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The Interaction of Age, Gender, and Race/Ethnicity on Juvenile Justice Decision Making in Nebraska: The Comparisons of White, Black, Hispanic, and Native American

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THE INTERACTION OF AGE, GENDER, AND RACE/ETHNICITY ON JUVENILE JUSTICE DECISION MAKING IN NEBRASKA: THE COMPARISONS OF WHITE, BLACK, HISPANIC, AND NATIVE AMERICAN

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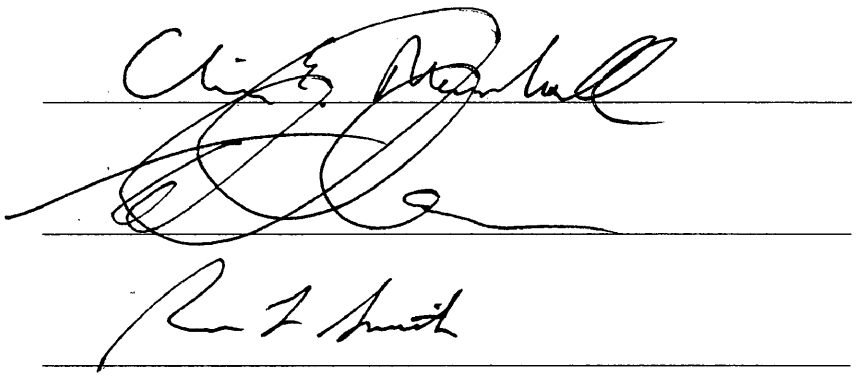

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ABSTRACT

THE INTERACTION OF AGE, GENDER, AND RACE/ETHNICITY ON JUVENILE JUSTICE DECISION MAKING IN NEBRASKA: THE COMPARISONS OF WHITE, BLACK, HISPANIC, AND NATIVE AMERICAN

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Although most research shows that the primary determinants of sentencing outcomes are the legally relevant factors such as the seriousness of the offense and prior criminal record, there is a substantial body of research examining the relationship between extra-legal factors (e.g. race, age, and gender), and sentencing outcomes. Most studies focus on direct effects of extra-legal factors on juvenile justice decision making rather than interactions among them. The present study pursued two main goals: (1) testing the direct effects of age, gender, and race/ethnicity on juvenile justice decision making across four racial groups, and (2) exploring the interactive effects of three extra-legal variables on juvenile justice decisions. Regarding the direct effects of three extra-legal factors on outcomes, consistent with the previous studies, this study found that non-white youths were treated more harshly than white youths at the detention, petition, and

disposition stages of the process. In addition, female youths were treated more leniently than male youths at petition and disposition decisions. On the other hand, the results regarding the effect of age were inconsistent. With regard to the interactive effects of age, and race/ethnicity on juvenile justice decisions using the disaggregated data by gender, older black males were treated more harshly than the other age-race categories at petition and disposition decisions. Moreover, younger white females were treated more leniently than the other age-race categories at the petition decision. Finally, this study reveals that older black males were treated more harshly than the other age-gender-race/ethnicity categories at the petition and disposition decisions.

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CHAPTER ONE

INTRODUCTION

Over the last three decades many researchers have conducted dozens of studies to explain sentencing disparity[1] by judges using legal and extra-legal factors as independent or control variables (see Steffensmeier et al.,1998; Spohn and Holleran, 2000; Bishop and Frazier, 1996; Secret and Johnson, 1997; Wordes, 1995; McGarrell, 1993; Krisberg et al., 1995; Wordes, Bynum and Corley, 1994). Although most research shows that the primary determinants of sentencing outcomes are legally relevant factors such as the seriousness of the offense and prior criminal record, there is a substantial body of research examining the relationship between extra-legal factors (e.g., race, age, and gender) and sentencing outcomes. Most studies focus on direct effects of extra-legal factors on sentencing outcomes rather than interactions among them. However, Steffensmeier et al. (1998) and Spohn and Holleran (2000) have identified significant interrelationships among race, age, gender, ethnicity, and unemployment status and have shown that these variables interact to affect sentencing outcomes. Specifically, Steffensmeier et al. (1998) found that race, age, and gender each had a significant direct effect on sentence outcome but they also found that the three factors interacted to produce harsher sentence outcomes for young, black males. Spohn and Holleran (2000), who also explored interactions among extra-legal variables and sentence severity, expanded

[1] Disparity refers to a difference, but one that does not necessarily involve discrimination. Discrimination, however, is a difference based on differential treatment of groups without reference to an individual's behavior or qualifications (Walker, Spohn, and DeLone, 2000: 17-18).

Steffensmeier's study in three ways: (1) they examined outcomes in three different jurisdictions, (2) included Hispanic offenders as well as Black and White offenders, and (3) tested for interactions among ethnicity, age, gender, and employment status. They found that younger Hispanic and Black males, and those Black and Hispanic males who were unemployed, faced the greatest odds of incarceration (Spohn and Holleran, 2000).

Research on sentencing outcomes for adult offenders typically examines the decision to incarcerate and the length of the sentence. Juvenile court decision making, however, consists of multiple decision making points such as intake, detention, petitions, adjudication, and disposition. Bishop and Frazier (1996), for example, argued that there were clear disadvantages for non-white youth at multiple stages in case processing and that the magnitude of the race effect varied across each stage. They also contended that there was "cumulative disadvantage"[2] across the juvenile justice decision making process where earlier decisions would affect later ones. Bishop and Frazier (1996) concluded that it was essential that researchers track cases from arrest to final disposition through as many stages as possible (p. 393).

Previous research on the effect of race on juvenile justice decision making is somewhat inconsistent. There are several studies that conclude that there is a statistically significant relationship between race and juvenile court decisions. For example, Secret and Johnson (1997) found that black youths were treated more harshly than white youths in regard to pretrial detention and final disposition. Huizinga and Elliott (1987) also

[2] This is the aggregation of small but consistent differences in justice processing. It means that small, perhaps, statistically insignificant differences may accumulate to have a marked effect on minority youths (Kempf, Pope, and Feyerherm, 1995: 11).

found that race was a significant predictor of decisions on formal juvenile court petitions (also see Wordes, 1995; McGarrell, 1993; Krisberg et al., 1995; Marshall and Thomas, 1983; McCathy and Smith, 1986; Peterson, 1988, Fagan et al., 1987).

On the other hand, a number of studies conclude that the race of offender has relatively little (or not significant) effect on juvenile court decisions (Bynum and Corley, 1994; Bishop and Frazier, 1996; Johnson and Secret, 1990; Brown et al., 1990; Bailey and Peterson, 1981; Leiber, 1995; Kowalski and Rickicki, 1982; Bishop and Frazier, 1988). Smith (1980), for instance, found that minorities were more likely than whites to have their cases dismissed between 1975 and 1977. More recently, Leiber (1994) compared outcomes for white, black, and Native American youth in Iowa. He found that Native American youth were less likely than Black or white youth to be formally petitioned to juvenile court.

Research related to the effect of gender and age on the juvenile court decision making process has also produced complicated results. Although some research shows that females are treated more leniently than males, other studies reveal just the opposite. Johnson and Secret (1990), for example, found that females were *more likely* than males to be detained, to be handled by petition, and to have a disposition involving a transfer of custody. Gamble et al. (2002) also found that females were detained at a higher rate than males after controlling for legal factors (also see MacDonald and Chesney, 2001). There is relatively little research on the effect of age on juvenile court decisions. Gamble et al. (2002) found that youth younger than 14 years old were detained at a higher rate than older youth. In contrast, research on adults reveals that age has a "curvilinear" effect;

offenders less than 21 years old and offender between 30 and 49 are sentenced less harshly than offenders between the ages of 21 and 29 (Steffensmeier, Kramer, and Ulmer, 1995: 592).

Other than extra-legal factors, a number of legal factors (e.g., prior criminal history, type of offense, etc.) have been examined by researchers as well (Bishop and Frazier, 1988; Fagen et al., 1987; Marshall and Thomas, 1983; McCathy and Smith, 1986; Peterson, 1988; Zatz, 1982). Frazier and Cochran (1986), for example, found that there was a significant relationship between pre-adjudicatory detention rates and the likelihood of detention. McCathy and Smith (1986) found that there was a positive relationship between the seriousness of the offense and the severity of sanctions. In addition, Bishop and Frazier (1988) argued that offense seriousness and prior record generally were more strongly correlated with judicial outcomes than were race, sex, and age.

Although a substantial body of research examining the relationship of legal and extra-legal factors upon sentencing and juvenile justice outcomes exists, there is relatively little research that examines the interactive effects of extra-legal factors (i.e., age, gender, race, and education) on juvenile justice decision making. Moreover, most studies that do exist examine only two racial categories (i.e., white and black) (see Steffensmeier et al., 1998; Bishop and Frazier, 1996).

The current study, which replicates and expands upon the studies conducted by Steffensmeier et al. (1998) and Spohn and Holleran (2000), examines the interactions among age, gender, race/ethnicity and juvenile justice outcomes using Nebraska Juvenile Court Record Data (1993-2002). Native American youth are included as well as White,

Black, and Hispanic youth in the racial category, and I focus on four decision stages: (1) detention, (2) petition, (3) adjudication, and (4) disposition. I also analyze these data controlling for legal factors (e.g., the youth's prior criminal record and the seriousness of the offense) that previous research has shown to be related to sentence outcomes and juvenile court dispositions (see Bishop and Frazier, 1988; Fagen et al., 1987; Marshall and Thomas, 1983; McCathy and Smith, 1986; Peterson, 1988; Zatz, 1982).

The primary purpose of the study is to explore the interaction of age, gender, and race/ethnicity on juvenile justice decision making. This research will add to facts that influence outcomes in the juvenile justice system and will explore the ways in which the youth's age, gender, and race/ethnicity affect decisions regarding detention, petition, adjudication and disposition.

To better understand the direct and interactive effect of the extra-legal factors (e.g., age, gender, and race/ethnicity) on juvenile decision making, an overview of the juvenile justice system in Nebraska as well as theoretical perspectives related to the juvenile decision-making process are presented in Chapter Two. In addition, empirical research examining the relationship between legal/extra-legal factors and juvenile justice outcomes, as well as the interaction of age, gender, and race/ethnicity and juvenile justice outcomes are discussed in Chapter Two. Following the literature review, the methodology of the present study is outlined in Chapter Three. The primary hypotheses, independent, dependent, and control variables, and analytic strategy are also contained in Chapter Three. The quantitative findings are presented in Chapter Four. Finally, the

conclusions of the present study and their implications for policy and practice are presented in Chapter Five.

CHAPTER TWO

REVIEW OF THEORY AND THE PRIOR RESEARCH

Before discussing the theoretical perspectives and prior empirical research, it is necessary to briefly consider the structure and operation of the juvenile justice system in Nebraska. The following section will discuss the juvenile court and the stages comprising the juvenile justice system in Nebraska.

Overview of Juvenile Justice System in Nebraska

The Nebraska Juvenile Justice System[3] is defined as a combination model (National Center for Juvenile Justice (NCJJ), 2004: 1). In other words, the state operates most delinquency services in Nebraska except the secure detention. However, responsibility is divided between the judicial and executive branches. Counties operate secure detention facilities. The Office of Probation Administration, within the State Court Administrator's Office, presides over probation services through 15 probation districts, three of which serve the state's separate juvenile courts (NCJJ, 2004: 1).

In much of the state, Nebraska County Courts which are organized into 12 judicial districts ranging in size from one to nine counties, exercise jurisdiction over delinquency proceedings. The exceptions are Douglas, Lancaster, and Sarpy counties. In these three

[3] The population of Nebraska is 1,711,263; of that number 439,242 are juveniles (Bureau of Census, 2000). As evidenced by *Crime in Nebraska 2001 -Uniform Crime Report*, 16,819 juveniles (defined as youth under 18 years of age or younger) were arrested in the state of Nebraska in 2001 (Nebraska Crime Commission, 2003).

counties, there are the separate juvenile courts[4] that hear juvenile matters.[5] According to the Nebraska Juvenile Code (§ 43-247), the juvenile court is a court of record and handles matters pertaining to neglected, dependent and delinquent children. More specifically, the juvenile court has jurisdiction over juveniles who commit traffic, misdemeanor, or felony offenses; who lack parental support or care/ supervision (e.g., abused or neglected children); or who were deemed uncontrollable by their parents or guardians. This court also has concurrent jurisdiction with district courts in all matters regarding the care, support, custody or control of mentally deficient children younger than 18 (Nebraska Juvenile Code § 43-245(4), 1998).

Figure 1 illustrates the juvenile justice process, as described in the Nebraska Juvenile Code (§ 43-247 through § 43-262). Law enforcement agencies, schools, social agencies, probation officers, and parents or relatives can refer juveniles to the court. However, referrals by law enforcement agencies and county attorneys accounted for about 83% of all delinquency cases referred to juvenile court in 2002 (Juvenile Justice Institute, 2004). Once an arrest has been made, the law enforcement officer decides whether to detain a juvenile offender or not. If the law enforcement officer decides to detain a juvenile, the officer contacts a probation officer (or intake officer), who reviews the case and determines whether to detain the juvenile and where he or she will be placed. If a juvenile is detained, he or she must receive a detention hearing within 24 hours.

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[4] The Juvenile Court has been established base on the philosophy of *parens patriae*. The Philosophy is the idea that the action of the juvenile court should be aimed at rescuing the child from a criminal life by providing care and protection (i.e., government or state as parents) (Secret and Johnson, 1996: 160).

[5] Douglas County has five juvenile court judges, Lancaster County has three and Sarpy County has two. Also, Nebraska has 59 judges serving 12 districts for County Courts (Numbers current as July, 1, 2001) (Nebraska State Court Administrator's Office, 2004: 798).

During the detention hearing, a judge determines whether there is probable cause to believe that the youth has committed a crime, as well as whether the youth should be detained. After reviewing the case, the judge decides whether the case needs to be continued in the juvenile justice system. The judge also decides whether the juvenile should be released to his or her parents (Snyder and Sickmund, 1999: 97-99).

Following the detention decision, the County Attorney reviews all juvenile referral cases. The County Attorney decides whether the case will be handled informally that is, without the filing of a petition in juvenile court. [6] If a case is petitioned to juvenile court, the youth must appear at an arraignment hearing followed by an adjudication hearing. If the juvenile is found to be delinquent or admits to the charges, the juvenile is scheduled for a dispositional hearing. In the dispositional hearing, generally, the judge may decide to (1) take no further action on the case, (2) put the juvenile on probation or require that he/she remain in home subject to the supervision of a probation officer, (3) place the juvenile in a suitable family or institution, (4) place the juvenile in non-secure facility (e.g., the custody of Department of Health and Human Services), or (5) place the juvenile in a secure confinement facility (e.g., Youth Rehabilitation and Treatment Centers in Geneva or Kearney) (Herz, 2002: 7).

Theoretical Perspectives

Although there is a substantial amount of empirical research on the influence of extra-legal and legal factors on juvenile justice, the theoretical perspectives are less well

[6] A petition is a document filed in juvenile court alleging that a juvenile is delinquent, a status offender, or neglected/dependent, and asking the court to assume jurisdiction over the juvenile. Nebraska Juvenile Court Case Records 1975-1978, ICPSR 2004.

developed. Generally, the theoretical perspectives contend either that outcome reflect legally relevant variables, or that outcome reflect a combination of legally relevant and legally irrelevant variables (Guevara, 2001: 32; Dixon, 1995: 1157-1158).[7]

Theoretical Perspective related to Legal Factors

The first perspective contends that juvenile court decisions are determined by legally relevant factors, especially the seriousness of the offense and the youth's prior criminal record with the juvenile court system. According to Dixon (1995), the formal legal theory of sentencing known as "formal rationality" in decision-making, stipulates that sentences are determined primarily on the basis of legal criteria. More specifically, "formal legal rules govern sentencing decisions via the application of these rules and sentencing outcomes are primarily the result of legal rules and criteria applied equally to all classes and races" (Dixon, 1995: 1161). From the viewpoint of the formal legal theory, legal factors would be the major determinants of juvenile court outcomes.

The results from the majority of contemporary studies which employ multivariate models that include social class and race, as well as legal factors correlated with class and

[7] According to Dixon (1995), sentencing can be explained by three major theoretical approaches: the formal legal theory of sentencing, which predicts that legal variables are the primary determinants of sentencing, the substantive political theory, which predicts that legal variables and social status variables determine sentencing, and the organizational maintenance theory, which predicts the legal and processing variables determine sentencing. Words (1995), however, explained theory of sentencing in terms of consensus and conflict perspectives. More specifically, consensus theory has been interpreted to mean that legal factors will be the sole determinant of disposition (Johnson and Secret, 1990). On the other hand, conflict theory advances the notion "the individual's economic and social class and the color of skin determine his relationship to the legal system" (Lefcourt 1974: 255). While there are various theoretical perspectives on this issue using differential terminologies (e.g., formal legal, substantive political, conflict, consensus, and so on), in this article, the author explains juvenile justice outcomes using two major theoretical perspectives; theoretical perspective related to legal factors and theoretical perspectives related to legal and extra-legal factors (also see Gurvara 2001: 32).

race, indicate that class and race become statistically insignificant once legal variables are controlled (Wilbanks, 1987; Chiricos and Waldo, 1975; Bernstein et al., 1977; Burke and Turk 1975). Wilbanks (1987), for instance, contends that racial and class variations in sentencing are generally reduced to zero when legal variables are controlled and that claims of a racist criminal justice system in the United States are based largely on myth rather than reality (Dixon, 1995: 1162). Nevertheless, most sentencing research supports that offense seriousness and the offender's prior record are consistently the two major determinants of sentence outcomes (see Bishop and Frazier, 1988; Fagen et al., 1987; Marshall and Thomas, 1983; McCathy and Smith, 1986; Peterson, 1988; Zatz, 1982).

Theoretical Perspective related to Legal and Extra-Legal Factors

A second perspective contends that outcomes in the juvenile court are determined by both legally relevant and legally irrelevant factors, including race, ethnicity, gender, age, social class, and type of legal counsel. This perspective is consistent with several contemporary theories of sentencing, such as the substantive political theory of sentencing, attribution theory, the theory of "bounded rationality", and the focal concerns theory of sentencing.

Substantive Political Theory of Sentencing

According to the substantive political theory of sentencing, sentence outcomes reflect a mixture of "legal and social status" variables (Dixon 1995: 1160). This theory is based on traditional conflict theory, which reflects the classic works of Karl Marx (1859), Thorsten Sellin (1938) and Richard Quinney (1973). More to the point, the theory holds

that the powerless and persons who are dissimilar to those in power are more likely to be treated harshly by the criminal justice system and other mechanisms of social control (Quinney, 1973). More recently, Sampson and Laub (1993) also described sentencing disparity using the conflict perspective. They state that "conflict theory views society as consisting of groups with conflicting and differing values, and posits that the state is organized to represent the interests of the powerful, ruling class. Crime law is thus viewed as an instrument to protect the interests of the powerful and the elite, with punishment based largely on extralegal variables (e.g., race, social class, etc.)" (p. 288). Thus, and as a result, racial minorities and the poor threaten the hegemony of those in power are subject to greater social control (Wordes, 1995: 11).

According to Dixon (1995), there are two versions of the substantive political perspectives. The first version views sentencing as a form of political oppression (p. 1160). More specifically, Dixon argued that "administration of sentencing is a politically organized system wherein the power of the state to reinforce their privileged position by reducing their legal liability for illegal behavior. This line of reasoning focuses on the influence that social class or social status characteristics have on sentencing outcomes (p. 1160)". The second version of this theory, on the other hand, focuses on the influence of social class or social status factors on sentencing, but explains these effects in terms of social welfare. In other words, sentencing in the modern welfare society often considers the conditions associated with offenders of lower economic and social status as aggravating circumstances for determining sentencing outcomes because welfare rationalities have motivated the introduction of a substantive political sentencing

structure that can affect the relationship between social status and sentencing (Dixon, 1995: 1160). Hence, the substantive political theory of sentencing based on conflict theory, would predict that extra-legal factors such as class and race, as well as legal factors, play an important role in sentencing (Dixon, 1995).

Attribution Theory

To explain "why" extra-legal factors like race, ethnicity and gender affect juvenile justice outcomes, Bridges and Steen (1998) use a theoretical perspective – attribution theory – that focuses on the perceptions of criminal justice officials and the effect of those perceptions on case outcomes. They contend that "attributions about youths and their crimes are a mechanism by which race influences judgments of dangerousness and sentencing recommendations" (Bridges and Steen, 1998: 567). More specifically, they demonstrate how perceptions about respectfulness and remorse and how assumptions about whether the cause of crime was due to internal or external factors converted into differences in recommended punishments within the context of the juvenile court process. Bridges and Steen's research also shows that juvenile probation officers are more likely to attribute the deviance of black youth to negative attitudinal and personality characteristics and the deviant behavior of white youth to the influences of the social environment. These negative attributions for black youths lead to expectations of higher chances of recidivism, which lead to recommendations for longer sentences (Everett and Wojtkiewicz, 2002: 192-193).

According to this perspective, juvenile justice decision makers make race-linked judgments about a youth's attitudes and motivations and these judgments influence

juvenile court outcomes (see Tonry, 1995; Drass and Spencer, 1987; Ulmer and Kramer, 1996; Everett and Neinstedt, 1999).

Theory of Bounded Rationality

Integrating the ideas of uncertainty avoidance, decision-making rationality, and attribution theory, Albonetti (1991) makes an argument concerning judicial discretion. The argument is that decision-makers seek to achieve a measure of rationality (also known as "bounded rationality" (Hawkins, 1981: 280)[8]) by creating "patterned responses" that serve to avoid, or reduce, uncertainty in obtaining a desired outcome (Albonetti, 1991: 249). More specifically, she noted that:

> Uncertainty surrounding the sentencing decision arises from an inability to predict accurately future criminal behavior. Using defendant characteristics, circumstances of the crime and case processing outcomes, judges assess the defendant's disposition toward future criminal activity. Attributions of a stable and enduring disposition are expected to increase sentence severity. Attributions of temporary or situational involvement in crime are expected to decrease sentence severity (Albonetti, 1991: 250).

This viewpoint suggests that information about the offender and offense which is relevant to chances of recidivism affects sentence severity. In other words, court officials attempt to achieve rational outcomes in the face of insufficient knowledge by relying on stereotypes or patterned responses that differentially link defendant groups to recidivism

[8] In 1957, Herbert A. Simon proposed the notion of bounded rationality that property of an agent that behaves in a manner that is nearly optimal with respect to its goals as its resource will allow (Artificial Intelligence Laboratory, University of Michigan, 2004)

and dangerousness (Albonetti, 1997: 797). Thus, judges are using legally relevant as well as legally irrelevant factors to determine sentencing decisions and predict future behavior.

Focal Concerns Theory of Sentencing

While several theoretical perspectives have been used to study judicial discretion or disparity in the sentencing process, the focal concerns theory of sentencing has became one of the major theoretical perspectives to explain judicial decision making.

Steffensmeier et al. (1998) posit that three focal concerns influence judges and other criminal justice actors in reaching decisions regarding the appropriate sentences (p. 766). The focal concerns theory states that judge's sentencing decisions reflect three focal concerns: (1) the offender's blameworthiness and the degree of harm to the victim, (2) protection of the community, and (3) the practical constraints on and consequences of sentencing decisions (Steffensmeier et al., 1998: 766).

According to Steffensmeier and his colleagues (1998), the main concept of first concern is that the defendant's potential punishment increase depending on the offender's culpability or the degree of injury caused. They also noted that "this focal concern is ordinarily associate with the 'just desert' or retributive philosophy of punishment, including the view that the punishment fit the crime" (1998: 766). Thus, variables used to measure the blameworthiness of an offender would include, "biographical factors, such as criminal history which increases perceptions of blameworthiness and risk or prior victimization at the hands of others which tends to mitigate perceived blameworthiness, and the offender's role in the offense, such as whether the offender was a leader, organizer, or a follower" (1998: 767).

The second focal concern, protection of the community, is made up of "similar attributions, but is conceptually distinct and typically focuses on the need to incapacitate the offender or to deter would-be offenders" (Steffensmeier et al., 1998: 767). According to the authors, the second focal concern is similar to the concept of bounded rationality (Albonetti, 1991). In other words, court actors, especially judges, seek to achieve the goal of protecting the public and preventing recidivism in the context of unpredictable offender's future behavior when making a sentencing decision (Steffensmeier et al., 1998: 767). Thus, judge's predictions about the dangerousness of the offender or the risk that the offender will recidivate rely heavily upon "attributions predicated on the nature of offense, case information, the offender's criminal history, the facts of the crime such as use of a weapon, and also perhaps, on characteristics of the offender such as drug dependency, education, employment, or family history" (Steffensmeier et al., 1998: 767).

The third focal concern reflects judge's appreciation of the constraints on and consequences of sentencing decisions (Steffensmeier et al., 1998: 767; Holleran, 2001: 7). This focal concern includes organizational and individual concerns. Organizational concerns include relationships among courtroom actors, case flow, and an awareness of state and federal correctional resources (e.g., prison overcrowding) (also see Dixon, 1995). Practical consequences for individuals, on the other hand, include an "offender's ability to do time" (Steffensmeier and Demuth, 2000: 709), medical condition, special needs, the costs be borne by the correctional system, and the disruption of positive relationships between children and other family member (Steffensmeier et al., 1998: 767).

The focal concerns perspective emphasizes offender's dangerousness and likelihood of recidivism (Holleran, 2001). In other words, judges develop a "perceptual shorthand" (Steffensmeier et al., 2001: 767; Hawkins, 1981: 280) based on stereotypes and attributions tied to race, age, and gender because judges rarely have enough information to accurately determine an offender's dangerousness or likelihood of recidivism (Steffensmeier et al., 2001: 767).[9] Thus, Steffensmeier and his colleagues premised that "race, age, and gender will interact to influence sentencing because of images or attributions relating these statuses to membership in social groups thought to be dangerous and crime prone" (Steffensmeier et al., 2001: 768). Judges, in other words, view racial minorities, particularly young black and Hispanic males, as more dangerous, more threatening, and more likely to recidivate; as a result, they sentence minorities more harshly than whites (see Guevara, 2001; Spohn and Holleran, 2000; Steffensmeier et al., 1998).

The two theoretical perspectives described above would lead to different predictions about the direct effect of age, gender, and race/ethnicity or the interactive effect of the three extra-legal factors on juvenile court outcomes. The first perspective would predict that legally relevant factors such as the youth's prior criminal history and the seriousness of offense would have an effect on juvenile court decision making. In other words, the first perspective would predict that none of extra-legal factors (i.e., age, gender and race/ethnicity) would have an effect once the seriousness of the offense, and the youth's prior record and other legal factors were controlled. The second perspective

[9] Similar issues are discussed within a "bounded rationality" in Albonetti's study (1991, 1997).

would predict that extra-legal factors such as age, gender and race/ethnicity would have direct and/ or interactive (or indirect) effects on juvenile court decisions. The following section of this chapter explores empirical researches on the effect of legal and extra-legal factors on juvenile justice decision making.

Review of Empirical Research

The literature examining legally relevant and legally irrelevant factors and sentencing outcomes is voluminous. Many researchers have attempted to determine the extent to which legal and extra-legal factors have an impact on juvenile court decisions across various stages (i.e., intake, detention, petition, adjudication, and disposition) (see Guevara, 2000; Bishop and Frazier, 1988; Wordes and Bynum, 1995; Dejong and Jackson, 1998; Wordes, Bynum, and Corley, 1994; Johnson and Secret, 1990; Secret and Johnson, 1997; Leiber, 1994). Most studies, however, found that legally relevant factors such as the seriousness of offense and prior criminal record were the primary determinants of juvenile justice decision making (Marshall and Thomas, 1983; Frazier and Bishop, 1985; Bishop and Frazier, 1988; Fagen et al., 1987; Peterson, 1988; Zatz, 1982; Horwitz and Wasserman, 1980; Kowalski and Rickicki, 1982; Tomkins, 1990; Hoge, Andrews and Lescheid, 1995).

Thornberry and Christenson (1984), for example, examined the impact of prior case outcomes on current case dispositions. Using a large sample (9,945) of youths residing in Philadelphia from 1955 to 1963, the final cohort consisted of 3,475 delinquent youths. They included remedial arrest, adjustment, probation, and incarceration as the

four independent variables. Race, number of prior arrests, and seriousness of the instant offense were controlled. They concluded that prior offense dispositions exerted a significant impact on current dispositions. In a replication of Thornberry and Christenson (1984)'s research, Henretta, Frazier and Bishop (1986) examined over 9,000 delinquency cases disposed of in Florida. They focused on the disposition stage and found that current offense and prior record had the greatest influence on the disposition outcome after controlling for legal and extra-legal variables. They also found that, regardless of race, juveniles adjudicated for minor offenses received a lenient disposition, whereas juveniles adjudicated for a serious offense received a harsh disposition. Bailey and Peterson (1981) looked at over 54,000 delinquency cases in a Cleveland, Ohio juvenile court. The authors found no evidence is support of the hypothesis that extra-legal factors would affect dispositions. More specifically, while race, gender, and socioeconomic status were not good predictors of the disposition decision, legal variables, such as prior court referral, offense seriousness and detention status were the best predictors of disposition.

This study focuses specifically on the direct and interactive effects of three independent variables – age, gender, and race/ethnicity – on juvenile court decision making. [10] Therefore, the findings related to these three extra-legal variables are discussed in detail.

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[10] This study is analyzed with controlling for legal factors (e.g., offender prior record and offense type/seriousness) that previous research has shown the greatest determinants of sentencing outcomes, to test the interaction of age, gender, and race/ethnicity on juvenile court decision making (see Bishop and Frazier, 1988; Fagen et al., 1987; Peterson, 1988; Zatz, 1982).

Influence of Race/Ethnicity on Juvenile Court Outcomes

Previous research on the effect of race on juvenile justice decision making is somewhat inconsistent. Pope and Feyerherm (1990), for example, reviewed 46 studies examining the impact of race on juvenile justice system processing. Their review revealed that research examining juvenile justice processing suggested either a direct effect, an indirect race effect, or a mixed pattern (i.e., effects are present at some stages and not at others). They also concluded that "race effects may be accounted for by the informal nature of the juvenile justice system which may then lead to differences in outcome between minority and white youth" (1990: 330).

Several studies conclude that there is a statistically significant relationship between race and juvenile court outcomes (Lee, 1996; Leiber and Stairs, 1999; Thornberry and Christensen, 1984; Wordes, Byum, and Corley, 1994; Bortner, McGarrell, 1993; Wordes and Bynum, 1995; Leonard and Sontheimer, 1995; Frazier and Bishop, 1995; Bishop and Frazier, 1996). For example, Huizinga and Elliott (1987), who examined racial disparities in juvenile justice using data from the National Youth Survey (1976-1983), found that race affected decisions on formal juvenile court petitions (also see Dejong and Jackson, 1998; Frazier and Bishop, 1995; Johnson and Secret, 1990; McGarrell, 1993; Wordes et al., 1994). Fraizer, Bishop, and Heneretta (1992) also examined the influence of race on the juvenile court disposition decisions. Like Huizinga and Elliott (1987), they found that minority youth were treated more harshly than white youth at the disposition stage when other variables such as age, gender, offense severity, and prior record were held constant.

Unlike adult court decisions, juvenile court decision making consists of multiple decision points such as intake, detention, referral, adjudication, and disposition decisions (see Bishop and Frazier, 1996). Thus, some researchers examined the effect of race on juvenile court outcomes as a process and not as a single stage. Kempf, Decker, and Bing (1990), for instance, conducted a study using case file data from eight jurisdictions in Missouri. They used logistic regression to examine seven dichotomous variables (i.e., dismissal, informal handling, detention, petition, adjudication, disposition, and recidivism), controlling for race, gender, offense type, presence of counsel, referral source, parental willingness, household provider, and youth alcohol abuse. They found that blacks were more likely than whites to have an informal disposition, to be detained, and to be adjudicated a delinquent. Wordes, Bynum, and Corley (1994) also examined the racial effect across three stages in the juvenile justice process (i.e., police detention, court intake detention, and preliminary hearing detention) using data on 728 felony cases from the records of police agencies in four counties, and data on 1,497 felony cases from the records of juvenile courts in five counties. The authors found that African-American and Latino youths were consistently more likely than white youths to be placed in secure detention. This was observed in the detention practices of both the police and the courts. Although social factors (i.e., low socioeconomic status, personal problems) were important in the detention decision, race continued to have a significant and independent effect on detention. More recently, Secret and Johnson (1997) examined the effect of race on juvenile justice decision making in Nebraska (especially detention, adjudication, and disposition) using Nebraska Crime Commission data over a six-year period. They

found that black youths were more likely than white youths to receive harsher treatment in regard to pretrial detention and final disposition. With regard to judging an accused youth to be delinquent or a status offender (i.e., adjudication), the analysis also revealed a reversal of this relationship between race and harshness of outcome: whites were more likely than blacks to be found delinquent.

On the contrary, several studies assessing the influence of race on juvenile court outcomes found that race was not a significant predictor (Gamble et al., 2002; McGuire, 2002; Tracy, 2002; Engen, Steen, and Bridges, 2002; Tomkins, 1990; Bailey and Peterson, 1981; Frazier and Bishop, 1985; Kowalski and Rickicki, 1982; Lee, 1996; Marshall and Thomas, 1983; Bailey, 1981; Dannefer and Schutt, 1982; Pawlak, 1977). Pawlak (1977), for example, examined the detention decision in 66 counties in one state. The results revealed that regardless of race or gender, the number of prior contacts was the significant determinant of detention. Similarly, Frazier and Bishop (1985) examined the effect of legal and extra-legal factors on detention decisions using 224, 132 referral cases from 1979 to 1981. They also found that there was no racial effect on detention decisions. Cohen and Kluegel (1978) investigated the relationship between race and the severity of disposition using over 6,000 cases from two juvenile courts from Denver and Memphis. They found that offense and prior record, and not race, were the major determinants in the severity of dispositions. More recently, Engen, Steen, and Bridges (2002) examined the relationship between theories of disparity in juvenile justice and findings on the effects of race in the existing empirical literature base on 65 studies that are identified that examine the decisions made in actual cases or police contacts involving

juveniles, and that provide quantitative analysis of differences in treatment of individual youth by race or ethnicity. The authors found that race effects were more prevalent among studies that examined earlier stages in the juvenile justice process. They also found that studies that controlled for prior offending were significantly less likely to find direct race effects. Moreover, race effects were not contingent upon whether studies controlled for difference in the seriousness of offending.

Influences of Gender and Age on Juvenile Court Outcomes

Although research on gender and juvenile justice outcomes is not a new topic to juvenile justice research, it is relatively little known until late 1970's. Within last two decades, however, the research on gender and outcomes has progressed with research on race and juvenile outcomes.

A number of studies have indicated that female juveniles are treated no differently their male counterparts; that is for the same offense types and offense histories, male and female juvenile receive the same outcomes (Albright, 2003). Phillips and Dinitz (1982), specifically looked at aggravated violent offending, robbery, and assault; they concluded that gender had no effect on the decision to sentence the youth to an institutional placement. Similarly, Johnson and Scheuble (1991) found in case of person offenses (e.g., murder, assaults, sexual assaults, and robbery) sanctions for female offenders begun to mirror that of their male counterparts. In particular, they found that the sex of the offender had no effect for person offenders in the decision to transfer custody to a community placement (such as foster care or group home) or on the decision to send to correctional lock-up, the most severe disposition available (Johnson and Scheuble, 1991).

Most studies on gender bias in juvenile court outcomes have suggested that female offenders are advantaged in juvenile court decision making, receiving less severe outcomes when compared to their male counterparts. [11] More specifically, several studies have indicated that boys are sentenced more punitively than girls across a continuum of dispositional outcomes, including a lower likelihood for males of dismissal and increased likelihood for males for probation and out of home placement (Tittle and Curran, 1988; Johnson and Scheuble, 1991; Bishop and Frazier, 1992; Holsinger and Latessa, 1999). Bishop and Frazier (1992), for example, examined whether the reform initiatives mandated by the U.S. Juvenile Justice and Delinquency Prevention Act had corrected the past pattern of unequal treatment of male and female juvenile offenders using data obtained from the records of 1985-1987 in Florida (137,671 referral cases from intake through disposition). They found that males committing criminal-type delinquency offenses had a higher likelihood than females of being placed into a secure institution regardless of their history of prior offending. Holsinger and Latessa (1999) also found that among felony offenders, males were more likely than females to receive formal probation over special probation (e.g., intensive supervision probation). A higher likelihood for special probation resulted in less supervision and contact with justice system personnel for girls.

There also is evidence that female delinquents are treated more harshly than male delinquents at the dispositional stage of juvenile court processing (Gamble, Sonnenberg,

[11] According to the theory of Chivalry, if girls commit typically "female" crimes (i.e., status offenses and less serious offenses) then they will be treated in a protective lenient manner. However, if girls commit more serious crimes (i.e., violence against persons, felony property offenses or drug offenses) thus violating their sex-role expectation, they will receive more severe punitive outcomes when compared to their male counterparts (Albright, 2003: 9)

and Haltigan, 2002; Horowitz and Pottieger, 1991; Kempf and Sample, 2000; MacDonald and Chesney-Lind, 2001). For instance, Horowitz and Pottieger (1991) explored the incidence of gender bias in the handling of seriously delinquent youths at three stages of the juvenile justice system: arrest, adjudication and disposition. The sample consisted of 391 black and white youth who were between the ages of 14 and 17 and who were heavily involved in crime when they were interviewed on the street from 1985 to 1987 in Miami, Florida. The authors concluded that female youth were often incarcerated for less serious crimes than their male counterparts. Among youth with multiple prior offenses, females adjudicated for prostitution and drug charges had an equal likelihood of incarceration as males charged with serious felony crimes (Horowitz and Pottieger, 1991). In addition, Kempf and Sample (2000) tested that the effect of gender on case processing and juvenile justice treatment of females in a U.S. state. Data were obtained from three sources: (1) the statewide information system for all juvenile cases handled by the courts between 1992 and 1995; (2) a questionnaire completed by 52 juvenile court personnel, representing at least 38 courts; (3) a survey completed by personnel at 49 residential treatment facilities; and four focus groups, each consisting of eight to ten female delinquents or females at risk of becoming delinquent. They concluded that juvenile justice cases were "gendered," but that court treatment of those cases showed more gender similarities than differences. In contrast, interviews with officials suggested large gender gaps in opportunities for services, and indicated some gender biases. Specifically, female offenders with single charges were more likely to receive an out of home placement when compared to female offenders with multiple charges. Similarly, Johnson

and Secret (1990) found that females were more likely than males to be detained, handled by petition, and have a disposition involving a transfer of custody (also see Gamble et al., 2002; MacDonald and Chesney, 2001; Kempf and Sample, 2000).

Age is another important offender characteristic. Most research on the effect of age on sentencing outcomes has been limited to adult courts (see Evans, Brown, and Killian, 2002; Secret and Johnson, 1997); there has been relatively little research focusing on the effect of age on juvenile court decision. Terry (1967), for example, found that older juveniles more likely to be referred for a court hearing. He also found that older juveniles were more likely to receive the most severe juvenile court dispositions. Kowalski and Rickicki (1982) tested the age effect on the post-adjudication disposition of juveniles (their placement in either a group home or an institutional setting) using data on 133 randomly sampled male juveniles processed over a six-month period by a department of youth services (DYS) facility in a southern state. They found that juvenile who younger, are more likely to be assigned an institutional stetting. More recently, Gamble et al. (2002) concluded that youth younger than 14 years old were detained at a higher rate than older youth, after controlling for legal factors. In contrast, some research on adults reveals that there is a "curvilinear" effect of age; Steffensmeier and his colleagues(1995) found that offenders less than 21 years old and offenders between 30 and 49 sentenced less harshly than offenders between the ages of 21 and 29 (1995: 584).[12]

[12] In contrast, Spohn and Holleran (2000) did not confirm curvilinear age effect for any group in any jurisdiction (for more detail information: see Spohn and Holleran (2000: 300).

Overall, the results of research examining the effects of extra-legal factors such as age, gender, and race/ethnicity on juvenile justice case processing decisions have been mixed. Although some research has shown that extra-legal variables have a statistically significant effect on these decisions, other studies have found that the effects of extra-legal factors disappear once legally relevant case characteristics are taken into account.

The Interaction of Age, Gender, and Race/Ethnicity on Juvenile Court Outcomes

To date, researchers have been assessing the impact of extra-legal factors such as age, gender, and race/ethnicity on juvenile decision making. It has only been within the past two decades, however, that researchers have begun to test for the interaction of extra-legal factors (especially gender and race) (Katz and Spohn, 1995; Cargin, 1993; Spohn, Welch, and Gruhl, 1985). [13]

Spohn and her colleagues (1985) analyzed conviction and sentencing data for black and white male and female defendants in a large northeastern U.S. city. The analysis revealed that there was an interaction between race and gender. More specifically, while black women were less likely than black men to be incarcerated or sentenced harshly, their sentences were comparable to those of white men, who were sentenced harshly than white women. Because of the small size of white women in their study, they could not compare black and white women with a full set of control variables.

[13] According to Miethe and Moore (1986), an interactive model is more appropriate than an additive model in assessing racial discrimination in criminal justice decision making. They suggest that use of an additive model minimizes racial differences in case processing, while use of an interactive model allows the researcher to discern differential treatment within and between racial groups.

More recently, Katz and Spohn (1995) investigated the effects of race and gender on the amount of bail imposed by judges and on defendants' pretrial status using Detroit (Michigan) Recorder's Court records of 6,625 defendants originally charged with at least one of 11 violent felonies from 1976-78. The findings revealed that black females faced lower bail than black males in less serious cases. In contrast, both race and gender affected the likelihood of pretrial release. White defendants were more likely than their black counterparts to be released pending trial, while females were more likely than males to be released before trial. In fact, white females and males and black females were all more likely than black males to be released.

Unlike research focusing on the adult system, research examining the impact of the interaction of gender and race on juvenile justice decision making is much less common (Cargin, 1993; Horowitz and Pottieger, 1991, Bortner and Reed, 1985; Kemf and Samplc, 2000). Cargin (1993) tested the interaction of race and gender on five juvenile decision outcomes: intake, petition, initial appearance, adjudication, and judicial disposition. She used data on 4,798 white and black youths referred to juvenile court services in three counties in Iowa for the period from 1980 to 1990. This study revealed that white females were treated more leniently than all other gender/race groups at the intake stage. This study, however, did not confirm the hypothesis that white females were treated more leniently than all other groups at subsequent stages (i.e., petition, initial appearance, adjudication, and judicial disposition). Horowitz and Pottieger (1991) also examined the interaction of gender and race at arrest, adjudication, and disposition

stages. They found that white females were more likely than all other gender/race groups to receive no punishment beyond adjudication for first-time drug offenses.

Most research exploring the interactive effects of extra-legal factors on juvenile justice decision making has been focused on two-way interactions (especially race and gender) rather than three-way interactive relationships (i.e., age, gender, and race/ethnicity). However, Steffensmeier, Ulmer, and Kramer (1998) and Spohn and Holleran (2000) have identified significant interrelationships among race/ethnicity, age, gender, and unemployment status and have shown that these variables interact to affect sentencing outcomes. More specifically, Steffensmeier et al. (1998) found that race, age, and gender each had a significant direct effect on sentence outcomes but they also found that the three factors interacted to produce harsher sentence outcomes for young, black males. Spohn and Holleran (2000) expanded Steffensmeier et al.'s study in three ways. They examined three different jurisdictions (i.e., Cook County, Illinois, Dade County, Florida, and Jackson County, Missouri), included Hispanic offenders as well as black and white offenders, and tested for interactions among race/ethnicity, age, gender, and employment status. They found that younger Hispanic and black males, and those black and Hispanics males who were unemployed, faced the highest odds of incarceration.

There is relatively little research that examines the interactive effects of extra-legal factors (e.g., age, gender, and race/ethnicity) on sentencing outcomes in adult court. More to the point, the interactive effects age, gender, and race/ethnicity across juvenile justice decision making is still unknown.

Current Study

The current study explores the effect of age, gender, and race/ethnicity on juvenile justice decisions in the State of Nebraska. More specifically, the current study uses Nebraska Juvenile Court Record data from 1993 to 2002 to replicate and expand upon the studies conducted by Steffensmeier et al.(1998) and Spohn and Holleran (2000). I examine the interactions among age, gender, race/ethnicity and four juvenile court outcomes: detention, petition, adjudication, and disposition. In addition, Native American youth group is included for this study as well as white, black, and Hispanic youth since most of the studies that do exist examine only two or three racial categories (i.e., white, and black or white, black, and Hispanic). Moreover, this study utilizes methodological approaches and statistical techniques that are intended to improve upon previous research efforts. These methodologies and analyses, which are discussed in the following chapter, provide the better understanding of the judicial decision-making process and will explore the ways in which the youth's age, gender, and race/ethnicity affect decisions regarding detention, petition, adjudication, and disposition.

CHAPTER THREE

METHODOLOGY

The primary purpose of the study is to explore the interactions among age, gender, race/ethnicity and juvenile justice case outcomes. Although there is a substantial body of previous research examining the relationship between extra-legal factors and juvenile court decisions, there is relatively little research that examines the interactive effects of extra-legal factors (i.e., age, gender, and race/ethnicity) on these outcomes. Moreover, most studies that do exist examine only two racial categories (i.e., white and black) (see Steffensmeier et al., 1998; Bishop and Frazier, 1996) and test for interaction between race and gender. This study will be add to the body of knowledge on juvenile justice case processing decisions by exploring the direct and interactive effects of age, gender, and race/ethnicity on four juvenile court outcomes: detention, petition, adjudication, and disposition.

Hypotheses to be tested

This study tests a number of hypotheses regarding the interactive effect of age, gender, and race/ethnicity on juvenile justice decision making, especially detention, petition, adjudication, and disposition outcomes. In order to test each hypothesis, legal factors such as the seriousness of the offense, and the offender's prior criminal history, as well as type of court (i.e., county court, versus separate juvenile court) and referral year will be controlled.

The hypotheses to be tested are:

H_1: Age, gender, and race/ethnicity will directly affect outcomes in juvenile justice decision making.

H_{1a}. Non-white youths will be treated more harshly than white youths.

H_{1b}. Youths who are 16 and 17 years old will be treated more harshly than young teens(10 to 12 years old) and mid teens(13 to 15 years old).

H_{1c}. Females will be treated more leniently than males.

H_2: Race and age will interact in different ways for male and female youths:

H_{2a}. Race and age will interact to affect outcomes for males: Older black males will be treated more harshly than males in all other age-race categories.

H_{2b}. Race and age will interact to affect outcomes for females: Younger white females will be treated more leniently than females in all other age-race categories.

H_3: Age, gender, and race/ethnicity will interact to produce harsher outcomes for Juvenile offenders who are older, black and male.

Data Source

The data on juvenile offenders for this study has been provided to the Juvenile Justice Institute at the University of Nebraska at Omaha by the Nebraska Crime Commission. The data contain information on all persons referred to Nebraska juvenile courts with juvenile jurisdiction for delinquency and status offenses during a 10-year

period (1993 - 2002). More specifically, the data includes the youth's date of birth, age at time of referral, sex, racial/ethnicity, education and status in school, and number and type of prior court referrals. The data file also includes information on the youth's living arrangements and on the martial status, income, and occupation of the youth's parents. In addition, the data file includes information on the case, including the date of the referral, the reason for the referral, who referred the case, and the date and type of disposition. Among these variables, county code, age at time of referral, sex, racial/ethnic group, manner of handling, reason for referral, prior court referrals, and disposition variables will be analyzed for this study.

The total number of cases evaluated in this study population is 63,914 (non-referral cases and Asian/other racial groups were excluded). The resulting database for the years under consideration ranges in size from 4,669 to 7,398 cases per year. Among this population, 48,154 are white youth; non-white youth account for 15,400 youths, of which 7,790 are black, 5,540 are Hispanic, and 2,070 are Native American. A total of 46,048 males and 17,866 females are included for this study (see Table 1).

Description of the State of Nebraska

The State of Nebraska is situated in North-Central United States. As noted in Chapter Two, the population of Nebraska is 1,711,263; of that number 439,242 are juveniles (Bureau of Census, 2000). According to data provided by Nebraska Crime Commission (2003), in 2001 there were 16,819 juveniles arrested in the State of Nebraska. There was one arrest for murder, three arrests for death by negligence, 22 for

forcible rape, 81 for robbery, 118 for aggravated assaults, 432 for burglaries, 4,025 for larceny/thefts, 206 for motor vehicle thefts, 119 for arsons and 12,302 for Part II offenses (e.g., simple assaults, forgery, and fraud).

Nearly half of the state residents live in the three largest counties: Douglas County, which includes Omaha (the largest city in state); Lancaster County, which includes Lincoln, and Sarpy County. In these countries, separate juvenile courts hear juvenile matters. In the remaining 90 counties, juvenile matters are heard by the county courts (NCJJ, 2004). The state has 69 judges: 10 juvenile court judges (five in Douglas County, three in Lancaster County, and two in Sarpy County), and 59 judges serving 12 districts for county courts (NSCAO, 2004). According to the Juvenile Court Annual Caseload Report (Nebraska Supreme Court, 2003), in 2002, there were 4,571 cases in three Separate Juvenile Courts: misdemeanors accounted for approximately 69% of these cases, abuse and neglect cases comprised about 19%, and cases involving mentally deficient children accounted for 12%.

In 1999, minority youths in the State of Nebraska accounted for 14% of the juvenile population. Minority youths, however, constitute 41% juveniles in custody (Sickmund, 2004: 10). In other words, non-white youths are overrepresented in court referral relative to their representation in the population. [14]

[14] Overrepresentation refers to a situation in which a larger proportion of a particular group is present at various stages within the juvenile justice system (OJJDP, 1999: 192).

Variables

This study focuses on three decision making points in Nebraska's juvenile justice system. Seven independent variables are included in the analysis. The variables, their coding, frequencies and percentages are presented in Table 1.

Dependent variables

Research on sentence outcomes for adult offenders typically examines the decision to incarcerate and the length of the sentence. [15] Juvenile court decision making, however, consists of multiple decision making points such as intake, detention, petition, and disposition. The four dependent variables used in this study are detention, petition, adjudication and disposition. As shown in Table 1, all of the dependent variables are dichotomous (or binary). At the detention stage, juvenile court intake personnel decide whether the accused juvenile is to be detained (coded 1) or not (coded 0) at least overnight before a court hearing (see Secret and Johnson, 1997). At the petition stage, the county attorney decides whether the case will be handled informally without a petition (coded 0) or with a petition placed on the official court calendar for adjudication by judge (coded 1). As a result of the adjudicatory hearing, the accused was dismissed (coded 0) or brought under the court's jurisdiction for disposition after being found to be delinquent (coded 1). Outcomes at the disposition stage include the decision of a court to transfer the legal custody of the youth (coded 1) or not (coded 0). The transfer of custody includes a wide range of options, including transfer an adjudicated juvenile to a secure

[15] Recently, Holleran and Spohn (2004) suggested that sentencing researchers should reconsider use of the total incarceration variables, which combines prison and jail into a single response category because of two main reasons: (1) prison and jail represent two distinct institutions, as well as (2) the judge's decision on disposition should take that factor into account.

facility (e.g., Youth Rehabilitation and Treatment Centers in Geneva or Kearney), to public agency or department (e.g., State Department of Health and Human Service), to private agency (e.g., Boys Town), or to individuals. All these options restrict the youth's freedom of choice and action. The decision not to transfer custody, on the other hand, includes formal probation, and dismissal with a warning from the judge, a fine, restitution, or referral to an agency or an individual. In the decision not to transfer to legal custody, the adjudicated youth is allowed to remain in his or her usual custodial environment (Secret and Johnson, 1997: 454). Among these less harsh dispositions, only probation restricts the youth's behavior and life-style. However, unlike transfer to legal custody, probation is not accompanied by the disruption of living situation caused by custody transfer.

Independent variables

The independent variables included in the analyses reflect offender characteristics, offense characteristics, and court characteristics. Three demographic characteristics (i.e., age[16], gender, and race/ethnicity) as well as legal variables are included as independent and control variables (see Table 1). As noted earlier, this study focuses on the interaction of age, gender, and race/ethnicity on juvenile justice decision making in Nebraska. Race/ethnicity is measured with a set of dummy variables: white coded "1" and others coded "0", black coded "1" and others coded "0", Hispanic coded "1" and

[16] According to *Juvenile Court Statistics 1998* (Puzzanchera et al., 2003: 66), the juvenile population is defined as the number of children between the age of 10 and the upper age of jurisdiction for delinquency and status offense matters. In addition, as evidenced by *Nebraska Juvenile Code*, a juvenile is defined as a person who is less than 18 years old (§ 43-245(4)). Furthermore, technically, those juveniles who are under 10 years and over 17 years old are excluded from this study because information on these groups is missing from too many cases. Therefore, this study will consist of persons who are from 10 to 17 years old.

others coded "0", and Native American coded "1" and others coded "0". Gender is also a dichotomous variable (male = 1, female = 0). Age was collapsed into three intervals: 10-12(young teen); 13-15 (mid teen); 16-17 (older teen).

To test for the interaction of age, gender, and race/ethnicity, I created the following dummy variables: young white female, young white male, young black female, young black male, young Hispanic female, young Hispanic male, young Native American female, young Native American male, mid white female, mid white male, mid black female, mid black male, mid Hispanic female, mid Hispanic male, mid Native American female, mid Native American male, old white female, old white male, old black female, old black male, old Hispanic female, old Hispanic male, old Native American female, and old Native American male (see Table 2).[17]

Besides age, gender, and race/ethnicity, the independent variables include legal variables and other control variables (see Table 1). In this study, offense seriousness and prior criminal record, are controlled, since previous research has shown that legal variables are the strongest predictors of case outcomes (see Bishop and Frazier, 1988; Fagen et al., 1897; Peterson, 1988).

Offense seriousness is measured by a five point scale as a categorical variable (1 = status offense, 2 = misdemeanor, 3 = property felony, 4 = drug felony, and 5 = violent felony; see Table 1). The youth's prior criminal history is measured by the number of prior delinquency referrals in which the arrest occurred in the year and the previous year.

[17] Unfortunately, other extra-legal variables that might affect juvenile justice decision making (e.g., school attainment, living arrangement, natural parents' martial status, and combined family income) can not be included in the analyses because those variables contain too much missing data.

Both prior record variables are treated as continuous variables that range from 0 to 5.[18] Previous research also has shown that court structure may affect outcomes (Johnson and Secret, 1995; Secret and Johnson, 1996). Controlling for extra-legal and legal characteristics of the defendants, as well as for county environmental characteristics of the two types of courts, statistically significant differences emerged in the adjudication decisions: county courts were more likely to adjudicate youths as delinquent than separate juvenile court (Secret and Johnson, 1996). The State of Nebraska also contains both counties with specialized juvenile courts and counties with the county court handles juvenile cases. Therefore, court type variable (county court coded "0"and juvenile court coded "1") is included as a control variable. The referral year is included to control for trending.

Analytical Strategy

The current study replicates and expands upon the studies conducted by Steffensmeier et al. (1998) and Spohn and Holleran (2000) to explore the interactive effects of age, gender, and race/ethnicity on juvenile justice decision making. This study analyzes four different outcome variables: whether or not the juvenile is to be detained; whether or not the juvenile is petitioned to court; whether or not the juvenile is adjudicated; and whether or not the adjudicated juvenile is transferred to legal custody (see Table 1). These variables are analyzed using logistic regression because of the nature of the dependent variables. In other words, when the dependent variables have

[18] The small percentage with more than six offenses in the previous year and in this year was presented. Thus, the prior number of delinquency referrals was ranged from zero to five.

only two possible outcomes, logistic regression is the appropriate statistical technique to be employed (Menard, 2002; Long, 1997; Roncek, 1991; Aldrich and Nelson, 1984).

In order to test the hypotheses, the present study is divided into three steps. First, the main effects of the independent variables on juvenile court outcomes are estimated. Although contemporary study has moved beyond additive models in favor of interactive and mediating models, the main effects models provides a necessary starting point for this study (Holleran, 2001). Specifically, the direct effects of each extra-legal variable (age, gender, and race/ethnicity) on four juvenile court outcomes are estimated using binary logistic regression; thus, this additive model tests Hypothesis 1.

According to Spohn and Kautt (2001), if it is believed that the effects of various predictors varies by the factor you are testing for, partitioning the data is the best method for doing this. Hence, the data is disaggregated by offense seriousness, type of court, gender to test direct and the interactive effect of age and race/ethnicity on juvenile court outcomes (also see Steffesmeier et al., 1998; Spohn and Holleran, 2000). In the second step, Hypothesis Two is tested based on disaggregated data (i.e., male or female cases) using binary logistic regression.

Because the primary focus of this study is the interaction of age, gender, and race/ethnicity on juvenile justice decision making, it is also necessary to consider three-way interactive model. Thus, in the final step, an interactive model with the three-way interaction of age, gender, and race/ethnicity, is tested for its effect on juvenile justice decision making: detention, petition, adjudication, and disposition. The following chapter includes the findings of the multivariate analyses.

CHAPTER FOUR

FINDINGS

This study investigates the interaction of age, gender, and race/ethnicity on juvenile justice decision making. Using Nebraska Juvenile Court Record Data (1992-2002), several hypotheses which examine the direct or interactive effect of three extra-legal factors on juvenile justice decision making were tested. This chapter begins with a discussion of the descriptive statistics and the bivariate correlations among the variables. Next, the results of the multivariate analyses are discussed: main effects and interactive effects logistic regression equations and models partitioned by gender, offense seriousness, and type of court. Finally, a summary of the findings is presented.

Descriptive Statistics

Before discussing the bivariate and multivariate results, it is necessary to examine the descriptive statistics for the entire sample and descriptive statistics by race (see Table 1 and 3). The descriptive statistics presented in Table 1 indicate that a majority of the youths were white (75.9%). The majority of the youths were male (72%) and approximately 92% were 13 years of age and older. Over half (59.3%) of the youths were charged with a misdemeanor and their mean number of prior delinquency referral in this year is 0.35 (0.67 in previous years). In addition, most of the youth were not detained (91.9%) and were not transferred to legal custody following adjudication (86.5%). In contrast, a majority of the youths were petitioned to juvenile court (90.4%)

and adjudicated delinquent (81.6%). Finally, almost half of the cases were handled by a county court (53.3%) rather than a separate juvenile court (46.7%).

Examination of the descriptive statistics by race and ethnicity (Table 3) indicates significant differences across the four racial/ethnic groups (i.e., white, black, Native American, and Hispanic).[19] For example, Native Americans were more likely to be female than were the other racial groups. The ages of the youths also differed across racial groups: white youths were somewhat older than other racial groups whereas Native American youths were more likely to be younger. White youths were more likely to be charged with a misdemeanor (61.4%) and less likely to have multiple prior delinquency referrals than were the non-white groups. Most of black youths were under the jurisdiction of the separate juvenile courts (95.9%), which are located in Douglas, Lancaster, and Sarpy County. One possible explanation is that most black youths live in the urban areas of Omaha and Lincoln. For instance, in 2000, nearly 78% of blacks in the State of Nebraska lived in Douglas County (Nebraska State Data Center, 2004).

Table 3 also shows that Native American youths were more likely than other racial groups to be detained and to be petitioned to court. Surprisingly, however, white youth were slightly more likely than other groups to be brought under the court's jurisdiction for disposition. Finally, non-white youths, especially blacks, were more likely to be transferred to legal custody: 22.5% of the black youths, but only 11.8% of the white youths, were placed in legal custody following adjudication.

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[19] Chi-Square test was used for significant difference among four racial categories. All variables were statistically significant. According to Cohen (1992), even small differences become significant because of the large sample size (N=63,914).

In summary, these descriptive statistics indicate that there are differences for white, black, Native American, and Hispanic youth across four juvenile justice decision-making points.

Bivariate Analysis

Before testing specific hypotheses, it is necessary to present the bivariate relationships among the independent variables as well as the bivariate relationship between the independent variables and the dependent variables. There are two main reasons for presenting the zero-order correlations: (1) to examine bivariate relationships between any two variables included in model; and (2) to inspect the relationships among the independent variables for multicollinearity.[20] The correlation coefficients (pearson's r) between the variables included in the analyses are displayed in Table 4.

With regard to multicollinearity, collinearity could be a problem for figuring out a clear relationship between an independent variable and a dependent variable. In other words, collinearity makes it more difficult to get reliable estimates of the effects of the independent variables on the dependent variables (Roncek, 2003). A correlation coefficient equal to or greater than .70 between two of the independent variables is an informal indication of multicollinearity (Roncek, 2003). As shown in Table 4, there was not an obvious multicollinearity problem.

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[20] Multicollinearity refers to the existence of more than one exact linear relationship, and collinearity refers to the existence of a single linear relationship. But this distinction is rarely maintained in practice, and multicollinearity refers to both cases (Gujarati, 2003)

An examination of the coefficients reveals several significant relationships among the independent variables. More specifically, non-white youths were significantly more likely than whites youths to be younger (r = -.094). Older youths had more prior delinquent referrals than younger youths (r = .084); older youths also were more likely than younger youths to have their cases heard by the separate juvenile courts (r = .044). Older youths, on the other hand, were less likely than the younger youths to be charged with a serious offense. In terms of gender, males were somewhat more likely than females to have multiple prior delinquency referrals in the previous year (r = .059) and this year (r = .090). Male youths also were more likely than females to be charged with a serious offense (r = .098). Where race/ethnicity is concerned, minority youths were more likely to be charged with a serious offense than white youths (r = .050). Minority youths also had more prior delinquency referrals in this year (r = .052) and the previous year (r = .061) than did white youths.

While significant relationships exist among a number of independent variables, there are also several independent variables related to juvenile justice decision-making outcomes. More specifically, older youths were less likely than younger youths to be petitioned (r = -.012); whereas, younger youths were more likely to be adjudicated delinquent than older youths (r = .010). In addition, males were significantly more likely than females to be petitioned (r = .027), and transferred to legal custody (r = .033). Females, on the other hand, were more likely to than males be detained (r = -.017). Finally, minority youths were more likely than white youths to be detained (r = .035), petitioned (r = .079), and transferred to legal custody (r = .070). Surprisingly, however,

minority youths were less likely than white youths to be adjudicated (r = -.066). Therefore, the results of the biviriate correlations showed that age, gender, race/ethnicity, and juvenile court outcomes are inter-correlated, indicating the need for further multivariate analyses. By doing so, it is possible to determine to degree to which each variable influences outcomes at each stage, controlling for the other variables in the model.

Multivariate Analysis

Multivariate analyses were employed to estimate the effects of age, gender, and race/ethnicity on juvenile court outcomes while simultaneously controlling for the effects of all of the other variables included in the model. Because all of the dependent variables are dichotomous and all of the independent variables are dichotomous or categorical, binary logistic regression was utilized. The results that follow are presented based on the hypotheses suggesting direct and interactive effects on the dependent variables.

Direct Effects

A direct effect indicates that an independent variable has a significant effect on the dependent variable. For this study, the age, gender, and race/ethnicity of the juvenile were hypothesized to have a significant effect on detention, petition, adjudication, and disposition outcomes, net of controls for legal factors such as offense seriousness and the number of prior delinquent referrals, for quasi-legal variable (i.e., type of court variable),

and for the year of the referral. Using binary logistic regression and the odds ratio[21], the first hypothesis of this study was tested. The first hypothesis suggested that age, gender, and race/ethnicity will directly affect outcomes in juvenile justice decision making: (1) non-white youths will be treated more harshly than white youths; (2) youths who are 16 and 17 years old will be treated more harshly than young teens (10 to 12 years old) and mid teens (13 to 15 years old); and (3) females will be treated more leniently than males. The results are presented in Table 5.

Before discussing the direct effects of the extra-legal factors on juvenile court outcomes, the direct effects of the legal variables and the type of court were examined. Overall, it appears that juvenile judges are influenced by legal factors at most stages of the juvenile justice system. More specifically, youths who had more prior delinquent referrals in the previous year and in this year were more likely to be detained, petitioned, and transferred to legal custody; on the other hand, youths who had more prior referrals were less likely to be adjudicated delinquent. With regard to offense seriousness, the results reveal somewhat inconsistent findings across the four dependent variables. Juvenile charged with misdemeanors were less likely than those charged with violent felonies to be detained (.452), [22] but youths charged with a status offense (1.849), property felonies (1.650), and drug felonies (1.530) are more likely than those charged with violent felonies to be detained. Youths charged with status offenses (.826) or misdemeanors (.515) were less likely than youths charged with violent felonies to be

[21] Odds are defined as the percentage experiencing the event divided by the percentage not experiencing it (% of yes / % of no) (Secret and Johnson, 1997).
[22] A parenthesis indicates odds ratio.

petitioned to court, but juveniles charged with property (1.513) or drug felonies (1.473) were petitioned to court at higher rates than those charged with violent felonies. Juveniles charged with violent felonies were adjudicated delinquent at a significantly lower rate than juvenile charged with other type of offenses. Similarly, youths charged with violent felonies were transferred to legal custody at a lower rate than youths charged with status offenses (1.674), property felonies (1.511), or drug felonies (1.787). Like offense seriousness, type of court variable also reveals significant differences across dependent variables. In other words, youths under the jurisdiction of a separate juvenile court were less likely than those under the county courts to be detained (.617), petitioned (.201), and adjudicated delinquent (.374). At the disposition stage, on the other hand, offenders under the juvenile courts were more likely to be transferred to legal custody (1.323) than were their counterparts. There also are significant effects for the extra-legal factors of race/ethnicity, gender, and age on the decisions to detain, petition, adjudicate, and transfer to legal custody. The findings related to these three extra-legal variables are discussed in detail below.

The Effects of Race/Ethnicity, Age, and Gender

The first hypothesis being tested suggests that minority youths will be treated more harshly than white youths across all four stages of decision-making. As shown in Table 5, decision-making at the detention, petition, adjudication, and disposition stages was influenced by the youth's race/ethnicity, age, and gender. Regarding the detention stage, the odds ratio for Native American youth is roughly 1.4 times those of whites; Native American youths were more likely than whites to be detained. Black (1.126) and

Hispanic (1.113) youths also were more likely than whites to be detained. For the petition stage, blacks (4.989), Native Americans (2.211), and Hispanics (1.565) all were more likely to be petitioned than whites. Surprisingly, however, at the stage of adjudication, the results are somewhat different than those reported for the two previous decision stages. Minority youths were less likely than whites to be adjudicated delinquent. Finally, with regard to the disposition stage, and consistent with the detention and petition stages, non-white youths were more likely to be transferred to legal custody. Black youths (1.600) faced the highest odds of legal custody, followed by Hispanic youth (1.488) and Native American youth (1.357). Therefore, the first hypothesis is supported with respect to the decisions to detain, petition to court, and transfer to legal custody. Specifically, non-white youths *were* treated more harshly than whites at the stage of detention, petition, and disposition.

This study also hypothesized that youth who were 16 and 17 years old would be treated more harshly than other age groups. As shown in Table 5, this was not the case. Although youths who were 16 or 17 years old were treated more harshly than the youngest offenders at each of the four decision making points, they were treated less harshly than youths who were between the ages of 13 and 15 at two of the stages (petition to court and transfer to legal custody). To further explore the effect of age, I re-ran the analysis, with the youngest youth (those between 10 and 12) as the reference category (see Table 5). The results of these analyses showed that younger offenders were treated more leniently than either 13- to 15-year-olds or those who were 16 or 17 at each of the four decision points. Therefore, the results of the analysis do not support the hypothesis

that older offenders would be treated the most harshly. Rather, the youngest offenders were treated the most leniently.

With regard to the effect of gender, while males were less likely to be detained (.782) than females, male youths were slightly more likely than females to be petitioned (1.143), and transferred to legal custody (1.205). Therefore, the hypothesis that female youths will be treated more leniently than male youths was supported at the decision-making decisions related to petition, and disposition only. The differences between female and male youths, however, are relatively small.

The Effects of Race/Ethnicity, Age, Gender by Offense Seriousness

To further explore the effects of race/ethnicity, age, and gender, the data were partitioned by offense seriousness. These results, which are presented in Table 6, reveal that the effects of these extra-legal factors on juvenile justice outcomes vary by offense type.

More specifically, regarding juveniles who were charged with a status offense, contrary to previous result, white youths were more likely to be detained than Native American (.690) and Hispanic (.624) youths. In addition, white youths were more likely to be adjudicated delinquent than Black (.683), Native American (.748), and Hispanic (.708) youths. On the other hand, black (3.576), Native American (1.933), Hispanic (1.856) youths were more likely than whites to be petitioned. Finally, for the disposition stage, the results reveal a complicated pattern: black youths (1.479) who were charged with a status offense were more likely than whites to be transferred to legal custody, but Native American (.574) and Hispanic (.727) youths were less likely than white youths to

be transferred to legal custody. Table 6 also shows that youths between the ages of 13 and 15 were less likely to be detained than youths between the ages of 16 and 17. Youths who were between 10 and 12 years old and who were charged with a status offense were more likely to be transferred to legal custody (1.345) than those youths between 16 and 17 years old. In contrast, pre-teens who were charged with a status offense were less likely to be adjudicated delinquent (.729) than youths between the ages of 16 and 17. Consistent with the results of past research, males who were charged with a status offense were less likely to be detained (.608), petitioned (.797), and transferred to legal custody (.866) than females who were charged with a status offense.

Regarding juveniles who were charged with a misdemeanor, non-white youths were more likely than white youths to be detained, petitioned, and transferred to legal custody. However, at the stage of adjudication, white youths charged with a misdemeanor were more likely to be adjudicated delinquent than all of the other racial groups (see Table 6). Youths between the ages of 13 and 15 who were charged with a misdemeanor were more likely than older youths to be detained (1.331), petitioned (1.287), and transferred to legal custody (1.383). On the other hand, youths who were between 10 and 12 years old were less likely than older offenders to be petitioned (.783), and youths between the ages of 13 and 15 were less likely to be adjudicated delinquent (.934). Consistent with the results for status offenses, males who were charged with a misdemeanor were less likely to be detained (.889) and adjudicated delinquent (.930) than females. However, males charged with a misdemeanor were more likely than females to be petitioned (1.190) and transferred a legal custody (1.383).

Consistent with the results for misdemeanor cases, non-white youths charged with property felonies were more likely than white youths to be detained, petitioned, and transferred to legal custody, but white youths charged with a property felony were more likely to be adjudicated delinquent than all of the other three racial groups. Youths between the ages of 10 and 12 who were charged with property felony were less likely to detained (.414), adjudicated delinquent (.768), and transferred to a legal custody (.334) than youths who were 16 or 17 who were charged with property felony. The results also reveal that male youths who were charged with property felony were less likely than females to be detained (.752), but were more likely than females to be petitioned (1.976).

Because there were very few Native American youths who were arrested for a drug felony, these youth were eliminated from the analysis of these offenses. As shown in Table 6, race/ethnicity did not affect outcomes in these types of cases, with two exceptions. Specifically, black youths charged with a drug felony were more likely than white youth to be transferred to legal custody (2.481) and less likely to be adjudicated delinquent (.338). Youths between ages of 13 and 15 who charged with a drug felony were more likely to be adjudicated (2.119) than youths between ages of 16 and 17 who were charged with a drug felony.

Finally, regarding juveniles charged with violent felonies, race/ethnicity did not affect the detention decision and had inconsistent effects on the other three outcomes. Black youths charged with a violent felony were more likely than white youths to be petitioned or transferred to legal custody, but were less likely to adjudicated delinquent (.630) than whites. Native American youths also were more likely than white youths to

be transferred to legal custody. Hispanics, like blacks, faced lower odds of adjudication than white (.760). Youths between the ages of 10 and 12 who were charged with a violent felony were less likely than to be detained (.601), petitioned (.724), adjudicated delinquent (.809), and transferred to a legal custody (.597) than youth between the ages of 16 and 17 who charged with a violent felony. For these offenses, there were no differences between youths who were 13-to-15 years old and those who were 16 or 17. Finally, there was a statistically significant effect of gender on the decision as to whether juveniles should be transferred to legal custody. In particular, males who were charged with a violent felony were more likely than female to be transferred to a legal custody (1.534).

In summary, the results of the analysis of the data partitioned by offense type reveal that each of the three extra-legal factors, and especially age, and gender, had inconsistent effects on the four case outcomes. Gender did not affect drug offenses at all and male were treated more harshly than females in some instances (e.g., disposition for misdemeanors and violent felonies and petition for misdemeanors and property felonies) but less harshly than females in other instances (e.g., detention decisions in status offenses, misdemeanors, and property felonies). A similarly inconsistent pattern was found for age. Although the youngest youths were generally treated either no differently or more leniently than the oldest youths, younger offenders charged with status offenses or misdemeanors were more likely than 16- or 17-year-olds to be transferred to legal custody. The effect of race/ethnicity, while less variable than the effects of age or gender, also was somewhat inconsistent. Blacks, Native Americans, and Hispanics faced higher

odds of being transferred to legal custody for misdemeanors, property felonies, and violent crimes; black youths charged with status offenses and drug felonies also were more likely than white youths to be petitioned to court for status offenses, misdemeanors, and property felonies and faced higher odds of detention than whites for misdemeanors and property felonies (Native Americans and Hispanics only). On the other hand, Native Americans and Hispanics were less likely than whites to be detained for status offenses and racial minorities were generally less likely than whites to be adjudicated delinquent.

Perhaps the most important finding is that, with the exception of the decision to adjudicate the youth delinquent or not, racial minorities generally were treated more harshly than whites. This was particularly true of the decision to transfer the youth to legal custody following adjudication and the decision to petition the case to court.

The Effects of Race/Ethnicity, Age, Gender by Type of Court

The State of Nebraska contains both counties with specialized juvenile courts (i.e., Douglas, Lancaster, and Sarpy Counties) and counties in which the county court handles juvenile cases along with adult misdemeanor cases. Previous research also has shown that court structure may affect outcomes. According to Secret and Johnson (1996), for example, county courts were more likely to adjudicate youths as delinquent than separate juvenile court. It might be expected that the effect of age, gender, and race/ethnicity on juvenile court outcomes vary by court structure or type of court (i.e., separate juvenile court vs. county court).

To test for differences in cases handled by the two types of courts, the data were partitioned by type of court. The results presented in Table 6 reveal that race, age, and

gender had different effects in juvenile and county court for the petition, adjudication, and disposition stages. More specifically, regarding juveniles whose cases were heard by county courts, Native American youths were more likely than white youths to detained (1.393), petitioned (1.541), and transferred to legal custody (1.289), but were less likely to be adjudicated delinquent (.677). Hispanic youths also were more likely to be petitioned (2.162), and transferred to legal custody (1.441). Hispanic youths, however, were less likely than white youths to be adjudicated delinquent (.584). Similarly, black, Native American, and Hispanic youths heard by juvenile courts were significantly more likely than whites to be petitioned (5.191) and transferred to legal custody (1.675).

With regard to the effect of age, youths between the ages of 10 and 12 who were handled by county courts were significantly less likely to be detained (.843), adjudicated delinquent (.878), and transferred to legal custody (.846) than those youths between 16 and 17 years old. Youths between the ages of 13 and 15, on the other hand, were more likely than older youths to be petitioned (2.239), and transferred to legal custody (1.188). Inconsistent with previous findings, pre-teens between the ages of 10 and 12 and whose cases were heard by county courts were more likely to be petitioned than those older youths (2.704). Regarding juveniles who were handled by the juvenile courts, youths between the ages of 10 and 12 were less likely to be adjudicated delinquent (.892) than those youths between 16 and 17 years old. On the other hand, youths between the ages of 13 and 15 were more likely to be transferred to legal custody (1.109) than older youth who were 16 or 17 years old.

Finally, for juveniles whose cases were heard by county court, gender did not affect the petition and adjudication decisions and had inconsistent effects on the other two outcomes. Male youths were significantly less likely than females to be detained (.744), but were more likely than female youths to be transferred to legal custody (1.353). Consistent with previous results, male youths whose cases were heard by juvenile court were less likely than female youths to be detained (.851); but were more likely than females to be petitioned (1.160).

In summary, the results of the analysis of the data disaggregated by type of court reveal that each of three extra-legal factors had consistent or inconsistent effects on the four case outcomes. The effect of race/ethnicity was consistent regardless of type of courts. Minority youths were treated more harshly at detention (Native American youths handled by county courts only), petition, and disposition stages; were less harshly at adjudication stage. The effect of age, on the other hand, was somewhat inconsistent. While in the county courts, youths between the ages of 10 and 12 were more likely than older youths to be petitioned, youths who were 10 and 12 years old and who were heard by the juvenile courts were less likely to be petitioned than older youths who were 16 and 17 years old. With regard to disposition decision, generally youth between the ages of 13 and 15 treated more harshly than other age groups. Finally, gender did not affect the adjudication decisions at all and had consistent effect on the other three outcomes. Male youths were treated more leniently than female youths at detention decision: but were treated more harshly than females at petition (juveniles whose cases were heard by county courts only), and disposition decisions.

Interactive Effects

Two hypotheses were developed regarding the interaction of age, gender, and race/ethnicity. Hypothesis 2 predicts that race and age will interact in different ways for male and female youths: older black males will be treated more harshly than males in all other age-race categories and younger white females will be treated more leniently than females in all other age-race categories. Hypothesis 3 also predicts that age, gender, and race/ethnicity will interact to produce harsher outcomes for juvenile offenders who are older, black, and male. In order to test Hypothesis 2, the data were partitioned by gender. Black males between the ages of 16 and 17 were omitted from the analysis of males only and white females between the ages of 10 and 12 were omitted from the analysis of females only. In addition, in testing Hypothesis 3, black males between the ages of 16 and 17 were the reference category. The results of the binary logistic regression analyses are presented in Tables 7, 8 and 9.

The Interaction of Race/Ethnicity and Age: Males only

Table 7 presents the results when the male youths are analyzed separately and are classified into 12 race-age categories, with black youths between the ages of 16 and 17 as the reference category. In addition, the model includes the legal variables, the type of court, and the year of the referral.

The findings are consistent with Hypothesis 2_a which stated that older black males will be treated more harshly than males in all other age-race categories for detention, petition, and disposition decisions. More specifically, regarding the decision making at the detention stage, all of the age-race categories faced lower odds for being detained

than older black youths, with one exception. The exception was that Native American males between the ages of 16 and 17 faced greater odds of detention (1.519) than older black males. The petition and disposition decisions also were consistent with decisions at the stage of detention. For example, white males between the ages 10 and 12 were less likely than older black males to be petitioned (.140) and transferred to legal custody (.393). Hispanic males who were 16 and 17 years old also were significantly less likely than older black males to be petitioned (.279) and transferred to legal custody (.786). Although the magnitude of odds ratios differences in the disposition decision is generally smaller than those found for the petition decision, black males between the ages of 16 and 17 were more likely than all other types of offenders to be petitioned to court and transferred to legal custody following adjudication. In contrast to these findings, at the stage of adjudication white youths between 16 and 17 years old faced the highest odds for being adjudicated delinquent for disposition hearing (1.808). Thus, Hypothesis 2_a is confirmed with respect to the decision-making stages of detention, petition and disposition; with few exceptions, older black males were treated more harshly than all other age-race categories at detention, petition, and disposition stages of the juvenile justice system.

The Interaction of Race/Ethnicity and Age: Females only

Table 8 replicates the above analysis for female youths to test Hypothesis 2_b which predicts that younger white females will be treated more leniently than females in all other age-race categories. With regard to the stage of detention, there was only one age-race category which was a statistically significant at the 0.05 level. Specifically,

Native American females between the ages of 16 and 17 were more likely to be detained (1.687) than white females who were 10 and 12 years old. Regarding the petition stage, most of age-race categories faced higher odds of being petitioned to court than younger white females. For example, Native American females who were 10 and 12 years old were thirteen times more likely than younger white females to be petitioned (13.232). For the stage of disposition, black females between the ages of 13 and 15 were more likely to be transferred to legal custody (1.525) than white females between the ages of 10 and 12. On the other hand, consistent with prior findings, black females in all age groups were significantly less likely than young white females to be adjudicated delinquent. In addition, most of age-race categories at the stages of adjudication and disposition were not statistically significant as well as the magnitude of difference was relatively little. Thus, hypothesis 2_b was supported at the stage of petition whereas the hypothesis had limited supports at the stages of detention and disposition. Moreover, the hypothesis had no support for adjudication stage because most of age-race categories were not statistically significant.

The Interaction of Race/Ethnicity, Gender and Age

The primary purpose of this study is to explore the effect of age, gender, and race/ethnicity. Thus, the third hypothesis tests for interactions among three extra-legal variables. To test the hypothesis that age, gender, and race/ethnicity will interact to produce harsher outcomes for juvenile offenders who are older, black and male, dummy variables representing the various age, gender, and race/ethnicity combinations were created. These dummy variables, as well as all of the control variables were included in

this model; older black males (ages 16 and 17) were the reference category in all of the analyses. Finally, the results were displayed in terms of the odds ratios (see Table 9) and the probability differences (see Table 9 and Figure 2). The probability differences were calculated using the odds ratio (e.g., the difference in the probabilities of detention for white youths and black youths). The formula for calculating probabilities from odds ratios is presented below (Hanushek and Jackson, 1977);

$$Probability = [(odds/(odds + 1)) - .50]$$

With regard to detention decision, the results did not confirm the Hypothesis 3. Although older black males were more likely than some of the other offenders to be detained, they faced either similar or lower odds of detention than other groups. More specifically, white, black, Native American, and Hispanic males between the ages of 10 and 12 were less likely than older black males to be detained. Similarly, white males and black females who were 16 and 17 years old were less likely than older black males to be detained. Native American male youths between the ages of 16 and 17, on the other hand, were significantly more likely to be detained (1.475) than black males between the ages of 16 and 17. The probability difference between those Native American males and Black males is 9.6%. Other than these findings, there were no significant differences between the reference category and the other race/ethnicity-gender-age categories. Especially, white, black, Native American, and Hispanic females between the ages of 10 and 15 were treated no differently than older black males at the detention stage.

For the petition decision, youths in most of the race/ethnicity-gender-age categories were less likely to be petitioned than black males who were 16 and 17 years old. For example, white females between the ages of 10 and 12 faced lower odds of petition than older black males. The sizes of probability differences between reference category and the other age-race/ethnicity-gender categories were from 41.8% (i.e., white males between the ages of 10 and 12) to 16% (i.e., Native American males who were 13 and 15 years old). Therefore, these findings generally supported the hypothesis. In other words, they indicated that black males who were 16 and 17 years old were significantly more likely to be petitioned than the other race/ethnicity-gender-age categories.

Where the adjudication decision is concerned, the results are somewhat less consistent. Many of the race/ethnicity-gender-age categories, for example, were significantly more likely than older black males to be adjudicated delinquent with the exception of one group (i.e., black females between the ages of 10 and 12). For example, Native American females between the ages of 10 and 12 were more likely than older black males to be adjudicated delinquent (a probability difference of 19.7%). Thus, these findings did not support the hypothesis 3.

Regarding the disposition decision, the results support the hypothesis 3 that black male youths between the ages of 16 and 17 were treated more harshly than other race/ethnicity-gender-age groups. More specifically, consistent with hypothesis, older black males were significant more likely to be transferred to legal custody than any other type of youth. The sizes of probability differences between older black males and the other age-race/ethnicity-gender categories ranged from 28% (i.e., Native American

females between the ages of 10 and 12) to 6.6% (i.e., Native American males who were 13 and 15 years old). Thus, although the magnitude of probability differences in the disposition decision is relatively smaller than those found for the petition decision, these findings generally confirm hypothesis 3.

Summary of Findings

The objective of the present study was to test three hypotheses focusing on the direct and interactive effects of age, gender, and race/ethnicity on juvenile justice decision-making; especially, detention, petition, adjudication, and disposition. The study used juvenile court data including all referrals from 1993 to 2002. Several hypotheses were tested to assess the direct and interactive effects of three extra-legal variables (i.e., age, gender, and race/ethnicity) on detention, petition, adjudication, and disposition decisions.

The first hypothesis examined the relationship between race/ethnicity, gender, age and juvenile court decisions. The relevant Hypothesis1_a predicted minority (i.e., black, Native American, and Hispanic) youths will be treated more harshly than white youths across four stages of decision-making. This hypothesis receives partial support. Non-white youths were more likely to be detained, petitioned, and transferred to legal custody than white youths, but white youths were more likely than non-white youths to be adjudicated delinquent. Hypothesis 1_b predicted older youths between the ages of 16 and 17 will be treated more harshly than other age categories. The findings reveal that age had inconsistent effects on the dependent variables and that the effects were not always in

the predicated direction. For example, youths between the ages of 13 and 15 were more likely to be petitioned, and transferred to legal custody than youths between the ages of 16 and 17. Further analysis revealed that youths who were between the ages of 10 and 12 were treated more leniently than the older youths. Therefore, the findings do not support the hypothesis. Finally, the hypothesis 1_c concerned the relationship between gender and juvenile court decisions; it predicted that females would be treated more leniently than males at all four stages of the juvenile justice system. The results of the analysis revealed that male youths were more likely to be petitioned and transferred to legal custody than female youths, but were less likely than females to be detained. Therefore, the hypothesis was confirmed only for the stages of petition and disposition.

Hypotheses 2_a and 2_b predicted that older black males will be treated more harshly than males in all other age-race categories and that younger white females will be treated more leniently than females in all other age-race categories. The findings of analyses using disaggregated data by gender confirmed hypothesis $2_{a,}$ but only for the stages of petition and disposition. Black males between the ages 16 and 17 were more likely to be petitioned and transferred to legal custody than all other age-race categories. On the other hand, the results support Hypothesis 2_b at the petition decision as well as hypothesis 2_b had limited supports for detention and dispositions decisions. All of other age-race categories faced higher odds ratio for the likelihood of petition than white females between the ages of 10 and 12. In addition, older Native American females were more likely than younger white females to be detained. Moreover, black females between the

ages of 13 and 15 were more likely to be transferred to legal custody than white females between the ages of 10 and 12.

The third hypothesis concerned the interaction of age, gender, and race/ethnicity on four dependent variables. It predicted that age, gender, and race/ethnicity will interact to produce harsher outcomes for juvenile offenders who are older, black, and male. The logistic regression, and predicted probabilities did not support this hypothesis at the stages of detention and adjudication, whereas the hypothesis is confirmed with respect to the petition and disposition decisions. Black male youths between the ages of 16 and 17 faced the greatest odds of being petitioned and transferred to legal custody.

In summary, non-white youths were treated more harshly than white youths at detention, petition, and disposition decisions. In addition, female youths were treated more leniently than male youths at petition and disposition decisions. Consistent with expectation older black males were treated more harshly than the other age-race categories at petition and disposition decisions. Moreover, younger white females were treated more leniently than the other age-race categories at the petition decision. Finally, older black males were significantly treated more harshly than the other age-gender-race/ethnicity categories at the petition and disposition decisions. The final chapter discusses the results of the multivariate analyses and the conclusion for the present research on juvenile justice decision-making.

CHAPTER FIVE

DISCUSSION AND CONCLUSIONS

This study tested the direct and interactive effects of age, gender, and race/ethnicity on detention, petition, adjudication and disposition decisions. The results suggested that these demographic characteristics directly influenced the severity of treatment with which juveniles will be treated. In addition, the results also suggested that those three extra-legal variables interacted to produce harsher outcomes for juvenile offenders who are older, black, and male. The following sections discuss these results and their implications in more detail.

Direct Effects of Age, Gender, and Race/Ethnicity on Juvenile Justice Decision Making

Before discussing the results regarding the influence of the extra-legal factors that are the focus of this study, it is necessary to present the results regarding legal variables such as offense seriousness and prior criminal history. Consistent with past research, this study found that youths who had more prior delinquent referrals were more likely to be detained, petitioned, and transferred to legal custody. The results regarding offense seriousness, on the other hand, are somewhat inconsistent with the findings of previous research. For example, juveniles charged with misdemeanors were less likely than those charged with violent felonies to be detained, but youths charged with status offenses, property felonies, and drug felonies were more likely than those charged with violent felonies to be detained and to be transferred to legal custody following adjudication (see

Secret and Johnson, 1997). One possible explanation is that court officials would respond positively to vignettes that included children accused of status offenses, property offenses, and drug offenses. In other words, a juvenile court official treated juveniles with a "protecting the child" motive rather than a "protecting of society" motive (Gottfresdon and Gottfredson, 1969). In addition, most of the violent felonies in this study were 3rd degree assaults (86.5%), followed by 1st and 2nd degree assaults (5.4%). Moreover, many status offenders were transferred to the facilities operated by the Office of Juvenile Services (OJS) and Nebraska Human Health System (HHS) (e.g., the Youth Rehabilitation and Treatment Center).

Although case outcomes were more strongly influenced by such legal factors as prior record and offense seriousness, the results also suggest that youths were treated differently based on extra-legal factors such as age, gender, and race/ethnicity. The first hypothesis for this study was that minority youths will be treated more harshly than white youths, older youths will be treated more harshly than younger youths, and female youths will be treated more leniently than male youths across the juvenile justice decision making process. Based on these hypotheses, this study found that racial minority youths were more likely than white youths to be detained, petitioned, and transferred to legal custody. An explanation is that the judges take the race/ethnicity of the defendant into account when determining the appropriate outcome. In other words, this implies that judges stereotype minority youths as more violent, more dangerous, and less amenable to treatment than white youths (see Steffensmeier et al., 1998; Spohn and Holleran, 2000). On the other hand, surprisingly, white youths were treated more harshly than non-white

youths at the adjudication stage. One possible explanation is that a number of white youths with more positive cues never officially enter the juvenile justice system; instead their cases are handled off the record. Therefore, the pool of white offenders who were actually processed through the juvenile justice system may have contained a larger proportion of offenders who were likely to be judged delinquents or status offenders than did the other racial minority groups (Secret and Johnson, 1997: 475).

This study also hypothesized that older youth would be treated more harshly than other age categories. The results did not confirm this hypothesis. Although youths who were 16 or 17 years old were treated more harshly than the youngest offenders at each of four decision making points, they were treated less harshly than youths who were between the ages of 13 and 15 at the petition and disposition decisions.

The final hypothesis concerned the relationship between gender and juvenile court decisions. Consistent with the past research, this research found that male youths were more likely than female youths to be petitioned and transferred to legal custody. These findings can be explained in terms of the chivalry perspective, where female offenders who exhibit the "appropriate sex-roles" are believed to be viewed as non-threatening by justice system official and therefore are treated in a protective or lenient manner (Visher, 1983:25-26). The results, however, found that male youths were less likely than female youths to be detained. A possible explanation is that if girls commit more serious crimes (i.e., violence against persons, property felonies or drug felonies) thus violating their sex-role expectation, they will receive more severe punitive outcomes when compared to their male counterparts (Albright, 2003).

Interactive Effects of Age, Gender, and Race/Ethnicity on Juvenile Justice Decision Making

There are several studies that have tested for the interaction of race/ethnicity, gender, age and sentence outcomes for adult offenders. For example, Steffensmeier and his collegues found that race, age, and gender each had a significant direct effect on sentence outcome but they also found that the three factors interacted to produce harsher sentence outcomes for young, black males. Spohn and Holleran (2000) also have identified significant interrelationships among gender, age, race/ethnicity, and unemployment status and have shown these variables interact to affect sentencing outcomes. They found that younger Hispanic and black males, and those black and Hispanic males who were unemployed, faced the greatest odds of incarceration. Although several studies examining the interactive effects of extra-legal factors on sentencing outcomes do exist for adult courts, there is relatively little research for juvenile courts. Moreover, most studies regarding the interactive effects of three variables exist examine only two racial categories (i.e., white and black).

For the reasons above mentioned, this study pursued two primary objectives regarding the interactive effects of extra-legal factors on juvenile justice decisions. The first objective was to test the hypothesis that race and age will interact in different ways for male and female youths. Especially, older black males will be treated more harshly than males in all other age-race categories and younger white females will be treated more leniently than females in all other age-race categories. The interactive logistic regression estimates revealed that older black males were treated more harshly than the age-race categories at petition and disposition decisions. On the other hand, younger

white females were treated more leniently than the other age-race categories at only the petition decision. The second objective was to determine whether older black males were treated more harshly than the other age-gender-race/ethnicity groups. The results from the logistic regression showed that consistent with Steffensemeier et al. (1998) and Spohn and Holleran (2000), older black males were treated more harshly than the other age-gender-race/ethnicity categories at the petition and disposition decisions. This interesting finding can be interpreted in terms of the focal concerns framework. More specifically, the focal concerns theory of sentencing states that judges when deciding on the appropriate sentence for an offender, consider three focal concerns: (1) the blameworthiness of offender and the degree of harm to the victim, (2) protection of the community, and (3) the practical constraints and consequences of the judge's decision for the offender and the community. Because judges typically do not have all of the information they need to accurately determine an offender's dangerousness or likelihood of recidivism, they resort to stereotypes tied to race, age, and gender (Holleran, 2000: 8). In addition, Steffensmeier et al. (1998) and Spohn and Holleran (2000) argued that a certain type of offender (i.e., the young black male) would bear the brunt of this shorthand in adult court. The current study confirms their argument that young black males are treated more harshly than the other age-gender-race/ethnicity categories. Specifically, like judges in adult courts, when officials (i.e., county attorney) and judges in juvenile courts and county courts make a decision regarding whether juvenile offenders should be petitioned or transferred to legal custody following adjudication, they

do rely on stereotypes related to age, gender, and race/ethnicity due to insufficient information.

Strengths and Limitations of the Present Study

This study improves upon past research in several ways. Most studies examining the effect of extra-legal factors on juvenile justice decision making have focused on the direct effects of the extra-legal factors on detention, petition, adjudication, and disposition decisions. In addition, the bulk of this research has focused on two racial categories (i.e., white vs. non-white). Moreover, most research exploring the interactive effects of extra-legal factors on juvenile justice making has focused on two-way interactions (race and gender). In order to overcome these limitations, this study replicated studies of adult offenders which employed advanced multivariate analyses using binary logistic regression technique. Especially, the current study replicated the studies conducted by Steffensemeier et al. (1998) and Spohn and Holleran (2000). This study adds to prior research on juvenile court outcomes by exploring the three-way interactive effects of age, gender, race/ethnicity and juvenile justice decision making across four racial categories (i.e., white, black, Native American, and Hispanic).

This study has three limitations that must be taken into account. The first limitation concerns data. Although the data collected for this study were more comprehensive than the data used in previous research, the data were still limited. Due to missing values on other extra-legal variables such as school attainment, living arrangement, natural parent's martial status, and combined family income, this study was

only able to analyze three extra-legal variables (i.e., age, gender, and race/ethnicity). The second limitation was also inherent to the data. The data for this study were collected from one jurisdiction (i.e., the State of Nebraska). A preferred method would test the interaction of age, gender, and race/ethnicity for several study sites (see Spohn and Holleran, 2000). Examination of each study site separately would allow for an assessment of the geographical or jurisdictional differences on the influence of age, gender, and race/ethnicity on juvenile justice decision making. The third limitation of the current study relates to the dependent variables. More specifically, the dependent variables are all dichotomous. For the decision of detention, petition, and adjudication, the nature of decision consists only two values (e.g., adjudicated delinquent or not). On the other hand, the disposition decision consists of multiple options such as transfer of legal custody, formal probation and fine or restitution. For this study, dispositional options were coded as a dummy variable rather than a categorical variable. Use of a disposition variable with several categories[23] would allow us to test for difference between transfer of legal custody and formal probation or between transfer to public institutions and private institutions.

Conclusion

The present study pursued two main goals: (1) testing the direct effects of age, gender, and race/ethnicity on juvenile justice decision making across four racial groups,

[23] Multinominal logistic regression allows several alternative outcomes for which there is no inherent ordering to be considered at the same time. Also this technique is preferred for a categorical dependent variable (Long, 1997).

and (2) exploring the interactive effects of three extra-legal variables on juvenile justice decisions. Regarding the direct effects of three extra-legal factors on outcomes, consistent with the previous studies, this study found that non-white youths were treated more harshly than white youths at the detention, petition, and disposition stages of the process. In addition, female youths were treated more leniently than male youths at petition and disposition decisions. On the other hand, the results regarding the effect of age were inconsistent. With regard to the interactive effects of age, and race/ethnicity on juvenile justice decisions using the disaggregated data by gender, older black males were treated more harshly than the other age-race categories at petition and disposition decisions. Moreover, younger white females were treated more leniently than the other age-race categories at the petition decision. Finally, consistent with Steffensemier et al. (1998) and Spohn and Holleran's (2000) studies, older black males were treated more harshly than the other age-gender-race/ethnicity categories at the petition and disposition decisions. This is an important finding because this study supported the argument that officials (i.e., county attorney) and judges in juvenile courts and county courts attempt to achieve rational decisions regarding detention and disposition in the face of insufficient information by relying on their stereotypes regarding dangerous offenders, that is, these officials use a "perceptual shorthand" that is related to age, gender, and race/ethnicity. Thus, judges are using legally relevant as well as legally irrelevant factors to determine case outcomes and to predict future behavior. Moreover, this study confirms that the focal concerns theory of sentencing can be applied to judges in juvenile courts as well as to judges in adult courts.

Table1. Dependent and Independent Variables, Coding, Frequencies, and Percentages.

Variables	Coding	N	Percent
Total Number of Cases		63,914	100.0
Dependent Variables			
Detention	0 = Not detained	57,115	91.9
	1 = Detained	5,005	8.1
Petition	0 = Not petitioned	6,139	9.6
	1 = Petitioned	57,762	90.4
Adjudication	0 = Dismissed	11,733	18.4
	1 = Adjudicated Delinquent	52,117	81.6
Disposition*	0 = Not Transferred to Legal Custody	45,085	86.5
	1 = Transferred to Legal Custody	7,032	13.5
Extra-legal Variables			
Gender	0 = Female	17,866	28.0
	1 = Male	46,048	72.0
Race / Ethnicity			
White	0 = Others	15,400	24.1
	1 = White	48,514	75.9
Black	0 = Others	56,124	87.8
	1 = Black	7,790	12.2
Native American	0 = Others	61,844	96.8
	1 = Native American	2,070	3.2
Hispanic	0 = Others	58,374	91.3
	1 = Hispanic	5,540	8.7
Age			
Young Teen (10-12)	0 = Others	58,909	92.2
	1 = Young Teen	5,005	7.8
Mid Teen (13-15)	0 = Others	33,114	51.8
	1 = Mid Teen	30,800	48.2
Older Teen (16-17)	0 = Others	35,805	56.0
	1 = Older Teen	28,109	44.0

* Wavied to Criminal Court (N=22) were excluded.

Table1. Continued

Variables	Coding	N	Percent
Legal Variables			
Offense Seriousness	1 = Status Offense runaway, truancy, curfew violation, ungovernable behavior, other status offenses	9,205	14.4
	2 = Misdemeanor all misdemeanor including drug law violation, weapons offense, DUI, disturbing peace, alcohol possession, criminal trespass, other misdemeanors	37,924	59.3
	3 = Property Felony burglary, theft with value over $300, criminal mischief, arson, forgery, robbery, other felonies	8,807	13.8
	4 = Drug Felony all felonies including drug law	344	.5
	5 = Violent Felony murder, manslaughter, assault (1-3rd), sexual assault (1-2nd), weapon offense	7,628	11.9
Prior History			
Number of prior delinquency referrals in this year (0-5)		Mean = .35, SD = .918	
Number of prior delinquency referrals in previous year (0 -5)		Mean = .67, SD = 1.338	
Other variables			
Type of Court	0 = County (or District) court	34,060	53.3
	1 = Separate Juvenile Court	29,854	46.7
Referral Years	Continuous variables (1993-2002)		

Table 2. Definitions of Dummy Variables Used.

Dummy Variable	Coding	N	Percent
Age & Race/Ethnicity			
YW	0 = Others	60,468	94.6
	1 = Young (age 10-12) White	3.446	5.4
YB	0 = Others	63,195	98.9
	1 = Young Black	719	1.1
YN	0 = Others	63,565	99.5
	1 = Young Native American	349	.5
YH	0 = Others	63,423	99.2
	1 = Young Hispanic	491	.8
MW	0 = Others	41,407	64.8
	1 = Mid (age 13-15) White	22,507	35.2
MB	0 = Others	59,920	93.8
	1 = Mid Black	3,994	6.2
MN	0 = Others	62,743	98.2
	1 = Mid Native American	1,171	1.8
MH	0 = Others	60,786	95.1
	1 = Mid Hispanic	3,128	4.9
OW	0 = Others	41,353	64.7
	1 = Older (age 16-17) White	22,561	35.3
OB	0 = Others	60,837	95.2
	1 = Older Black	3,077	4.8
ON	0 = Others	63,364	99.1
	1 = Older Native American	550	.9
OH	0 = Others	61,993	97.0
	1 = Older Hispanic	1,921	3.0
Age, Gender, & Race/Ethnicity			
YWF	0 = Others	63,221	98.9
	1 = Young(age 10-12) White Female	693	1.1
YBF	0 = Others	63,766	99.7
	1 = Young Black Female	148	.3
YNF	0 = Others	63,791	99.8
	1 = Young Native American Female	123	.2

Table 2. Continued.

Dummy Variable	Coding	N	Percent
YHF	0 = Others	63,785	99.8
	1 = Young Hispanic Female	129	.2
YWM	0 = Others	61,161	95.7
	1 = Young White Male	2,753	4.3
YBM	0 = Others	63,343	99.1
	1 = Young Black Male	571	.9
YNM	0 = Others	63,688	99.6
	1 = Young Native American Male	226	.4
YHM	0 = Others	63,552	99.4
	1 = Young Hispanic Male	362	.6
MWF	0 = Others	57,213	89.5
	1 = Mid (age 13-15) White Female	6,701	10.5
MBF	0 = Others	62,820	98.3
	1 = Mid Black Female	1,094	1.7
MNF	0 = Others	63,494	99.3
	1 = Mid Native American Female	420	.7
MHF	0 = Others	63,081	98.7
	1 = Mid Hispanic Female	833	1.3
MWM	0 = Others	48,108	75.3
	1 = Mid White Male	15,806	24.7
MBM	0 = Others	61,014	95.5
	1 = Mid Black Male	2,900	4.5
MNM	0 = Others	63,163	98.9
	1 = Mid Native American Male	751	1.1
MHM	0 = Others	61,619	96.4
	1 = Mid Hispanic Male	2,295	3.6
OWF	0 = Others	57,725	90.3
	1 = Older (age 16-17) White Female	6,189	9.7
OBF	0 = Others	63,011	98.6
	1 = Older Black Female	903	1.4
ONF	0 = Others	63,737	99.7
	1 = Older Native American Female	177	.3

Table 2. Continued.

Dummy Variable	Coding	N	Percent
OHF	0 = Others	63,458	99.3
	1 = Older Hispanic Female	456	.7
OWM	0 = Others	47,542	74.3
	1 = Older White Male	16,372	25.7
OBM	0 = Others	61,740	96.5
	1 = Older Black Male	2,174	3.5
ONM	0 = Others	63,541	99.4
	1 = Older Native American Male	373	.6
OHM	0 = Others	62,449	97.7
	1 = Older Hispanic Male	1,465	2.3

Table 3. Descriptive Statistics by Race.

Variable	White (N=48,514)		Black (N=7,790)		Native American (N=2,070)		Hispanic (N=5,540)		X^2
	N	%	N	%	N	%	N	%	
Detention	3,540	7.5	648	8.4	301	14.8	516	9.5	157.753**
Petition	43,068	88.8	7,468	95.9	1,992	96.3	5,234	94.5	602.836**
Adjudication	40,889	84.4	5,104	65.6	1,689	81.6	4,435	80.2	1586.088**
Disposition	4,807	11.8	1,146	22.5	317	18.8	762	17.2	548.688**
Gender									63.952**
Male	34,931	72.0	5,645	72.5	1,350	65.2	4,122	74.4	
Female	13,583	28.0	2,145	27.5	720	34.8	1,418	25.6	
Age									638.283**
Young(10-12)	3,446	7.1	719	9.2	349	16.8	491	8.9	
Mid (13-15)	22,507	46.4	3,994	51.3	1,171	56.6	3,128	56.5	
Older(16-17)	22,561	46.5	3,077	39.5	550	26.6	1,921	34.6	
Offense Seriousness									975.215**
Status Offense	7,055	14.5	913	11.7	417	20.1	820	14.8	
Misdemeanor	29,791	61.4	3.953	50.7	1,005	48.6	3,175	57.3	
Property Felony	6,214	12.8	1,546	19.8	420	20.3	627	11.3	
Drug Felony	204	.4	109	1.4	2	1	29	.5	
Violent Felony	5,245	10.8	1,269	16.3	226	10.9	888	16.0	

**. Significant at the 0.01 level (2-tailed)

Table 3. Continued.

Variable	White (N=48,514)		Black (N=7,790)		Native American (N=2,070)		Hispanic (N=5,540)		X^2
	N	%	N	%	N	%	N	%	
Referrals in previous year									565.482**
0	38,991	81.5	5,964	76.7	1,435	70.0	4,041	73.8	
1	5,712	11.9	1,251	16.1	360	17.6	869	15.9	
2	1,730	3.6	369	4.7	134	6.5	275	5.0	
3	533	1.1	116	1.5	51	2.5	135	2.5	
4	157	.3	45	.6	24	1.2	53	1.0	
5	732	1.5	31	.4	45	2.2	106	1.9	
Referrals in this year									975.215**
0	34,885	73.0	4.437	57.1	1,168	57.0	3,904	71.4	
1	6,262	13.1	1,515	19.5	306	14.9	727	13.3	
2	2,650	5.5	639	8.2	196	9.6	349	6.4	
3	1,352	2.8	405	5.2	113	5.5	196	3.6	
4	717	1.5	271	3.5	68	3.3	103	1.9	
5	1,896	4.0	509	6.5	198	9.7	189	3.5	

**. Significant at the 0.01 level (2-tailed)

Table 3. Continued.

Variable	White (N=48,514)		Black (N=7,790)		Native American (N=2,070)		Hispanic (N=5,540)		X^2
	N	%	N	%	N	%	N	%	
Type of Court									9167.918**
County Court	28,215	58.2	322	4.1	1,452	70.1	4,071	73.5	
Separate Court	20,299	41.8	7,468	95.9	618	29.9	1,469	26.5	
Referral year									546.540**
1993	5,399	11.1	1,040	13.4	230	11.1	474	8.6	
1994	5,022	10.4	974	12.5	235	11.4	591	10.7	
1995	5,167	10.7	1,022	13.1	264	12.8	515	9.3	
1996	5,764	11.9	844	10.8	223	10.8	567	10.2	
1997	5,428	11.2	731	9.4	205	9.9	632	11.4	
1998	5,269	10.9	719	9.2	241	11.6	628	11.3	
1999	4,895	10.1	801	10.3	214	10.3	524	9.5	
2000	4,091	8.4	662	8.5	154	7.4	542	9.8	
2001	3,852	7.9	606	7.8	156	7.5	564	10.2	
2002	3,627	7.5	391	5.0	148	7.1	503	9.1	

**. Significant at the 0.01 level (2-tailed)

Table 4. Zero Order Correlations Matrix.

	Age (10-12)	Age (13-15)	Age (16-17)	Sex	White	Black	Native American	Hispanic	Referral year	Referrals in previous year
Age (10-12)										
Age (13-15)	-.281**									
Age (16-17)	-.258**	-.855**								
Sex	.040**	-.031**	.009*							
White	-.048**	-0.64**	.090**	-.002**						
Black	.019**	.023**	-.034**	.003	-.661**					
Native American	.061**	.031**	-.064**	-.028**	-.325**	-.068**				
Hispanic	.012**	.051**	-.058**	.016**	-.547**	-.115**	-.056**			
Referral year	-.037**	-.060**	.081**	-.053**	.009*	-.043**	-.006	.039**		
Referrals in previous year	-.015**	.016**	-.008*	.059**	-.050**	.002	.043**	.047**	-.101**	
Referrals in this year	-.048**	-.029**	.055**	.090**	-.095**	.096**	.067**	-.009*	-.109**	.347**
Type of court	-.044**	-.004	.028**	-.001	-.173**	.367	-.062**	-.125**	-.086**	-.021**
Offense seriousness	.013**	.004	-.011**	.098**	-.075**	.079**	-.005	.026**	-.054**	.029**
Detention	-.020**	.030**	-.019**	-.017**	-.033**	.004	.045**	.017**	-.062**	.109**
Petition	-.015**	.040**	-.032**	.027**	-.096**	.069**	.037**	.043**	.093**	.058**
Adjudication	-.009*	-.004	.009*	-.007	.126**	-.154**	.000	.011**	.047**	-.039**
Disposition	-.035**	.032**	-.014*	.033**	-.097**	.086**	.028**	.033**	.040**	.108**

**. Correlation is significant at the 0.01 level (2-tailed) , *. Correlation is significant at the 0.05 level (2-tailed),
[a]. Cannot be computed because at least one of the variables is constant

Table 4. Zero Order Correlations Matrix.

	Referrals in this year	Type of Court	Offense Seriousness	Detention	Petition	Adjudication	Disposition
Age (10-12)							
Age (13-15)							
Age (16-17)							
Sex							
White							
Black							
Native American							
Hispanic							
Referral year							
Referrals in previous year							
Referrals in this year							
Type of court	.143**						
Offense seriousness	.031**	.071*					
Detention	.130**	-.032**	.009*				
Petition	.067**	-.172**	.043**	.049**			
Adjudication	-.050**	-.204**	-.060**	.049**	-.141**		
Disposition	.194**	.075**	.021**	.261**	.119**		.[a]

**. Correlation is significant at the 0.01 level (2-tailed), *. Correlation is significant at the 0.05 level (2-tailed),
[a]. Cannot be computed because at least one of the variables is constant

Table 5. Race/Ethnicity, Gender, Age, and Juvenile Justice Decision Making: Results of the Logistic Regression Analysis.

	Detention			Petition			Adjudication			Disposition		
	b	SE	Odds	b	SE	Odds	b	SE	Odds	b	SE	Odds
Age (16-17 is reference)												
Young (10-12)	-.277	.067	.758**	-.171	.053	.843**	-.127	.041	.881**	-.280	.061	.756**
Mid (13-15)	.037	.033	1.038	.244	.030	1.277**	-.009	.022	.991	.121	.029	1.128**
Age (10-12 is reference)												
Mid (13-15)	.314	.065	1.370**	.415	.053	1.514**	.118	.040	1.126**	.400	.060	1.492**
Old (16-17)	.277	.067	1.319**	.171	.053	1.186**	.127	.041	1.136**	.280	.061	1.323**
Gender (Female is reference)												
Male	-.246	.035	.782**	.134	.031	1.143**	-.016	.024	.984	.186	.032	1.205**
Race/Ethnicity (White is reference)												
Black	.119	.051	1.126*	1.607	.060	4.989**	-.573	.029	.564**	.470	.042	1.600**
Native American	.321	.070	1.378**	.793	.122	2.211**	-.316	.060	.729**	.305	.069	1.357**
Hispanic	.107	.053	1.113*	.448	.064	1.565**	-.445	.037	.641**	.397	.046	1.488**
Offense Seriousness (Violent felony is reference)												
Status Offense	.615	.051	1.849**	-.191	.063	.826**	.412	.040	1.510**	.515	.047	1.674**
Misdemeanor	-.794	.049	.452**	-.663	.050	.515**	.290	0.31	1.336**	-.611	.043	.543**

**. Significant at the 0.01 level (2-tailed), *. Significant at the 0.05 level (2-tailed)

Table 5.Continued.

	Detention			Petition			Adjudication			Disposition		
	b	SE	Odds	b	SE	Odds	b	SE	Odds	b	SE	Odds
Offense Seriousness (Violent felony is reference)												
Property Felony	.501	.052	1.650**	.414	.070	1.513**	.472	.040	1.603**	.413	.048	1.511**
Drug Felony	.425	.174	1.530*	.387	.283	1.473	.391	.140	1.478**	.581	.145	1.787**
Type of Court (County court is reference)												
Juvenile Court	-.483	.035	.617**	-1.606	.032	.201**	-.984	.024	.374**	.280	.030	1.323**
Referrals												
In this year	.245	.011	1.278**	.277	.015	1.319**	-.003	.008	.997	.286	.010	1.331**
In previous year	.255	.016	1.290**	.258	.026	1.294**	-.115	.013	.891**	.140	.014	1.151**
Referral years	-.074	.006	.929**	.133	.005	1.142**	.026	.004	1.026**	.083	.005	1.087**
Constant	144.976	11.601	9.17**	-262.51	10.76	.000**	-49.769	7.848	.000**	-168.91	10.055	.000**
N of Cases			62,120			63,901			63,850			52,117

**. Significant at the 0.01 level (2-tailed)
*. Significant at the 0.05 level (2-tailed)

Table 6. Race/Ethnicity, Gender, Age, and Juvenile Justice Decision Making: Results of the Logistic Regression Analysis Partitioned by Offense Seriousness and Type of Court.

	Detention			Petition			Adjudication			Disposition		
	b	SE	Odds	b	SE	Odds	b	SE	Odds	b	SE	Odds
Status Offense												
Age (16-17 is reference)												
Young (10-12)	-.056	.115	.946	.226	.180	1.254	-.305	.114	.729**	.296	.113	1.345**
Mid (13-15)	-.383	.066	.682**	.118	.091	1.126	.017	.064	1.017	-.076	.061	.927
Gender (Female is reference)												
Male	-.497	.061	.608**	-.227	.086	.797*	.082	.059	1.085	-.143	.057	.866*
Race/Ethnicity (White is reference)												
Black	-.197	.132	.821	1.274	.187	3.576**	-.381	.086	.683**	.391	.092	1.479**
Native American	-.371	.146	.690*	.659	.272	1.933*	-.291	.137	.748*	-.555	.156	.574**
Hispanic	-.471	.117	.624**	.618	.190	1.856**	-.345	.101	.708**	-.319	.110	.727**
Misdemeanor												
Age (16-17 is reference)												
Young (10-12)	-.192	.119	.825	-.245	.063	.783**	-.019	.055	.981	-.239	.097	.788*
Mid (13-15)	.286	.055	1.331**	.252	.036	1.287**	-.068	.029	.934*	.324	.044	1.383**

1. The analysis included all legal and extra-legal variables. However, this table only reports the results related to extra-legal variables.
**. Significant at the 0.01 level (2-tailed)
*. Significant at the 0.05 level (2-tailed)

Table 6. Continued.

	Detention			Petition			Adjudication			Disposition		
	b	SE	Odds	b	SE	Odds	b	SE	Odds	b	SE	Odds
Gender (Female is reference)												
Male	-.118	.060	.889*	.174	.037	1.190**	-.073	.032	.930*	.379	.051	1.383**
Race/Ethnicity (White is reference)												
Black	.355	.084	1.427**	1.753	.075	5.774**	-.663	.039	.515**	.602	.066	1.461**
Native American	.448	.126	1.565**	1.192	.188	3.295**	-.459	.083	.632**	.501	.114	1.825**
Hispanic	.376	.083	1.456**	.409	.077	1.505**	-.506	.049	.603**	.777	.065	1.651**
Property Felony												
Age (16-17 is reference)												
Young (10-12)	-.881	.171	.414**	.230	.200	1.259	-.264	.112	.768*	-1.098	.167	.334**
Mid (13-15)	.026	.066	1.026	.473	.108	1.605**	.121	.062	1.128	-.010	.062	.990
Gender (Female is reference)												
Male	-.285	.088	.752**	.681	.122	1.976**	.016	.083	1.016	.151	.090	1.163
Race/Ethnicity (White is reference)												
Black	-.043	.093	.958	1.627	.238	5.087**	-.450	.071	.637**	.441	.089	1.554**
Native American	.775	.123	2.171**	.261	.251	1.298	-.141	.151	.868	.577	.128	1.780**
Hispanic	.338	.117	1.402**	.647	.261	1.911*	-.432	.116	.649**	.434	.110	1.543**

**. Significant at the 0.01 level (2-tailed), *. Significant at the 0.05 level (2-tailed)

Table 6. Continued.

	Detention			Petition			Adjudication			Disposition		
	b	SE	Odds	b	SE	Odds	b	SE	Odds	b	SE	Odds
Drug Felony												
Age (16-17 is reference)												
Young (10-12)	-12.150	31.261	.000	-.793	1.502	.452	.193	1.227	1.212	-12.745	35.751	.000
Mid (13-15)	-.677	.437	.508	.427	.698	1.532	.751	.343	2.119*	-.375	.318	.687
Gender (Female is reference)												
Male	-.175	.506	.839	.249	.704	1.282	-.279	.455	.757	.228	.415	1.256
Race/Ethnicity (White is reference)												
Black	.333	.524	1.395	8.523	25.529	5030.47	-1.085	.359	.338**	.909	.372	2.481*
Native American[a]		NA			NA			NA			NA	
Hispanic	.844	.534	2.326	8.580	50.303	5324.35	.101	.599	1.107	.850	.484	2.339
Violent Felony												
Age (16-17 is reference)												
Young (10-12)	-.509	.179	.601**	-.323	.157	.724*	-.212	.097	.809*	-.515	.163	.597**
Mid (13-15)	.058	.086	1.060	.145	.101	1.157	.069	.058	1.071	.050	.078	1.051
Gender (Female is reference)												
Male	.144	.098	1.155	-.029	.109	.972	.079	.062	1.082	.428	.092	1.534**

[a]. Standard errors are very high, because of the fact that there are very few Native American's arrested for drug offenses

**. Significant at the 0.01 level (2-tailed), *. Significant at the 0.05 level (2-tailed)

Table 6. Continued.

	Detention			Petition			Adjudication			Disposition		
	b	SE	Odds	b	SE	Odds	b	SE	Odds	b	SE	Odds
Race/Ethnicity (White is reference)												
Black	.064	.120	1.066	.990	.145	2.690**	-.461	.071	.630**	.417	.109	1.517**
Native American	.325	.206	1.384	.315	.336	1.371	.020	.171	1.020	.570	.186	1.767**
Hispanic	.047	.128	1.049	.281	.188	1.325	-.275	.089	.760**	.163	.117	1.177
County Court												
Age (16-17 is reference)												
Young (10-12)	-.170	.082	.843*	.995	.120	2.704**	-.130	.063	.878*	-.167	.077	.846*
Mid (13-15)	-.020	.045	.980	.806	.057	2.239**	-.027	.038	.973	.173	.041	1.188**
Gender (Female is reference)												
Male	-.296	.046	.744**	.025	.060	1.026	-.076	.041	.926	.302	.046	1.353**
Race/Ethnicity (White is reference)												
Black	.189	.200	1.208	.574	.341	1.776	-.166	.180	.847	.263	.182	1.301
Native American	.332	.083	1.393**	.432	.160	1.541**	-.390	.083	.677**	.254	.084	1.289**
Hispanic	.069	.062	1.071	.771	.114	2.162**	-.538	.048	.584**	.365	.055	1.441**

**. Significant at the 0.01 level (2-tailed),

*. Significant at the 0.05 level (2-tailed)

Table 6. Continued.

	Detention			Petition			Adjudication			Disposition		
	b	SE	Odds	b	SE	Odds	b	SE	Odds	b	SE	Odds
Juvenile Court												
Age (16-17 is reference)												
Young (10-12)	-.615	.123	.541**	-.650	.064	.522**	-.114	.054	.892*	-.399	.101	.671**
Mid (13-15)	.049	.048	1.050	-.004	.037	.996	.009	.028	1.009	.104	.041	1.109*
Gender (Female is reference)												
Male	-.162	.054	.851**	.149	.038	1.160**	.031	.030	1.031	.039	.045	1.040
Race/Ethnicity (White is reference)												
Black	.087	.053	1.091	1.647	.062	5.191**	-.560	.030	.571**	.516	.044	1.675**
Native American	.125	.142	1.133	1.121	.187	3.067**	-.318	.090	.728**	.442	.120	1.556**
Hispanic	.211	.103	1.235*	.246	.080	1.279**	-.234	.061	.792**	.459	.083	1.583**

**. Significant at the 0.01 level (2-tailed)
*. Significant at the 0.05 level (2-tailed)

Table 7. Race/Ethnicity, Age, and Juvenile Justice Decision Making: Results of the Logistic Regression Analysis for Males Only.

	Detention			Petition			Adjudication			Disposition		
	b	SE	Odds	b	SE	Odds	b	SE	Odds	b	SE	Odds
Race/Ethnicity-Age (Black, age 16-17 is reference)												
White, age 10-12	-.514	.121	.598**	-1.968	.145	.140**	.424	.072	1.528**	-.935	.101	.393**
Black, age 10-12	-.574	.204	.563**	-.945	.204	.389**	-.179	.099	.836	-.521	.166	.594**
Native Ame., age 10-12	-.573	.270	.564*	-.701	.476	.496	.295	.196	1.343	-1.104	.258	.332**
Hispanic, age 10-12	-.546	.268	.579*	-1.901	.239	.149**	.010	.145	1.010	-1.237	.263	.290**
White, age 13-15	-.211	.087	.810*	-1.690	.133	.185**	.530	.052	1.699**	-.600	.071	.549**
Black, age 13-15	-.057	.101	.944	-.293	.162	.746	.058	.061	1.059	-.141	.084	.868
Native Ame., age 13-15	.227	.134	1.255	-.622	.281	.537*	.162	.107	1.176	-.316	.125	.729*
Hispanic, age 13-15	-.008	.110	.992	-1.376	.163	.253**	.147	.073	1.158*	-.137	.090	.872
White, age 16-17	-.329	.087	.719**	-1.975	.133	.139**	.592	.052	1.808**	-.789	.070	.454**
Native Ame., age 16-17	.418	.166	1.519*	-1.688	.254	.185**	.351	.143	1.420*	-.132	.152	.877
Hispanic, age 16-17	.012	.124	1.012	-1.277	.181	.279**	-.010	.080	.990	-.241	.103	.786*
Offense Seriousness (Violent felony is reference)												
Status Offense	.375	.063	1.455**	-.337	.076	.714**	.441	.051	1.555**	.313	.057	1.368**
Misdemeanors	-.823	.056	.439**	-.603	.058	.547**	.245	.036	1.277**	-.614	.049	.541**
Property Felony	.405	.058	1.500**	.546	.080	1.726**	.448	.045	1.566**	.364	.053	1.440**
Drug Felony	.307	.189	1.359	.416	.319	1.516	.318	.149	1.374*	.520	.158	1.682**

**. Significant at the 0.01 level (2-tailed)
*. Significant at the 0.05 level (2-tailed)

Table 7.Continued.

	Detention			Petition			Adjudication			Disposition		
	b	SE	Odds	b	SE	Odds	b	SE	Odds	b	SE	Odds
Type of Court (County court is reference)												
Juvenile Court	-.421	.042	.656**	-1.520	.038	.219**	-.998	.028	.369**	.183	.035	1.201**
Referrals												
In this year	.257	.012	1.292**	.260	.017	1.297**	-.001	.009	.999	.303	.011	1.354**
In previous year	.249	.018	1.282**	.282	.030	1.325**	-.126	.014	.881**	.154	.016	1.166**
Referral years	-.063	.007	.939**	.139	.007	1.149**	.022	.005	1.023**	.092	.006	1.096**
Constant	123.739	13.935	5.487**	-274.17	12.99	.000**	-42.965	9.219	.000**	-185.367	11.633	.000**
N of Cases			44,732			46,037			46,000			37,473

**. Significant at the 0.01 level (2-tailed)
*. Significant at the 0.05 level (2-tailed)

Table 8. Race/Ethnicity, Age, and Juvenile Justice Decision Making: Results of the Logistic Regression Analysis for Females Only.

	Detention			Petition			Adjudication			Disposition		
	b	SE	Odds	b	SE	Odds	b	SE	Odds	b	SE	Odds
Race/Ethnicity-Age (White, age 10-12 is reference)												
Black, age 10-12	-.057	.384	.945	1.030	.274	2.801**	-.772	.198	.462**	-.443	.429	.642
Native Ame., age 10-12	.161	.319	1.174	2.583	-.989	13.232*	.447	.336	1.564	-.473	.404	.623
Hispanic, age 10-12	-.170	.405	.844	.289	.328	1.335	.270	.305	1.309	.236	.871	1.266
White, age 13-15	.096	.153	1.101	.547	.115	1.729**	.194	.109	1.214	.044	.154	1.045
Black, age 13-15	.081	.196	1.084	2.312	.189	10.098**	-.455	.124	.634**	.422	.181	1.525*
Native Ame., age 13-15	-.168	.223	.846	1.674	.343	5.332**	-.267	.165	.766	.374	.214	1.454
Hispanic, age 13-15	-.265	.201	.767	1.110	.206	3.033**	-.174	.141	.840	.360	.189	1.434
White, age 16-17	.136	.156	1.145	.327	.114	1.387**	.180	.110	1.197	.040	.156	1.041
Black, age 16-17	-.157	.218	.855	2.234	.201	9.335**	-.507	.127	.602**	-.109	.199	.897
Native Ame., age 16-17	.523	.259	1.687*	.401	.285	1.493	-.239	.214	.787	.150	.289	1.162
Hispanic, age 16-17	-.013	.235	.987	.781	.225	2.184**	-.274	.160	.760	-.098	.242	.907
Offense Seriousness (Violent felony is reference)												
Status Offense	1.017	0.96	2.764**	-.069	.116	.933	.413	.069	1.511**	.869	.092	2.384**
Misdemeanors	-.694	.100	.499**	-.820	.101	.440**	.412	.060	1.510**	-.634	.093	.530**
Property Felony	.786	.118	2.195**	-.021	.144	.979	.499	.093	1.647**	.552	.116	1.737**
Drug Felony	.594	.450	1.812	.155	.618	1.168	.781	.420	2.183	.589	.377	1.802

**. Significant at the 0.01 level (2-tailed)
*. Significant at the 0.05 level (2-tailed)

Table 8.Continued.

	Detention			Petition			Adjudication			Disposition		
	b	SE	Odds	b	SE	Odds	b	SE	Odds	b	SE	Odds
Type of Court (County court is reference)												
Juvenile Court	-.642	.064	.526**	-1.781	0.60	.168**	-.941	.046	.390**	.553	.059	1.739**
Referrals												
In this year	.194	.025	1.214**	.355	.037	1.427**	-.013	.019	.987	.220	.024	1.246**
In previous year	.290	.036	1.337**	.188	.053	1.206**	-.067	.028	.935*	.106	.034	1.112**
Referral years	-.094	.011	.910**	.123	.010	1.130**	.036	.008	1.036**	.060	.010	1.062**
Constant	186.279	21.031	7.945**	-241.85	19.287	.000**	-69.379	15.005	.000**	-122.759	20.170	.000**
N of Cases			17,388			17,864			17,850			14,644

**. Significant at the 0.01 level (2-tailed)
*. Significant at the 0.05 level (2-tailed)

Table 9. The Interaction of Race/Ethnicity, Age, and Gender on Juvenile Justice Decision Making: Results of the Logistic Regression Analysis.

	Detention				Petition				Adjudication			
	b	SE	Odds	Prob Diff.[1]	b	SE	Odds	Prob Diff	b	SE	Odds	Prob Diff
Race/Ethnicity-Gender-Age												
Black male age16-17 is reference												
White female age 10-12	-.029	.167	.971		-2.416	.168	.089**	-41.8%	.407	.114	1.503**	10.0%
Black female age 10-12	-.259	.359	.772		-1.421	.282	.241**	-30.6%	-.357	.174	.700*	-8.8%
Native Amer. female age 10-12	.180	.292	1.197		.293	1.016	1.340		.833	.323	2.301*	19.7%
Hispanic female age 10-12	-.215	.382	.807		-2.099	.333	.123**	-39.0%	.673	.291	1.960*	16.2%
White male age 10-12	-.587	.120	.556**	-14.3%	-2.005	.145	.135**	-38.1%	.435	.071	1.544**	10.7%
Black male age 10-12	-.588	.204	.556**	-14.3%	-.944	.204	.389		-.175	.099	.840	
Native Amer. male age 10-12	-.677	.270	.508*	-16.3%	-.756	.477	.470		.309	.195	1.362	
Hispanic male age 10-12	-.607	.268	.545*	-14.7%	-1.944	.239	.143**	-37.5%	.019	.145	1.019	
White female age 13-15	.058	.092	1.060		-1.857	.137	.156**	-36.5%	.600	.059	1.822**	14.6%
Black female age 13-15	-.112	.144	.894		-.152	.202	.859		-.034	.079	.967	
Native Amer. female age 13-15	-.203	.183	.816		-.701	.350	.496*	-16.8%	.128	.137	1.136	
Hispanic female age 13-15	-.303	.159	.739		-1.259	.219	.284**	-27.9%	.225	.107	1.253*	5.6%
White male age 13-15	-.277	.086	.758**	-6.9%	-1.720	.133	.179**	-34.8%	.538	.052	1.713**	13.1%
Black male age 13-15	-.071	.101	.932		-.296	.162	.744		.063	.061	1.065	

1. Probability differences are calculated for statistically significant variables only. The formula for calculating probabilities from odd ratics as (odds/odds + 1)-.50. (see Hanushek and Jackson, 1977).

2. The analysis included all legal and extra-legal variables. However, this table only reports the results related to extra-legal variables.

**. Significant at the 0.01 level (2-tailed), *. Significant at the 0.05 level (2-tailed)

Table 9. Continued.

	Detention				Petition				Adjudication			
	b	SE	Odds	Prob Diff	b	SE	Odds	Prob Diff	b	SE	Odds	Prob Diff
Race/Ethnicity-Age-Gender												
Black male age16-17 is reference												
Native Amer. male age 13-15	.153	.134	1.166		-.664	.281	.515*	-16.0%	.174	.106	1.190	
Hispanic male age 13-15	-.076	.109	.926		-1.417	.163	.242**	-30.5%	.157	.072	1.170*	3.9%
White female age 16-17	.031	.094	1.031		-2.105	.136	.122**	-39.1%	.605	.060	1.831**	14.7%
Black female age 16-17	-.374	.173	.688*	-9.2%	-.242	.213	.785		-.078	.084	.925	
Native Amer. female age 16-17	.425	.224	1.530		-2.008	.291	.134**	-38.2%	.164	.192	1.178	
Hispanic female age 16-17	-.126	.198	.882		-1.612	.235	.200**	-33.3%	.131	.130	1.140	
White male age 16-17	-.374	.086	.688**	-9.2%	-1.996	.133	.136**	-38.0%	.594	.052	1.812**	14.4%
Native Amer. male age 16-17	.389	.166	1.475*	9.6%	-1.715	.254	.180**	-34.7%	.358	.143	1.430*	8.8%
Hispanic male age 16-17	-.034	.123	.966		-1.302	.181	.272**	-28.6%	-.007	.080	.993	

**. Significant at the 0.01 level (2-tailed)
*. Significant at the 0.05 level (2-tailed)

Table 9. Continued.

	Disposition			
	b	SE	Odds	Prob Diff.
Race/Ethnicity-Gender-Age				
Black male age16-17 is reference				
White female age 10-12	-.786	.161	.456**	-18.7%
Black female age 10-12	-1.157	.405	.314**	-26.1%
Native Amer. female age 10-12	-1.265	.381	.282**	-28.0%
Hispanic female age 10-12	-.643	.344	.526	
White male age 10-12	-.896	.100	.408**	-21.0%
Black male age 10-12	-.525	.165	.592**	-12.8%
Native Amer. male age 10-12	-1.047	.257	.351**	-24.0%
Hispanic male age 10-12	-1.170	.263	.310**	-26.3%
White female age 13-15	-.720	.078	.487**	-17.2%
Black female age 13-15	-.271	.116	.762*	-6.8%
Native Amer. female age 13-15	-.492	.166	.612**	-12.0%
Hispanic female age 13-15	-.497	.134	.608**	-12.2%
White male age 13-15	-.571	.070	.565**	-13.9%
Black male age 13-15	-.150	.084	.861	

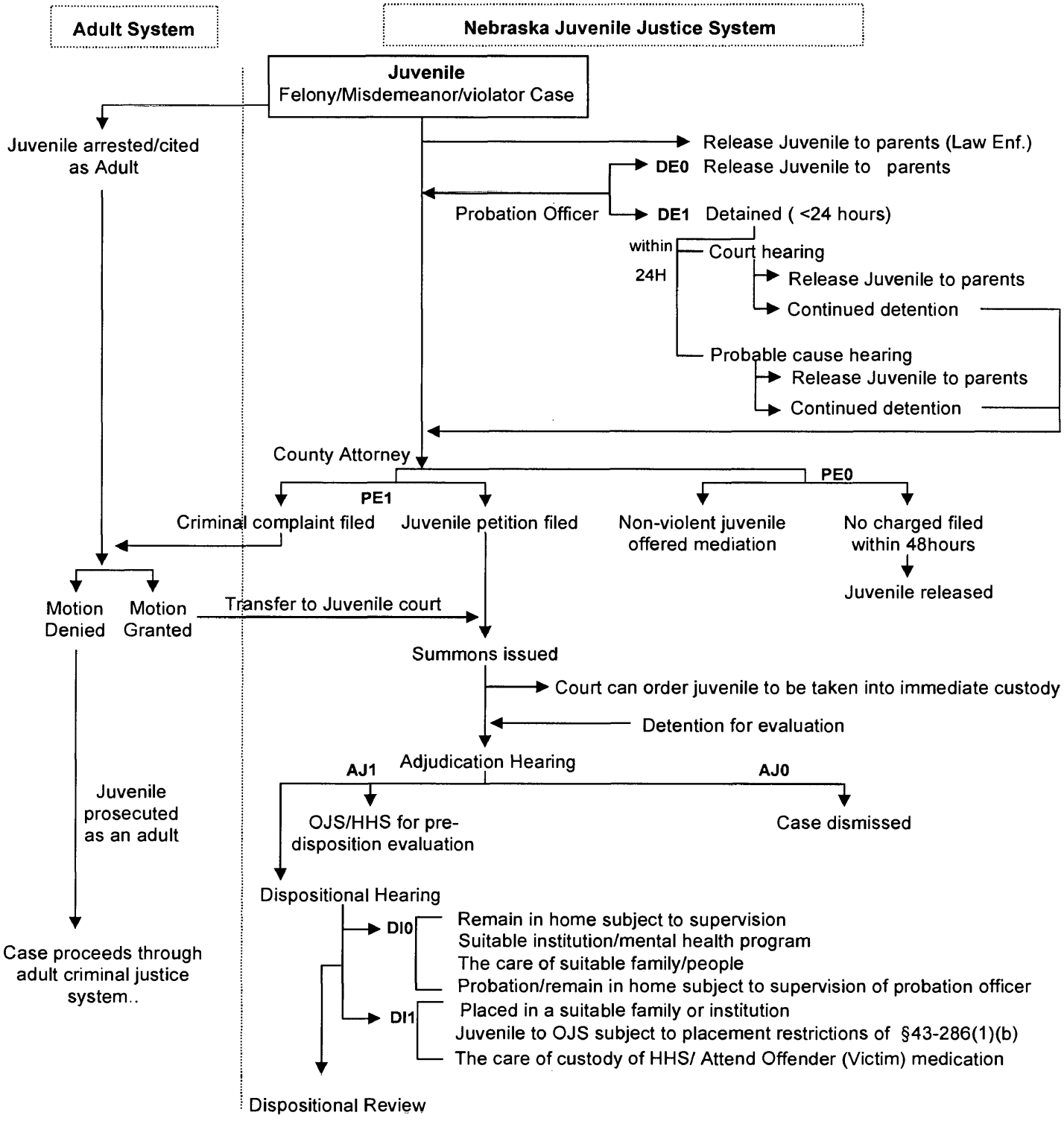
**. Significant at the 0.01 level (2-tailed)
*. Significant at the 0.05 level (2-tailed)

Table 9. Continued.

	Disposition			
	b	SE	Odds	Prob Diff
Race/Ethnicity-Gender-Age				
Black male age16-17 is reference				
Native Amer. male age 13-15	-.267	.124	.766*	-6.6%
Hispanic male age 13-15	-.087	.090	.917	
White female age 16-17	-.790	.080	.454**	-18.8%
Black female age 16-17	-.828	.142	.437**	-19.6%
Native Amer. female age 16-17	-.699	.254	.497**	-16.8%
Hispanic female age 16-17	-.976	.200	.377**	-22.62%
White male age 16-17	-.740	.070	.477**	-17.7%
Native Amer. male age 16-17	-.068	.152	.934	
Hispanic male age 16-17	-.176	.103	.839	

**. Significant at the 0.01 level (2-tailed)
*. Significant at the 0.05 level (2-tailed)

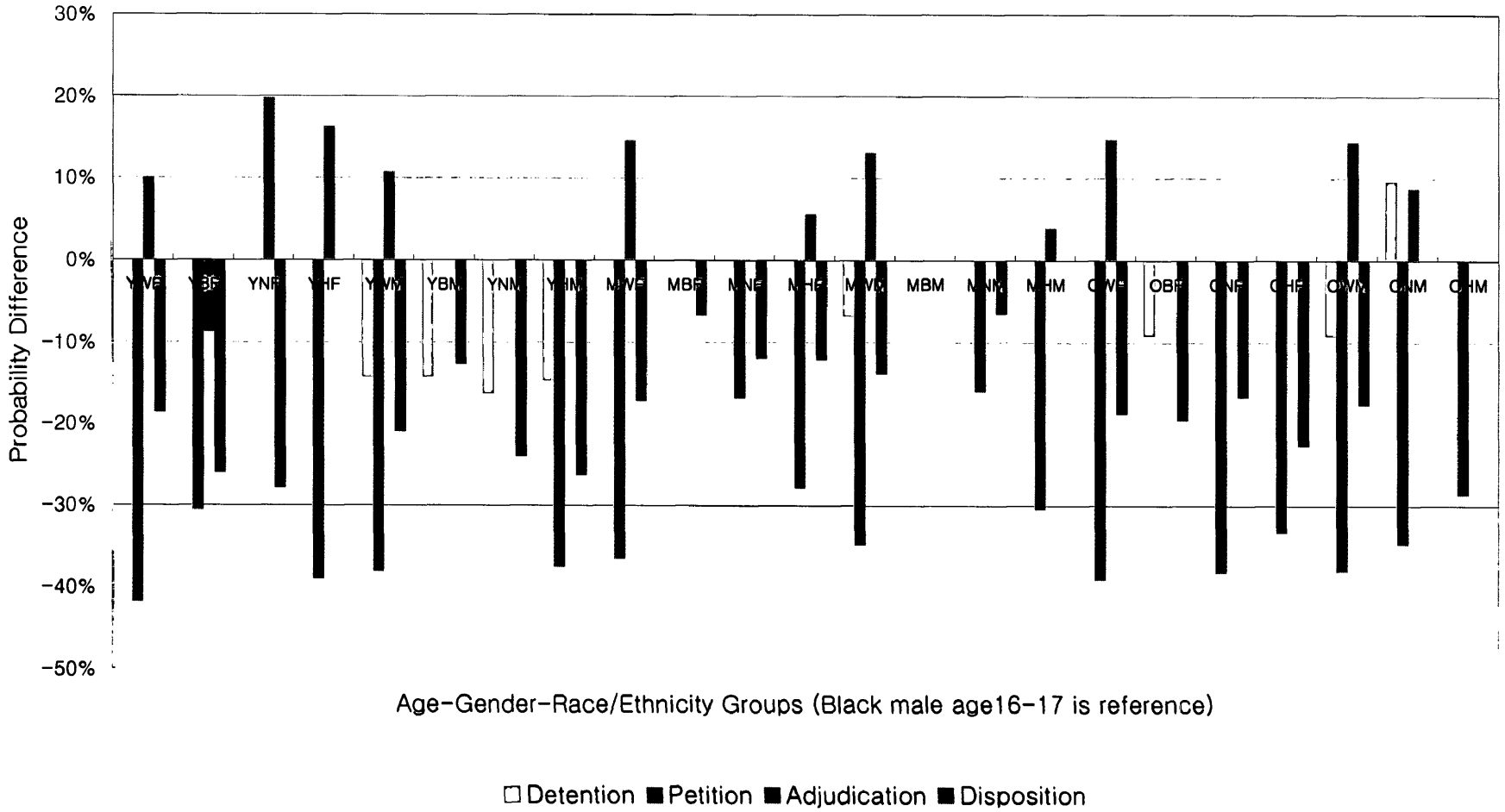
Figure 1. Flowchart for Nebraska Juvenile Justice System
for Law violator and Juvenile Taken into Temporary Custody under §43-247 (1),(2)or (4)



DE0 : Not detained
DE1 : Detained
PE0 : Not petitioned
PE1 : Detained
AJ0 : Not adjudicated
AJ1 : Adjudicated
DI0 : not transferred to legal custody
DI1 : transferred to legal custody

Source : Recreated from "Flowchart of the Juvenile Justice System for Law violators and Juvenile taken into Temporary Custody under §43-247(1), (2) or (4)", by T. Hank Robinson, Juvenile Justice Institute, 2002.

Figure 2. Probability Differences for the Decision to detain, petition, adjudicate delinquent, and transfer to legal custody between Black Male Age 16-17 and other Age-Gender-Race/Ethnicity groups.*



* Probabilities shown only for significant effects.

** Age: Y (age 10-12), M (age 13-15), O (age 16-17); Race: W (White), B (Black), N (Native American), H (Hispanic); Gender: M (Male), F (Female) (e.g., YHM represents Age10-12 Hispanic Male; also see Table 2).

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