-skilled, other, and government assistance. Within the context of this study professional occupations include such job titles as engineer, nurse, small business owner. Skilled occupations encompass such fields as mechanic, carpenter, law enforcement officer and draftsman. Semi-skilled job titles found in this study include factory or steel worker, retail sales clerk, secretary, construction worker, and taxi driver. Such occupations as gas station attendant, waitress and day worker constitute the "other" category. Government assistance refers to those who are supported by Social Security, welfare, aid for dependant children, unemployment compensation, and/or disability incomes. The effect of occupation on the disposition of cases is demonstrated in Table 4.

Table 4

DISPOSITION OF OFFENDERS ACCORDING TO  
OCCUPATION OF MAJOR WAGE EARNER

Occupation	Total in Sample	Total Sent To Court	Per Cent To Court	Per Cent of Total
Professional	6	2	33.3	4.8
Skilled	10	4	40.0	9.5
Semi-Skilled	71	18	25.4	42.9
Other	16	5	31.3	11.9
Government Ass.	33	13	39.4	30.9
Totals	136	42		100.0

chi-square=11.9387 > 11.668  $p < .02$

As illustrated in the above table more than one-half (52.5 per cent) of the students in the sample come from homes where the major wage earner was employed in a semi-skilled job. However, proportionately this group exhibited the lowest per cent referred to the court (25.4 per cent). The largest per cent sent to court came from the skilled (40.0 per cent) and the government assistance groups (39.4 per cent). Applying the chi-square test of significance results in a computed value of 11.9387. This indicates that the probability is less than two in one hundred that a difference of this magnitude could have been obtained by chance. Consequently, the hypothesis that there is no statistically significant difference between those offenders who are referred to juvenile court by the school and those who are not referred to juvenile court by

the school, in regards to occupation of the major wage-earner in the offender's family, is rejected.

One of the variables which logically may be assumed to be a discriminating factor in the ultimate handling of the offenders is the amount of school contact the offender has had. Table 5 examines the influence of this variable.

Table 5

DISPOSITION OF CASES BY THE SCHOOL ACCORDING  
TO AMOUNT OF SCHOOL CONTACT

Amount of Contact	Number in Sample	Total Sent To Court	% Sent To Court	% of Total To Court
0-5	36	8	22.2	19.0
6-10	41	12	29.3	28.6
11-15	25	5	20.0	11.9
16-20	13	6	46.2	14.3
21-25	12	6	50.0	14.3
26-30	5	3	60.0	7.1
31-35	4	2	50.0	4.8
Totals	136	42		100.0

chi-square = 37.0311 > 22.457    p < .001

Mean = 11.06 contacts

From this table it can be seen that more than one-half of the sample (58.3 per cent) had from zero to ten school contacts. On the other hand the largest proportions of court referrals exhibited large numbers of school contacts. Statistically, the computed chi-square value of 37.0311 was large enough to warrant rejection of the

hypothesis that there is no statistically significant difference between those offenders referred to juvenile court by the schools and those who are not referred to juvenile court by the schools in regards to amount of school contact experienced by the individuals. The chance that the rejection was unfounded is less than one in one thousand.

Another variable considered in this study as possibly having significant influence upon the selection of offenders for court referral was the nature of the offense. Table 6 investigates the effect of this variable.

Table 6

DISPOSITION OF CASES BY THE SCHOOL  
ACCORDING TO NATURE OF OFFENSE

Type of Offense	Total in Sample	Total to Court	% to Court	% of Total to Court
Status	116	37	31.9	88.0
Violent	16	5	31.2	12.0
Non-Violent	4	0	0.0	0.0
Totals	136	42		100.0

$$\text{chi-square} = .0076 \times 3.841 \quad p < .05$$

Table 6 indicates that the proportion of court referrals for offenders who had school board hearings as a result of committing a status offense was approximately the same as the proportion of court referrals for offenders who had school board hearings as the result of committing a violent offense. For purposes of statistical comparison



the offenses were collapsed into two categories, namely, status offense and violent/non-violent offense. This was done to accommodate the restriction that the chi-square test is not appropriate when a cell frequency is less than five. Within this context a computed value of .0076 was obtained, a value not large enough to reject our hypothesis. Thus, it appears that there is no statistically significant difference between treatment afforded status offenders and other juvenile offenders.

A fifth variable considered for its impact upon the selection of offenders for court referral was school attended. Table 7 gives descriptive illustrations of data pertinent to the schools attended by the individuals in the sample. As evidenced in Table 7, all thirteen junior and senior high schools in the Youngstown City School System were represented. The six senior high schools provided 49.3 per cent of the total sample while the seven junior high schools contributed the other 50.7 per cent of the sample. Thus the sample gives a fair distribution between junior high offenders and senior high offenders. However, upon an examination of court referrals, it is found that the distributions here are not so closely related. In fact, 61.9 per cent of all those in the sample from junior high schools were referred to juvenile court, while only 38.1 per cent of the senior high school members were referred, a ratio of eight to five. Applying the formula for chi-square, a computed value of 10.8304 is obtained. This value is larger than the critical value at

Table 7

DISPOSITION OF CASES BY THE SCHOOL  
ACCORDING TO SCHOOL ATTENDED

School	Total in Sample	Number Sent to Court	% Sent to Court	% of Total to Court
Hayes	11	2	18.2	4.8
Hillman	14	8	57.1	19.0
Lincoln	10	4	40.0	9.5
Volney Rog.	4	1	25.0	2.4
Science Hill	6	1	16.7	2.4
Princeton	14	8	57.1	19.0
West	10	2	20.0	4.8
Chaney	13	3	23.0	7.1
East	4	2	50.0	4.8
North	3	1	33.3	2.4
Rayen	20	5	25.0	11.9
South	14	3	21.4	7.1
Wilson	13	2	15.4	4.8
Totals	136	42		100.0

$$\text{chi-square}_1 = 91.6506 \geq 32.909^a \quad p < .001$$

$$\text{chi-square}_2 = 10.8304 \geq 10.827^b \quad p < .001$$

<sup>a</sup>This value was computed on the basis of the individual school attended.

<sup>b</sup>This chi-square was computed on the basis of junior/senior high schools attended.

the .001 level of significance, indicating that the differences in the proportions of junior high school and senior high school members of the sample are not due to chance. Therefore, we reject the hypothesis that there is no statistically significant difference between those offenders referred to juvenile court by the school and those who are not referred to juvenile court by the schools as regards level of school attended.

A second perusal of Table 7 centers about the individual school attended. Both Hillman and Princeton junior high schools had an exceptionally large proportion of its students referred to court (57.1 per cent). On the other hand, Wilson High School had the lowest percentage of its offenders referred to court (15.7 per cent). Thus, perhaps, not only a significant difference between court referrals at the junior and senior high school levels, but also the individual school attended may exert a statistically significant influence on the selection process. Computing a chi-square value with reference to individual school attended results in a numerical value of 91.6506 which again is large enough to support the conclusion that the differences in court referrals among schools is not due to chance. Therefore, it is necessary to reject the hypothesis that there is no statistically significant difference between those offenders referred to juvenile court by the schools and those who are not referred to court by the schools in regards to school attended.

Another variable which may have impact upon the decision of who is referred to court and who is not is the IQ of the offender. While IQ alone is not a complete measure of an individual's intelligence, it is nonetheless, a comparative and relatively stable index of how a person compares with others of his age. For purposes of this study the IQ's of the individuals in the sample were grouped as follows:

1. Below 80      Borderline defective or defective
2.    80-90      Low Normal
3.    90-110      Normal or Average
4.    110-120      High Average
5.    120-140      Superior<sup>45</sup>

Table 8

DISPOSITION OF CASES BY SCHOOL  
ACCORDING TO IQ

IQ	Total in Sample	Number Sent to Court	% Sent to Court	% of Total to Court
Below 80	11	3	27.3	7.1
80-90	20	7	35.0	16.7
90-110	90	30	33.3	71.4
110-120	12	1	8.3	2.4
120-140	3	1	33.3	2.4
<b>Totals</b>	<b>136</b>	<b>42</b>		<b>100.0</b>

chi-square = 17.9368  $\geq$  13.277      p < .01

Mean IQ = 95.9

Table 8 indicates rejection of the hypothesis that there is no statistically significant difference between offenders referred to juvenile court by the schools and those not referred to the court by the schools as regards IQ, with students in the "high average" group exhibiting an unusually low chance of being referred to court.

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<sup>45</sup>Norman L. Munn, Psychology (Boston: Houghton Mifflin Company, 1966), p.122.

Two final variables are dealt with in Tables 9 and 10.

Table 9

DISPOSITION OF CASES BY THE  
SCHOOLS ACCORDING TO GRADE

Grade	Number in Sample	Number Sent to Court	% Sent to Court	% of Total to Court
7	19	6	31.6	14.3
8	33	11	33.3	26.2
9	34	14	41.2	33.4
10	29	8	27.6	19.0
11	14	3	21.4	7.1
12	7	0	0.0	0.0
Totals	136	42		100.0

$$\text{chi-square} = 10.572 \geq 9.210 \quad p < .01$$

Table 9 demonstrates the fact that the largest proportion of court referrals came from sample members who were in the ninth grade. Moreover, the proportions of court referrals for the seventh and eighth graders were larger than the proportions for the tenth, eleventh, and twelfth graders. In fact, only seven individuals of the sample were seniors and not one of those seven were referred to court. In order to compute a chi-square value the grades were grouped into clusters of two, that is, seventh and eighth graders formed one group, ninth and tenth graders formed another, and eleventh and twelfth graders formed a third group. Accordingly, a computed value of 10.572

Table 10  
DISPOSITION OF CASES BY THE SCHOOLS  
ACCORDING TO AGE

Age	Number in Sample	Number Sent to Court	% Sent to Court	% of Total to Court
12	2	1	50.0	2.4
13	11	3	27.2	7.1
14	17	3	17.6	7.1
15	43	16	37.2	38.1
16	31	14	45.2	33.3
17	28	5	17.9	11.9
18	4	0	0.0	0.0
Totals	136	42		100.0

chi-square = 29.3016<sup>c</sup>  $\geq$  20.517  $p < .001$

Mean = 15 years old

<sup>c</sup>This value was computed only for ages 12-17 since the cell frequency for 18 year olds was zero.

was obtained for chi-square, a value that once again indicated rejection of the hypothesis that the differences which exist in court referrals among grade levels is due to chance.

Since it was found that the grade level of the offender is a discriminating factor upon the selection of individuals for court referral, it is likely that the age of the juvenile will also have bearing upon the disposition of the case. Table 10 examines the ages of the components of the sample. In this distribution by age the mean, median, and mode all coincide. In other words the largest number of students in the sample were fifteen years old;

the average age of all the juveniles in the sample was fifteen; the middle age of the sample was fifteen. On the other hand very few members of the sample came from the extreme ages of twelve and eighteen. Furthermore, of the four eighteen year olds in the sample, not one was referred to court. Although 50 per cent of the twelve year olds in the sample were referred to court, this proportion may or may not accurately reflect the treatment afforded twelve year olds since the number of twelve year olds in the sample is so small. Furthermore, almost three-fourths (71.5 per cent) of the sample that were referred to juvenile court were in the fifteen to sixteen age group. Since the calculated value of chi-square is greater than the critical value the hypothesis that there is no statistically significant difference between those offenders who are referred to juvenile court by the schools and those who are not referred to the courts by the schools with regards to the age of the offender is rejected at the .001 level of significance.

#### Summary

In the school files of the Youngstown City Schools an investigation was made of 136 individuals known to have had official school board hearings for some type of misbehavior. These 136 students committed a total of 1,505 recorded incidences of inappropriate and/or violent misconduct in a nine-month school year. By and large the single most recurrent reason for initiation of a school

board hearing was truancy. In fact out of the 136 individuals in the sample 85.3 per cent were given school board hearings because of a status offense. Demographically, the mean age of the members of the sample was fifteen, the mean IQ was 95.9 and there were almost twice as many boys as girls. More than 50 per cent of these students had parents employed in a semi-skilled job. Within the school year they had an average of 11.06 recorded contacts with a person in authority such as the principal or assistant principal. All public junior and senior high schools were represented in the sample, with the number of junior high students almost exactly equal to the number of senior high students in the sample.

There appeared to be no discriminatory treatment of girls with respect to court referral as opposed to boys. Furthermore, nature of offense, whether it be a status offense or some other type of offense, was not a distinguishing factor.

With regard to the occupation of the major wage earner in the offender's family, there seems to be a statistically significant difference in the treatment of the groups with the highest proportion of court referrals being made of students whose parents are either employed in skilled jobs or who are subsisting on some type of governmental assistance. Amount of school contact also appears to have a statistically significant influence upon who is referred to juvenile court by the schools. It appears that those students who have more than the average number



of school contact are two to three times as likely to be referred to juvenile court. Presence of a pattern of differential treatment depending upon the school attended is indicated. The junior high schools are more likely to refer its students to court than are the senior high schools. Furthermore, individual schools appear to send a larger proportion of students to court than others. Hillman and Lincoln junior high schools and East High School send a much larger percentage of their offenders to court than other schools in the system. In addition, the IQ of the individual seems to have a significant effect upon who is referred to court and who is not. Persons exhibiting a high average IQ have a disproportionately low chance of being referred to juvenile court. Two related variables, age and grade level, also appear to enter into the differential treatment afforded offenders. In this study, ninth graders and fifteen and sixteen year old students emerge as the most likely offenders to be referred to court.

## CHAPTER V

### CONCLUSIONS

The ensuing conclusions are based upon the foregoing set of data collected from the files and records of the various components of the Youngstown City School System as well as observations made in the course of many interviews conducted with school and juvenile court personnel in the course of this study. To reiterate, the purpose of this inquiry was to test the hypothesis of differential selection, by the schools, of juvenile offenders for court referral, that is, to discover exactly who is sent to juvenile court as a result of inappropriate behavior in school. The more complicated question of why some students are sent rather than others is not explored. A perusal of these conclusions should not lead the reader to broad generalizations due to the restrictions placed upon the study.

#### Conclusions

Evidence supports the contention that a differential liability does exist in selecting offenders for court referral. While the type of offense committed was not a discriminating factor in the selection process, such offenses as truancy, arson, assault, and recurrent disruptive behavior increase the likelihood of court referral more than

more minor offenses such as tardiness or cutting class. It might have been expected that the girls in the sample would have been treated differently from the boys. However, statistically there was no difference in the treatment afforded offenders due to sex. This may be indicative of current trends, since females are committing increasingly larger numbers of offenses than ever before.

It has been noted that "the children of the poor are the ones who are most likely to be detected and labeled as delinquent by society."<sup>46</sup> This may be partially corroborated by the finding that a disproportionately high percentage of students from welfare and other government assistance families are referred to juvenile court. This does not imply that there is prejudicial treatment of students from economically poorer families. Rather, for one reason or another, more of these students are referred to juvenile court. The fact that the rate of court referral increases directly as the amount of school contact is not surprising. It seems logical to assume that a student who continually violates established codes of conduct has a better chance of being referred to court than a student who only occasionally misbehaves. Another not so astonishing finding is the fact that students from some schools are more likely to be referred to court. Differences in administration of policy could possibly account

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<sup>46</sup>Brodsky and Knudten, Strategies for Delinquency Prevention in the Schools, p.11.

for this. Furthermore, the fact that junior high school students comprise a much larger proportion of the court referral group than the senior high school students may be related to the findings of other studies which contend, "A study of the grades in which the delinquents were... found a high concentration of cases in the junior high level."<sup>47</sup> This also correlates with the results of this study that indicate ninth graders and fifteen year old offenders are very likely to be referred to court.

In the examination of the influence of IQ on the selection process, it was asserted that students ranking in the high average group possessed an exceptionally low probability of being referred to juvenile court. In fact, the high average and superior groups comprise only 11 per cent of the sample and a mere 4.8 per cent of the total referred to court. "A review of the studies of juvenile offenders of high intelligence concludes that the comparative rarity of known bright delinquents is the result of differential immunity accorded them by reason of their higher intelligence. It is suggested that they are more skillful in escaping detection..."<sup>48</sup>

All in all it might be said that the process of selection is arbitrary but apparently not random. Certain offenders are more likely to appear in court than others.

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<sup>47</sup>William C. Kvaraceus, Juvenile Delinquency and the School (New York: McGraw Hill, 1945), p.136.

<sup>48</sup>Doleschal, "Toward a New Criminology," p.616.

However, in the opinion of this writer, it also appears that the schools refer offenders to juvenile court when they are unable to effectively handle the situation themselves.

### Recommendations and Discussion

In the course of this study several variables emerge as statistically significant factors in the selection process. Nonetheless, it must be understood that the variables were artificially isolated. No single factor can alone account for the determination of which students are to be referred to court by school personnel. The interplay between and among variables, is a fact which cannot be ignored. Nor can one forget the "human factor." Individual differences, attitudes, feelings, and experiences, on the part of the school personnel, certainly exert an immeasurable influence on the selection process. Other factors such as community attitudes and various political pressures may also act to force the decision in a certain direction. One important aspect that was not, and possibly cannot be effectively examined is the attitude of the students involved. Possibly a defiant or uncooperative attitude on the part of the offender contributes to the likelihood that he or she will be referred to court. These and a variety of other unforeseen variables all may play a significant role in the selection process. Consequently, this study, in no way, encompasses every element involved in the selection process.

Caution was earlier recommended in the drawing of generalizations from the conclusions. Not only must the limitations of time, scope, space, and geography be borne in mind, but also the nature of the population. Although the sample was drawn randomly, it is possible that the population itself may have been biased. Those students who were recorded as having had a school board hearing had already undergone a selection process. The problem of circumventing this bias is one that is extremely difficult to overcome.

One recommendation, resulting from both the data and from comments made by school and court personnel, deals with the problem of truancy. From an analysis of the data it is obvious that truancy is the most aggravating problem shared by the schools and the court. A study of the underlying antecedents of truancy might prove invaluable to both agencies. Development of programs that will stave off the problem of truancy must be predicated on an understanding of the causes of the problem. Perhaps more vocational type training, at an earlier age might have an effect.

The preponderance of status offenses prompts the following suggestion. Perhaps special programs could be established to deal with infractions of this type. Coordinated, cooperative efforts on the part of the school and court personnel could contribute to an effective deterrent program. If status offenders could be deferred from court into such a program, aid could be given to them that

might contribute to their adjustment and success in the school setting. Volunteers in Corrections, a program already in existence, offers one avenue of assistance. The Youth Development Agency is another project in diversion that offers assistance to many youngsters who find it difficult to adapt to formal school setting. However, a separate program, dealing specifically with status offenders, could possibly be more effective.

A third recommendation emanates from the evidence that the junior high school students are more prone to commit delinquent acts. If this is the age group which exhibits the greatest proportion of problems, any attempts to combat the problems should be centered on this level. Aid and preventive techniques would best be applied here.

#### Suggestions for Further Research

One of the by-products of research is the emergence of the need for further research. The results of this study raise many questions which can be examined. One of the intentions of this study was to focus attention on the topic of differential selection and, in so doing, provide some framework for any related research. Future research might delve into other variables affecting the selection process. It might attempt to probe the effect of the attitudes of the offender and/or school personnel as they relate to differential selection. An examination of the effect of the emergence of vocational high schools on the type of student referred to court might prove interesting.

The present study might be expanded to encompass several school years rather than just one. The present study might be repeated in a community similar to that of Youngstown and a comparison drawn. The possibilities are endless, but in any event, this writer would suspect that future research would serve to corroborate the existence of a differential selection process in the referral of juveniles to court.



APPENDIX A

Correspondence

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WILLIAM J. BRUCE, JR.  
 JUVENILE COURT CLERK  
 1000 VANDERBILT  
 JACKSON, MISSISSIPPI

Dear Sir:

By way of introduction, I have been on the staff of Jackson County Juvenile Court since November of 1971 and I am currently supervising group work studies at Youngstown State University. For the last several months I have been conducting research on my Masters Thesis in the area of delinquency as it relates to the juvenile justice system.

With the cooperation and interest shown by Mr. Kennedy, I was afforded the opportunity to meet with the entire staff of Jackson County Juvenile Court to discuss some sensitive and the problems they face in dealing with the behaviorally disruptive child. Hopefully, as a result of this information-gathering process and my involvement from the perspective of the court, I secured a copy entitled, "The Pittsburgh solution of Jackson County Juvenile Court for Group Supervision".

The critical need for a study in this specific area is highlighted by the macroscopic efforts of an extensive review of the existing literature and a number of unsuccessful attempts at computer searches. This endeavor of this type would be such a valuable and meaningful contribution to juvenile justice, but also to the Youngstown City School System.

Hopefully, when our research and analysis is completed, it will be a document other than a typical research report. It will be a document that will be of use to the juvenile justice system and the school system. It must be prepared in progress effectively by utilizing the type of field research that you are conducting.

In order to accomplish this task it will be necessary for me to have access to certain relevant school records in the collection of data. I am sure you would be willing to assist with appropriate restrictions and I will be happy to discuss the details of this project with you. I am sure you will be willing to discuss the details of this project with you.

Mahoning County  
Court of Common Pleas

YOUNGSTOWN, OHIO



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A NATION CANNOT OUTLIVE JUSTICE +  
WHERE LAW ENDS TYRANNY BEGINS

JUVENILE

JAMES P. DWYER  
BAILIFF

JOSEPH R. BRYAN  
REFEREE

WILLIAM C. RABEL  
CHIEF PROBATION OFFICER

JOSEPH G. BARRETT  
COORDINATOR

April 25, 1975

Robert L. Pegues, Jr.  
Superintendent/Public Schools  
20 West Wood Street  
Youngstown, Ohio

Dear Sir:

By way of introduction, I have been on the staff of Mahoning County Juvenile Court since November of 1973 and I am currently completing graduate studies at Youngstown State University. For the last several months I have been conducting research on my Masters Thesis in the area of education as it relates to the juvenile justice system.

With the cooperation and interest shown by Mr. Kennedy, I was afforded the opportunity to meet with the entire staff of Visiting Teachers, enabling me to become more sensitive to the problems they face in dealing with the behaviorally disruptive child. Ultimately, as a result of this information-gathering process and my involvement from the perspective of the court, I decided on a topic entitled, "The Differential Selection of Juvenile Offenders from the School for Court Appearance".

The critical need for a study in this specific area is exemplified in the unproductive efforts of an extensive review of the existing literature and a number of unsuccessful attempts at computer searches. Thus, an endeavor of this type would be both worthwhile and meaningful not only to Juvenile Court, but also to the Youngstown City School System.

Ultimately, when our community must establish alternative programs in a direction other than official court involvement in response to the ever increasing numbers of the behaviorally disruptive child in the school, we must be prepared to program effectively by understanding what type of child we must program for.

In order to accomplish this task it will be necessary for me to have access to certain relevant school records in the collection of data. I assure you however, that I will be dealing with aggregate statistics and in no way will the names of any individuals be published or be linked with this study causing embarrassment to any individual.



**Mahoning County**  
**Court of Common Pleas**

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YOUNGSTOWN, OHIO



A NATION CANNOT OUTLIVE JUSTICE  
WHERE LAW ENDS TYRANNY BEGINS

MARTIN P. JOYCE  
JUDGE

April 25, 1975

JUVENILE

JAMES P. DWYER  
BAILIFF

JOSEPH R. BRYAN  
REFEREE

WILLIAM C. RABEL  
CHIEF PROBATION OFFICER

JOSEPH G. BARRETT  
COORDINATOR

Robert L. Pegues, Jr.  
Superintendent/Public Schools  
20 West Wood Street  
Youngstown, Ohio

Dear Superintendent:

Larry Zizzo, who is the Executive Director of "Volunteers in Corrections" operated by this Court and funded by the Department of Economic and Community Development, has applied to you for permission to conduct research for his Master Thesis in the area of the relationship between Youngstown Schools and the Juvenile Court of Mahoning County.

I heartily endorsed this research and am sure it will be constructively beneficial to all concerned.

A member of your Board, Ralph Clarke, is very familiar with Mr. Zizzo and I am sure that he will be available for any suggestions.

Sincerely,

Martin P. Joyce  
JUDGE

MPJ/rlm



# YOUNGSTOWN PUBLIC SCHOOLS

20 West Wood Street \* Youngstown, Ohio 44503 \* (216) 743-1151

Office of the Superintendent

May 5, 1975

Mr. Larry Zizzo  
Volunteers in Correction Program  
Mahoning County Court of Common Pleas  
Youngstown, Ohio 44503

Dear Mr. Zizzo:

I have talked with Mr. Harold Kenney relative to your request to conduct research for your Master Thesis and have agreed with him that you may survey his records.

The only stipulation I would make is that you work under the supervision of Mr. Kennedy following his direction and his procedures.

I would appreciate having an opportunity of reading your Thesis upon its completion as I feel it will be very informative.

Sincerely,

R. L. Pegues, Jr.  
Superintendent of Schools

bg





TRUANCY	FIGHTING	PROFANITY	DISRESPECT DISOBEDIENCE	CUTTING CLASS	DESTRUCTION OF PROPERTY
THEFT	ASSAULT	SMOKING VIOL.	DISRUPTIVE BEHAVIOR	CUTTING DETENT.	POSSESSION OF WEAPONS
FORGED PERMITS	VERBAL THREAT	TARDY	TRESSPASSING	ALCOHOL DRUGS	LEAVING SCHOOL WITHOUT PERMISSION



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