An Examination of the Factors that Influence Justice Decision Making In Anchorage and Fairbanks, Alaska:

An Assessment Study

by

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Division of Juvenile Justice

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The opinions and what is said within the report are the sole responsibility of the authors and do not necessarily represent those of the people and agencies mentioned above.

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Preface

As part of their participation in the federal government's formula grant funds, the state of Alaska attempted to comply with the assessment phase of the disproportionate minority contact mandate (DMC). In December 2003, the State of Alaska, Department of Social Services, Division of Juvenile Justice (DJJ), contracted with Craciun Research Group, Inc. to conduct an assessment study of disproportionate minority contact with the Alaska juvenile justice system. The two jurisdictions studied were Anchorage and Fairbanks. Both quantitative and qualitative analyses were performed. The results from that research effort are reported in the *2004 Assessment Study Disproportionate Minority Contact with the Alaska Juvenile Justice System* (Craciun, 2004).

The present study re-examines the quantitative data component collected by the Craciun Research Group, Inc. (2004). The justification for the present research is not driven by questions concerning the results from the Craciun study but the need for further clarity and validation of the extent legal factors and extralegal considerations, as well as race/ethnicity, influence case proceedings and outcomes. While the same data set is used and many of the same variables (both independent and dependent) are included in the analysis (although some variables have been omitted in the present research), the present research was preformed more traditionally by examining first additive models and then re-estimating those models separately for each racial/ethnic group. Tests for race/ethnic interaction relationships with each independent variable and decision making stage were also conducted. This type of analysis represents a major difference from that conducted by Craciun. Craciun, for example, conducted the quantitative analysis by estimating

equations for cases classified as felon and nonfelon and then ran additive models and race/ethnic interactions models within these two subgroups.

In short, the present research and the study by Craciun (2004) are two different assessment projects. Therefore, the present research is not a replication of the Craciun study. Although each study is different, the results should not be seen in opposition rather the reader should look for commonalities between the two and use these to develop and implement strategies to reduce DMC in Anchorage and Fairbanks, Alaska.

EXECUTIVE SUMMARY

As part of the reauthorized Juvenile Justice and Delinquency Prevention (JJDP) Act of 1974, states participating in the Formula Grants Program are asked to address "juvenile delinquency prevention efforts and system improvement efforts designed to reduce, without establishing or requiring numerical standards or quotas, the disproportionate number of juvenile members of minority groups, who come into contact with the juvenile justice system." This component of the JJDP Act has been known as Disproportionate Minority Contact or DMC.

To address the DMC mandate, States are required to determine whether disproportionate minority contact exists, identify the causes, and develop and implement corrective strategies (Federal Register, 1991:22969). The focus of inquiry involves an examination of possible disproportionate representation of minority youth at all decision points in the juvenile justice system and includes the police. This process occurs in five interrelated phases: identification, assessment, intervention, evaluation and monitoring. In the sections to follow, a brief discussion is provided on the extent of minority youth overrepresentation (the identification phase) in Alaska's juvenile justice system and in particular, Anchorage and Fairbanks, the two jurisdictions that are the focus of this study. A more detailed discussion is then presented on the examination of the potential reasons or causes for the minority overrepresentation in the juvenile justice system (the assessment phase). A discussion of recommendations concludes the executive report.

Identification: Minority Youth Are Overrepresented in the Juvenile Justice System

The state of Alaska has been complying with the DMC mandate and has among other things collected data to identify the extent youth and in particular, minority youth, are involved in the juvenile justice system. An examination of the identification results from several sources that have been collected and disseminated reveal minority youth overrepresentation in the state as a whole and in Anchorage and Fairbanks.

For example, Native Americans and African-Americans are often reported to be overrepresented at every stage of the juvenile justice process while Caucasians and Asian/Pacific Islanders are underrepresented (see State of Alaska, Department of Health and Social Services, Division of Juvenile Justice 2001 and www.hss.state.ak.us/djj/information/djjpublications.htm). More specific, in Anchorage data show from July 1999 through June 2001, 3.28 Native American youth are referred to juvenile court to 1 white while for African Americans it is 2.58 to 1 white. In Fairbanks, 4.85 Native American youth are referred to 1 white and for African Americans the comparison is 2.05 to 1 white. Furthermore, in both Anchorage and Fairbanks, Native Americans are held in secure detention at a rate of about 1 ½ times more than whites in Anchorage and over 2 times more likely in Fairbanks. For African Americans, the relative rates are 1.44 and 2.59 in Anchorage and Fairbanks to every 1 white, respectively. Finally, with some exceptions, more evidence of overrepresentation appears earlier than later in the system for both jurisdictions. That is, more differences in minority representation exist at referral, detention, diversion and petition than at adjudication, probation, and confinement.

Assessment: Legal Factors, Race, And Gender Explain Case Outcomes

Data and Samples

For the present research, information from all case referrals to juvenile courts for delinquency acts and probation violations in Anchorage and Fairbanks is used. The time frame examined covered cases referred between July 1, 2002, and June 30, 2003, and includes all outcomes of cases up to December 31, 2003.

The total sample of cases used in the study is 3,777 with 3057 representing Anchorage and 720 representing Fairbanks. Forty-eight percent of the cases were identified as white (n= 1828), 11 percent African American or black (n= 432), 21 percent Native American (n= 785), 8 percent Asian/Pacific Islander (n=285) and 12 percent as other (n=447).

Variables

The independent variables include extralegal and legal factors. The social traits are represented by race/ethnicity, gender, and age. Race/ethnicity is operationalized by white, African American, Native American, Asian (which includes Hawaiian/Other Pacific Islander) and other. The juvenile's previous history of contact with the system is captured by the variable prior record. Three variables are used to represent the current offense: the number of charges, the seriousness of the offense, and the type of crime. Dummy variables were created to distinguish between property, person, and drug offenses. Referrals consisting of disorderly conduct, resisting arrest, probation and conduct offenses, and so forth comprise the reference group. Most cases are classified as misdemeanors (65%) and property crimes (61%).

The dependent variables represent decision making stages. Decision making is measured by three possible outcomes at intake and two possible outcomes once formal court proceedings have been initiated. At intake, decision making is represented by release, informal adjustment or diversion, and petition to court. Cases involving formal court decision making outcomes are referred to as adjudication and are differentiated by dismissal and adjudicated. The operationalization of the dependent five dependent variables reflects the measurement construed by Craciun (2004).

Analysis Procedures

A main objective of an assessment study is to examine the extent legal factors in the form of crime severity, crime type, etc. and to a lesser degree, extralegal factors such as age influence decision making. To accomplish this task, multivariate analyses in the form of logistic regression are used. This type of statistical tool allows for the ability to take into consideration multiple factors at the same time and these factors are assumed to be the same (i.e., crime severity, crime type, etc.) that a decision-maker relies on in arriving at a case outcome for a youth.

Theoretically, once legal criteria and to some degree, extralegal factors are taken into account race should not explain decision making. If race differences exist in case outcomes, it is because of differences in the legal and extralegal factors. That is, if African Americans are found to be more likely than whites to be petitioned, it is, for example, because they evidence greater involvement in more serious crime. This line of thought is how we believe and want the system to work. Conversely, if race differences in case outcomes are present even after legal and extralegal factors are considered, that

means in addition to crime severity, etc., something else is going on that might involve some form of bias and/or program deficiency.

Separate models for each jurisdiction and each racial group were also estimated to assess for the possibility of interaction effects. A race interaction relationship with decision making indicates that some variable, such as gender or crime type, works in conjunction with race to influence decision-makers differently than other youth. For example, being African American and a male (African American male) may impact decision making differently than being just African American or being just a male or being a white male. Therefore, tests for the possibility of combination relationships between race and each independent variable with decision making allows for a more thorough examination of the complexities surrounding juvenile justice decision making than just the assessment of the individual effects of race, crime severity, etc. on case outcomes.

Objectively, after legal and extralegal factors are considered, tests should not produce findings of either individual relationships of race with decision making or evidence of race interaction relationships with other variables and case proceedings. If a race interaction relationship is found to exist, this points once again to the possibility that bias may be operating or something exists that is working to disadvantage one racial group relative to another.

Findings

In this section, summary information is provided concerning the results from the logistic regression first for Anchorage, followed by for Fairbanks.

In Anchorage:

- Legal factors often explained much of the decision making outcomes. This is especially true at the stage of formal court proceedings involving the decision to adjudicate a youth delinquent.
- With the exception of dismissal at adjudication, race still mattered at four decision making outcomes even after controlling for legal criteria. Race directly influenced decision making.
- Of the statistically significant race findings, the relationships did not always involve African American youth.
    - African Americans were more likely to have their cases dismissed at intake.
    - Whites were more likely to receive an outcome of informal adjustment relative to all minorities.
    - Intake decisions pertaining to petition showed that Native Americans, Asians, and other minority youth were more likely to be petitioned at intake than other youth.
    - With the exception of African Americans, all minorities were more likely to be adjudicated delinquent than their white counterpart.
    - Females were more likely than males to participate in an informal adjustment once all legal factors were considered. In addition, females were less likely to have their cases petitioned and to be adjudicated delinquent compared to similarly situated males.

In Fairbanks:

- Legal factors explained much of the decision making outcomes.
- Race and in particular, African American youth and in combination with prior referral, impacted decision making but only at intake for decisions involving dismissal. African American youth and African Americans with a prior referral were more likely than other youth to be dismissed at intake once all things were taken into account.
- In Fairbanks, race effects were not as evident as they were found to be in Anchorage.
- As in Anchorage, gender, was discovered to predict decision making three of the five decision making outcomes.
    - Females were more likely to participate in informal adjustments relative to similarly situated males.
    - Females were also found to be less likely to be petitioned at intake and adjudicated delinquent relative to their male counterpart.

Recommendations: Crime Prevention And System Change

The following recommendations are based on the findings and the ordering of the recommendations does not reflect a priority or importance. In addition, the State of Alaska should attempt to consider more than one of the recommendations to reduce DMC in Anchorage and Fairbanks.

Recommendation 1: ***Development, Continued Use of Crime Prevention Programs***

A constant throughout the two studies is that legal criteria accounted for much of the overrepresentation in the juvenile justice system. Consequently, this suggests that minority youth

may be involved in the system because of their involvement in crime and/or the kinds of crime that they are charged with. Therefore, to reduce the disproportionate number of minority youth coming into contact with the system, community based resources and programs need to be established and/or continued to be funded that focus on delinquency prevention.

Recommendation 2: ***Focus on detention screening requests and detention decisions with movement toward the adoption of structured detention decision making***

Justification for this recommendation stems from previous research by Craciun (2004) and Schafer and Curtis (1994) and the results from the Identification Matrices. These findings indicate that minority youth are overrepresented in detention screening requests and detention decisions and that race may be operating indirectly through detention at stages throughout the juvenile justice system. Recall that the data examined by Craciun was from mid 2002 through December 2003 (Chapter Two) and efforts may have been taken by the state of Alaska since then to address detention decision making. If so, inquiry is still needed to assess the extent that change in the number of youth, in the number of minority youth, and the kind of factors leading to detention has occurred since the efforts have been implemented. If efforts to address detention have not been undertaken, it is imperative to develop and implement solutions to encourage the use of less secure

detention alternatives and in general, for some youth to avoid detention altogether. The police, detention personnel, juvenile court decision-makers, prosecutors, and the community need to be made aware that the development and utilization of less secure alternatives and nondetention in general through the use of detention screening instruments, does not necessarily mean increased threats to public safety or the implementation of race quotas (e.g., Hoyt et al., 2002).

Recommendation 3: ***Consideration of Increased Structured Decision Making at Intake***

The results from the present study, Craciun (2004) and Rosay (2003) all point to both race and gender differences occurring at this stage even after taking into consideration relevant legal factors. Differences in case outcomes involving release, informal adjustment, and petition were found for various minority youth. The most notable finding was that minority youth were less likely than whites to participate in informal adjustments. Alternatively, females were more likely than males to be involved with informal adjustments. As previously discussed, a number of explanations have been offered to explain this consistent occurrence and these range from minority youth and their families being less cooperative (including the failure to admit guilt) to minority youth and families unable to attend the intake meeting to biased perceptions on the part of juvenile court personnel or

intake officers. For females, the chivalry perspective suggests that decision-makers may treat females more leniently because they perceive females to be more rehabilitative than males and therefore, are more often provided with the opportunity to participate in informal adjustments. One solution to address these findings is to reduce discretion through the adoption of structured intake criteria.

Recommendation 4: ***Increase Staff Diversity and Require Decision-Makers to Participate in Race and Gender Cultural Sensitivity Training***

Both race and gender were discovered to be consistent factors that influenced decision making involving detention issues, intake, and whether to adjudicate delinquent. Previous study has also, to varying degrees, found similar evidence of race and gender differences (e.g. Rosay, 2003). Thus, these findings should not be dismissed as a byproduct of how this study was conducted or that the findings represent occurrences by chance. In addition to the diversification of personnel and the possible engagement of volunteers from the community to act as an advocate or youth ombudsman, race and gender cultural sensitivity training may help in attaining greater equality in decision making involving youth irrespective of race/ethnicity and gender.

Recommendation 5: ***Explore Mechanisms to Reduce the Number of Youth Referred to Juvenile Court***

Although not a focus of the present study, results from the Identification Matrices and from the Craciun (2004) report reveal that a disproportionate number of minority youth are referred to juvenile court. In fact, this occurrence was a major concern of the Craciun study and they recommended the implementation of a Youth Ombudsman Office and Youth Champion Program to decrease DMC. Efforts should also be made to collaborate with local police, community members, and representatives from the juvenile court to discuss, plan, and implement strategies such as the those highlighted by Craciun to examine why this occurs and what can be done to prevent and divert some youth away from contact with the juvenile justice system.

Recommendation 6: ***Conduct Additional Research on DMC***

The data relied upon in the present study was reanalyzed from Craciun who had coded data from JOMIS and collected some additional data from case files. The data was from the period of mid 2002 through December of 2003. Discussions with the State of Alaska have revealed that many of the concerns pertaining to data issues have since been resolved or addressed (see Craciun, 2004). One major shortcoming at the time was the

inability to examine who was taken out of the home and placed in a secure facility. Future research needs to examine how often out of home placements occur and who is subject to this judicial disposition outcome. National research has shown that minority youth, especially African Americans, are disproportionately placed relative to their white counterparts (e.g., Pope and Leiber, 2005; Hamparian and Leiber, 1997). The need for additional research also stems from the efforts by the State of Alaska and localities to implement some of the stated recommendations since the period of time examined in the present study. Additional studies should examine if these interventions have attained the intended goals and effectively reduced DMC. Last, further research should be conducted to examine in particular or in greater detail one or more of the points where race and gender differences were evident: case referrals, detention decisions, and intake decisions. More thorough research should produce greater insights into what role race and gender have in decision making and what can be done to change that role(s).

Chapter One

Disproportionate Minority Confinement/Contact (DMC)

In this Chapter, background information on the DMC legislation is presented, followed by a discussion on the implementation of the mandate at the national level. A discussion on the extent of DMC in Alaska's secure facilities concludes the Chapter.

The DMC Requirement

The first iteration of the Juvenile Justice and Delinquency Prevention (JJDP) Act of 1974 contained three mandates: the deinstitutionalization of status offenders, the removal of juveniles in adult jails, and the separation of juveniles from adults in institutions. The DMC requirement was included when the JJDP Act was re-authorized in 1988. The DMC legislation requires States to study the extent minority youths are confined in secure detention facilities, secure correctional facilities, jails, lockups, and other points in the juvenile justice system to determine if their presence exceeds their representation in the general population (Juvenile Justice and Delinquency Prevention Act of 1974, as amended [Public Law 93-415], Section 223[a][23]).

In 1992, Congress re-authorized the JJDP Act and made DMC a "mandate" or a "core requirement." Consequently, States participating in the Formula Grants Program have since been required to determine whether disproportionate minority confinement exists, identify the causes, and develop and implement corrective strategies (Federal Register, 1991:22969). States failing to make progress or at least show a good-faith effort toward this endeavor risked losing one-fourth of their Formula Grant funds for that year, with the remaining three-fourths to be directed exclusively toward achieving compliance. Recently, it has been changed to a reduction of 20 percent of the Formula Grant funds.

The JJDP Act was modified in 2002 to address "juvenile delinquency prevention efforts and system improvement efforts designed to reduce, without establishing or requiring numerical standards or quotas, the disproportionate number of juvenile members of minority groups, who come into contact with the juvenile justice system." This change broadened the DMC initiative from "disproportionate minority confinement" to "disproportionate minority contact," requiring an examination of possible disproportionate representation of minority youth at all decision points in the juvenile justice system.

The Office of Juvenile Justice and Delinquency Prevention (OJJDP) recognized that the extent of DMC and possible cause(s) vary by State. In addition, there is variability in the availability of resources and the data needed to understand and address DMC. Consequently, officials at OJJDP believed it would be more beneficial for individual states to design their own approaches to meet the DMC mandate (Coalition for Juvenile Justice, 1993: 12). In this regard, the DMC mandate differs significantly from the other three mandates where the number of juveniles in adult jails, the number of status offenders confined, and the number of juveniles in sight or sound of adult incarcerated offenders can be easily counted. Should the number of youth in any of those circumstances exceed the maximum limit dictated by regulation, legislative and public policy changes can be used to correct the situation, and progress can be measured by returning to the facilities and count the juveniles again. The DMC initiative is much more complex than the first three mandates (Church, 1994; Feyerherm, 1995).

Although States are allowed considerable amount of freedom in addressing DMC, they have to indicate in their application for Formula Grants funds how they are progressing on this issue within the context of five interrelated phases or stages: identification, assessment, intervention, evaluation, and monitoring (Hamparian and Leiber, 1997; Disproportionate

Minority Confinement Technical Assistance Manual, 2000, 1990). Information on the DMC mandate and publications concerning DMC in general can be found in the forthcoming 3rd edition of the Disproportionate Minority Contact Technical Assistance Manual and at: http://ojjdp.ncjrs.org/dmc/.

Identification

The identification phase is descriptive and originally involved ascertaining the number and proportion of minority youths in secure detention facilities, secure correctional facilities, jails, and lockups. Prior to the reauthorization of the mandate in 2002, information for the identification phase was provided in the form of indices that represented the under- and over-representation of minorities relative to their representation in the population of youth with 1.0 as the comparison base. Above 1.0 represented overrepresentation while below 1.0 indicated under-representation. After the reauthorization in 2002, the information was changed to relative rates. The relative rate is more accurate for comparing one racial/ethnic group to another and their involvement in the juvenile justice system (see, **http://ojjdp.ncjrs.org/** dmc/tools/index.html).

Assessment

If a determination is made from the identification phase that disproportionate minority representation exists, the State is required to conduct an assessment that investigates the specific reasons or possible contributing factors for the situation. The assessment phase attempts to discover the causes of the discrepancies in the case processing and outcomes between whites and minorities. Assessments should, at a minimum, identify and provide possible explanations for the possible differences between whites and minorities in contact, arrest, diversion, adjudication, court disposition, including differences for secure detention and other incarceration and waiver of youth to adult court. In essence, the assessment phase requires an examination of minority youth involvement at justice system stages beyond incarceration and a search for why

overrepresentation exists. The assessments should include information for individual counties or jurisdiction that have a minority youth presence (at least one percent). More information on the assessment phase can be found in the Disproportionate Minority Confinement Technical Assistance Manual (2000, which can be found at the OJJDP DMC website).

Intervention

This third phase entails selecting and implementing the specific strategies and interventions to reduce minority overrepresentation. Depending upon the location(s) and causes of DMC that were identified in the identification and assessment phases, appropriate intervention activities may include developing or revising policy procedures; decision making criteria and/or legislation; establishing services and programs; providing training and staffing; and improving information systems. Additional information on possible interventions is: The OJJD Model Programs Guide (**http://www.dsgonline.com/mpg2.5/mpg_index.htm**) and ***Seven Steps to Develop and Evaluate Strategies to Reduce Disproportionate Minority Contact (DMC)*** (http://www.jrsa.org/jjec/).

Evaluation

Evaluation of the intervention strategies is viewed by OJJDP as important as the intervention(s) itself because the information obtained informs us as to whether the intervention or strategies are working as intended. Furthermore, the results from the evaluation can be used to modify to alter the interventions as well it being replicated or adopted by another community and agency to address DMC in their locality. Similar to the assessment phase, the evaluation phase is research based. For more information on the evaluation phase, see ***Seven Steps to Develop and Evaluate Strategies to Reduce Disproportionate Minority Contact (DMC)*** (**http://www.jrsa.org/jjec/**) and the Disproportionate Minority Confinement Technical Assistance Manual (2000).

Monitoring

States are also encouraged to monitor DMC. The underlying premise driving the concern for monitoring is that minority overrepresentation is an ongoing issue and requires continuous and systematic tracking over time. DMC monitoring ideally is coordinated with monitoring for other initiatives, such as the deinstitutionalization of status offenders, the separation of youths from adults in institutions, and the removal of youths from adult jails and lockups.

Summary

In short, States are to develop a comprehensive approach that includes the identification of DMC, a determination of its causes or contributing factors, and solutions to reduce it. Progress toward compliance with the requirements of Section 223(a)(23) is reported by each State and territory in their Comprehensive JJDP Three-Year Plans and annual Plan Updates which are reviewed by OJJDP to determine the status of compliance.

Because of its focus on differences in outcomes between minority and white youth, the DMC effort is an initiative that focuses on decision making within the juvenile justice system that includes police contact. Overall, the mandate reflects a systems-oriented approach to DMC with a focus on the equitable treatment for all youth.

Implementation of the DMC Mandate at the National Level

Most states that participate in the Formula Grants Program have completed the identification and assessment phases of the DMC requirement and are now implementing programs and policies within the context of the intervention phase. Only a small number of states are in the process of an evaluation of the intervention activities and even fewer are at the monitoring stage (Devine et al. 1998). Thus, the discussion that follows will discuss findings as they pertain to the identification and assessment stages. For discussion on how states have

implemented all the phases of the DMC mandate, see Hsia, Bridges, and McHale (2004), Pope and Leiber (2005), Hsia and Hamparian (1998), and ***Seven Steps to Develop and Evaluate Strategies to Reduce Disproportionate Minority Contact (DMC)*** (2005) (http://www.jrsa.org/jjec/).

Identification

Although there has not been a comprehensive overview of more recent information from the identification phase, (Hamparian and Leiber, 1997; Hsia, Bridges, and McHale, 2004; Leiber, 2002), the data that is available generally indicates that minority youth overrepresentation is evident in every state that participates in Formula Grant funding and while its extent is not restricted to any specific region of the country, there is quite a bit of variability between the states concerning the amount of overrepresentation. The greatest overrepresentation appears to exist for secure corrections, secure detention, and transfers to adult court. On average the lowest minority youth overrepresentation is at the stage of arrest.

When minority groups are distinguished, overrepresentation is greatest for African Americans, followed by Hispanics and Native American Indians. Typically, states that report indices for Asian American youth indicate under-representation.

In summary, minority youth overrepresentation exists nationwide and at each point in the system. The stage with the greatest overrepresentation appears to vary by the state but on average, the greatest overrepresentation seems to be at secure detention and secure corrections, followed by transfer to adult court. African American youth are overrepresented in the system more so than are other minority youth.

Assessment

The traditional explanations for understanding disproportionate minority confinement/contact in both the criminal and juvenile justice system emphasize either

differential offending and/or selection bias (e.g., Hindelang, 1978; Tonry, 1995; Miller, 1996; Hawkins et al., 2000; Tracy, 2002). The term "selection bias" generally refers to disparate treatment, discrimination, and the like. Although the sponsors of the DMC initiative and the intent of the requirement focus on selection bias with a specific emphasis on the inequitable treatment of minority youth relative to white youth within the juvenile justice system, failure to find evidence in support of selection bias may yield support for a differential offending explanation for DMC.

More specific, typically to conduct an assessment of selection bias decision making one or more stages of the juvenile court process and to a lesser extent, police contact are examined. When any one of these decision making stages is studied, a researcher is looking to see what factors predict or help understand case processing and outcomes. That is, legal factors such as crime severity, crime type, prior record, and extralegal factors like assessments about the family and age as well as race, gender, etc. are studied to determine which and to what extent these predict an outcome. **Support for a differential offending explanation is evident when legal factors and to some extent, assessments about the family and age determine case processing and outcomes after all other variables are taken into consideration or controlled. In particular, race should not be a statistically significant predictor of decision making once all things are taken into account. If race still matters, even though it may not be the strongest relationship or the most prevalent, support is provided for a selection bias explanation**. This study will explore DMC through the scope of the selection bias explanation. For differing opinions on the interpretation of the extent legal factors and race should count to offer support for either a differential offending or selection bias explanation refer to Tracy (2002) and Patternoster and Iovanni (1989).

In a review of state assessment studies, Leiber (2002) discovered that despite variability in the studies, most (n=32) reported evidence of race differences in juvenile justice outcomes that are not completely accounted for by differential involvement in crime. In only 12 states, minority overrepresentation, as presented in the identification phase, was determined to be the result of solely legal factors (i.e., severity of the crime).

Research in Florida and Maryland indicated overrepresentation of minority youth throughout the system (Bishop and Frazier 1990; Iyengar 1995). Bishop and Frazier (1990) used statewide data over a three year period to examine case processing through Florida's juvenile justice system and found that race (being nonwhite) did make a difference with regard to outcome decisions. According to Bishop and Frazier (1990, 3):

> Nonwhite juveniles processed for delinquency offenses in 1987 received more severe (i.e., more formal and/or more restrictive) dispositions than their white counterparts at several stages of juvenile processing. Specifically, we found that when juvenile offenders were alike in terms of age, gender, seriousness of the offense which prompted the current referral, and seriousness of their prior records, the probability of receiving the harshest disposition available at each of several processing stages was higher for nonwhite than for white youth.

These disparities were found to exist for petition, secure detention, commitment to an institution and transfers to adult court. Likewise, minority overrepresentation was found in 10 of the 15 decision points examined in Arizona (Bortner et al. 1993), while in Pennsylvania race effects were evident at all stages except adjudication (Kempf-Leonard 1992). In Iowa, race effects

varied by jurisdiction, stage in the proceedings, and racial group (Leiber 1992a, 1992b; see also Leiber and Jamieson 1995; Leiber and Stairs, 1999; Leiber, 2003; Leiber and Fox, 2005).

In Ohio, race had a direct effect on detention decisions, and detention status, in turn, impacted decisions to commit juveniles to correctional facilities (Dunn et al. 1993). A similar indirect race effect through detention was found in Washington (Bridges et al. 1993). Several studies have also discovered that many legal and extralegal variables may be racially tainted and work to the disadvantage of minority youth.

Lockhart et. al. (1990), for example, examined racial disparity in 159 counties within Georgia's juvenile justice system. With 1988 as the base year, this study revealed that a major determinant of outcome was the severity of the current charge and the extent of prior contact with the juvenile justice system. Compared to white youth, African American youth tended to have more prior contact and to be arrested for more severe offenses. As the authors note:

> Thus, gross racial disparities do exit in Georgia's juvenile justice system. The fact that law enforcement officials have considerable discretion in the determination of how many and what types of charges to place against an alleged offender complicates the interpretation of such disparities. Black youth either are committing more serious crimes at younger ages than are white youth, or they are being charged with more serious crimes at younger ages than are white youth. In the former instance, we have understandably disparity. The second scenario constitutes racial discrimination. (Lockhart, et. al. 1990, 10).

These results point to the possibility that offense and prior record are not legally neutral factors. If bias influences these decisions, then race differences may be augmented throughout the system (see also, Miller, 1996).

Race was found to also interact with a number of extralegal variables. For example, being African American and from a single-family status influenced decision-makers in Michigan (Bynum et al. 1993; see also, Leiber and Mack, 2003). In Missouri, being African American and female increased the likelihood of being detained. This relationship was conditioned by locality: African Americans females were more likely to be detained in urban localities, while in rural settings, white females were more likely to receive informal supervision than any males or African American females with similar characteristics (Kempf-Leonard et al. 1990). As Kempf, Decker and Bing state (1990, 18):

> As shown in this study, race and gender biases do exist within juvenile justice processing in Missouri. They are less obvious than the glaring rural and urban differences, but they are no less important. Evidence exists that decision processes are systematically disadvantaging youths who are either Black, female or both. They receive harsher treatment at detention, have more petitions filed 'on their behalf', and are more often removed from their family and friends at disposition.

Perhaps one of the major findings of the Missouri study is the difference between the urban and rural courts. In essence, two different types of juvenile courts operate in Missouri – a legalistic court in urban areas and a traditional pre-Gault model in rural areas – each of which provides different treatment that places African American youth at greater risk.

In some states, the use of semi-structured interviews with juvenile justice personnel showed that race bias was often indirectly operating through decision-makers' perceptions of minority youth and their family, in particular, African Americans, that were fostered by stereotyping (e.g., Frazier and Bishop, 1995; Leiber 1993). In Florida, for example, the respondents indicated that assessments about single-parent homes are made when handling youth and include inquires into the ability of the family to provide supervision and having the youth adhere to possible court stipulations. Those interviewed indicated that a single-parent home is seen as more dysfunctional and affects minorities more harshly since they are more likely to come from such households. In addition, Fraizer and Bishop (1995) point out further that decision-makers see nonwhite families as being less adequate than white families even when both families are broken. The broken minority family was perceived as "more broken" than whites from similar homes (1995: 35).

The results from state assessment studies parallel those from the general literature of research on juvenile justice decision making (Bishop, 2005; Engen et al., 2002; Pope and Feyerherm, 1992; Pope et al., 2002). Although an in-depth discussion of these studies is beyond the scope of this report, race was found to have either a direct relationship with decision making and/or interaction or combination effects with legal variables (e.g., crime type, prior record), extralegal factors (e.g., age, family status), process variables (e.g., detention) and/or community contexts (e.g., % poverty).

For example, Bridges and Steen (1998) examined how reliance on racial stereotypes by decision makers shaped assessments of the youth and in turn, impacted case outcomes. Probation officers were found to use different causal attributions to assess the delinquent behavior of African Americans and whites. Further, African American youth involvement in

delinquency was viewed as related to internal or dispositional attributions (i.e., lack of individual responsibility), whereas delinquency among white youth was attributed to external causes (i.e., impoverished conditions). Because internal attributions resulted in perceptions that the youths were at higher risk for re-offending, decision makers recommended longer sentences for African Americans than for whites. The end result, values and beliefs of decision makers created a legally recognizable but racially stereotypic image of an offender that affected the decision making process.

Leiber (2003) incorporated the emphasis on the subjective social psychological processes of decision-makers and the factors that influence those processes in his study of four relatively homogenous juvenile courts in Iowa. More specifically, Leiber focused on the relationships between adherence to correctional orientations (such as retribution and rehabilitation) and decision-makers' views concerning race, crime, family, and respect for authority with regard to case processing and case outcomes for youth. Quantitative and qualitative methodologies were used to determine the extent to which correctional ideologies and decision-makers' stereotyping of minorities were fueled by a wide range of contingencies (e.g., community, organizational, and individual), impact decisions, and how it varies by jurisdiction.

For example, in one jurisdiction, an ideology of holding accountable together with racial stereotyping of African American youth as being more delinquent and in need of intervention resulted in blacks being subjected to different case processing and case outcomes than similarly situated whites. In another juvenile court, a strong emphasis on *parens patriae* coupled with multiple minority groups moving into the area and perceptions that these groups of people do not abide to middle-class standards of dress, demeanor, marriage, and respect for authority led minority youth to be responded to differently than white youth (Leiber, 2003).

Sampson and Laub (1993) also discovered that characteristics of the community and racial stereotyping, in combination with the war on drugs and the get tough movement of the 1980s, influenced case outcomes. They found that African Americans charged with drug offenses were more likely to receive detention and out-of-home placements in counties exhibiting racial inequality and impoverishment than in counties where these conditions did not exist. Central to their research is that community conditions of inequality interacted or fostered racial stereotypes that resulted in African American youth being perceived as more dangerous and involved in drug offending behaviors and consequently, receive more severe treatment outcomes.

Summary

In short, a common theme running through these studies is the identification of the variable effects of race on decision making and the factors that influence these effects. While the source of the contextual effect(s) may vary, one emphasis is the racial stereotyping by decision-makers of African American youth. These stereotypes include blacks as undisciplined, living in dysfunctional families that are primarily headed by young mothers, dangerous, delinquent, and drug offenders (Feld, 1999). These perceptions work to the disadvantage of African Americans relative to whites and may account for the overrepresentation of minorities in the juvenile justice system.

Although not exhaustive, the following is a summary listing of possible mechanisms that have been found to lead to minority overrepresentation in the juvenile justice system (taken from the Disproportionate Minority Contact Technical Assistance Manual, forthcoming):

1. **Justice by Geography**: decision making may differ by jurisdictions and the factors that account for these differences vary (see Leiber, 2003; Sampson and Laub, 1993)

2. **Displacement:** displacement effects (also called importation effects) occur when a large number of non resident minority youth come into a jurisdiction and come into contact with the juvenile justice system. Importation and Displacement may occur due to a variety of factors, such as an area having a high level of tourism or other attractions (theme parks), or due to a high level of mobility within a metropolitan area (e.g. mass transit). It may also occur if a significant number of individuals come to reside in an area on a temporary basis, as may happen in temporary labor situations. An "attractive nuisance" such as a shopping center or recreational facility may pull minority youth into an area which has relatively lower populations of minority youth.

3. **Indirect Effects – The Impact on Decision Making Criteria:** a variety of other characteristics are frequently correlated with race, including such elements as family structure, income, area of residence, detention status, etc. In addition there may be a relation between race / ethnicity and educational progress, alleged gang involvement, and other prior social service involvement. To the extent that such factors are used in decision making within the justice system, they may "carry" the impact of racial and ethnic differences into those decisions, even if race and ethnicity are not explicit bases for the decisions in the justice system. This type of effect may have implications for item eight (listed below).

4. **Differential Program Access and Participation**: programs may be less accessible to minority youth due to a variety of factors, ranging from program location and service hours to intake criteria. If a program is successful in preventing future system contact, but is less available to minority youth, then the net result is further disproportionate minority contact for the youth in the jurisdiction served by the

program. In addition, if a viable program is available only in some communities, then this availability may also work to enhance later DMC issues. On the other hand, differential deployment of resources may also increase the odds of youth becoming involved with the juvenile justice system. For example, if law enforcement or probation supervision resources are focused in particular locations, this may have the impact of bringing additional minority youth into the system.

Or, a juvenile court may be located in an area not served by public transportation, or it may have service hours that do not make it easily accessible for youth after-school. Drug Court or Mental Health programs may have entry criteria that differentially exclude youth with some types of prior delinquent or other histories. After-school programs may be available in some areas of a city, but not others. Each of these may have the effect of reducing the availability of treatment or intervention for minority youth, and thus increasing the comparative probability of future and extended system contact.

5. **Differential Program Completion and Success**: once a youth has entered most service delivery, intervention, or prevention programs the program will consist of several activities over time. Many programs have a substantial dropout or non-completion rate, and even program completion does not necessarily assure that continued system contact will be reduced. To the extent that program completion rates and/or program success rates are different for minority groups, it is possible that such program issues may be a source for successful intervention to reduce DMC. For example, if a diversion program focuses on family involvement and intervention, the program may require family participation, which may be more difficult for

economically disadvantaged or single parent families. To the extent that family participation is more difficult to achieve for minority youth, there may be differentials in completion of the program and benefits from the program. If these are recognized, there may be some simple modifications to the program that do not diminish its effectiveness, but improve its ability to reach a wider range of youth.

6. **Differences in Delinquent or Criminal Conduct**: It may be the case that in some instances there is a different level of involvement in delinquent behavior for some minority youth. In order to contribute to DMC, this may be a higher level of involvement (more frequent) or an involvement in offenses with a higher level of severity. It may also be reflected in a history of more serious or frequent activity, which has an impact on decision making for each subsequent justice system contact.

7. **Policies with Disproportionate Impact:** it may be the case that some justice system policies are designed in such a fashion that they have a greater impact on some minority youth than on white youth or other groups. These policies may create an additional penalty or even an offense category which is more likely to impinge on minority youth because of the area they reside in, or some other feature or characteristic of their situation. For example, a large number of policies are designed to 'protect' school children by providing enhanced penalties for offenses such as drug possession and sale or offenses involving weapons which occur within a specified distance of a school building. In densely populated urban areas, frequently characterized by higher populations of minority youth, a greater proportion of the land area lies within close proximity to school buildings. The net result is that offenses charged under such enhanced penalties are more likely to involve youth of

color. Other examples include decisions to enforce truancy standards in problematic schools, or the choice to treat some substances (e.g. crack cocaine) differently from other substances (e.g. other forms of cocaine.) The point is not whether those policies are in themselves "correct" or even effective, the point is to recognize that some policies may have a differential impact on minority youth and may exacerbate DMC issues.

8. **Accumulated Disadvantage**: this mechanism occurs when minority youth have a slightly higher volume of activity at each stage of the justice system – the stages become multiplicative and the overall impact on DMC for the entire system is relatively high, even though no single stage in the system appears to have extremely high levels of DMC. Hence the emphasis in this mechanism is not on any particular stage or activity, but on the accumulation of relatively small differences, which when accumulated over the entire flow of the justice system become very large.

The extent each of these is present in a locality will vary. The objective of the identification and assessment phase of the DMC mandate is to provide individuals with information concerning the presence of minority youth in their juvenile justice system and a better understanding whether these mechanisms as well as others exist in their locality and how they contribute to the disproportionate overrepresentation of minority youth in the juvenile justice system. In Chapter Two, we discuss the presence of minority youth in Alaska's juvenile justice system (identification) and prior research that has attempted to examine what contributes to youth coming into contact with the system.

Chapter Two

Disproportionate Minority Confinement/Contact (DMC) in Alaska

In this Chapter, information is presented on the extent of minority involvement in Alaska's juvenile justice system. This information will be provided in the form of data supplied by the state of Alaska in an attempt to comply with the identification phase of the DMC mandate. Next, the discussion centers on prior research that includes a formal assessment study that has been conducted to further understand the contributing factors to minority youth contact with the system. First, however, we highlight the decision making stages in Alaska's juvenile justice system.

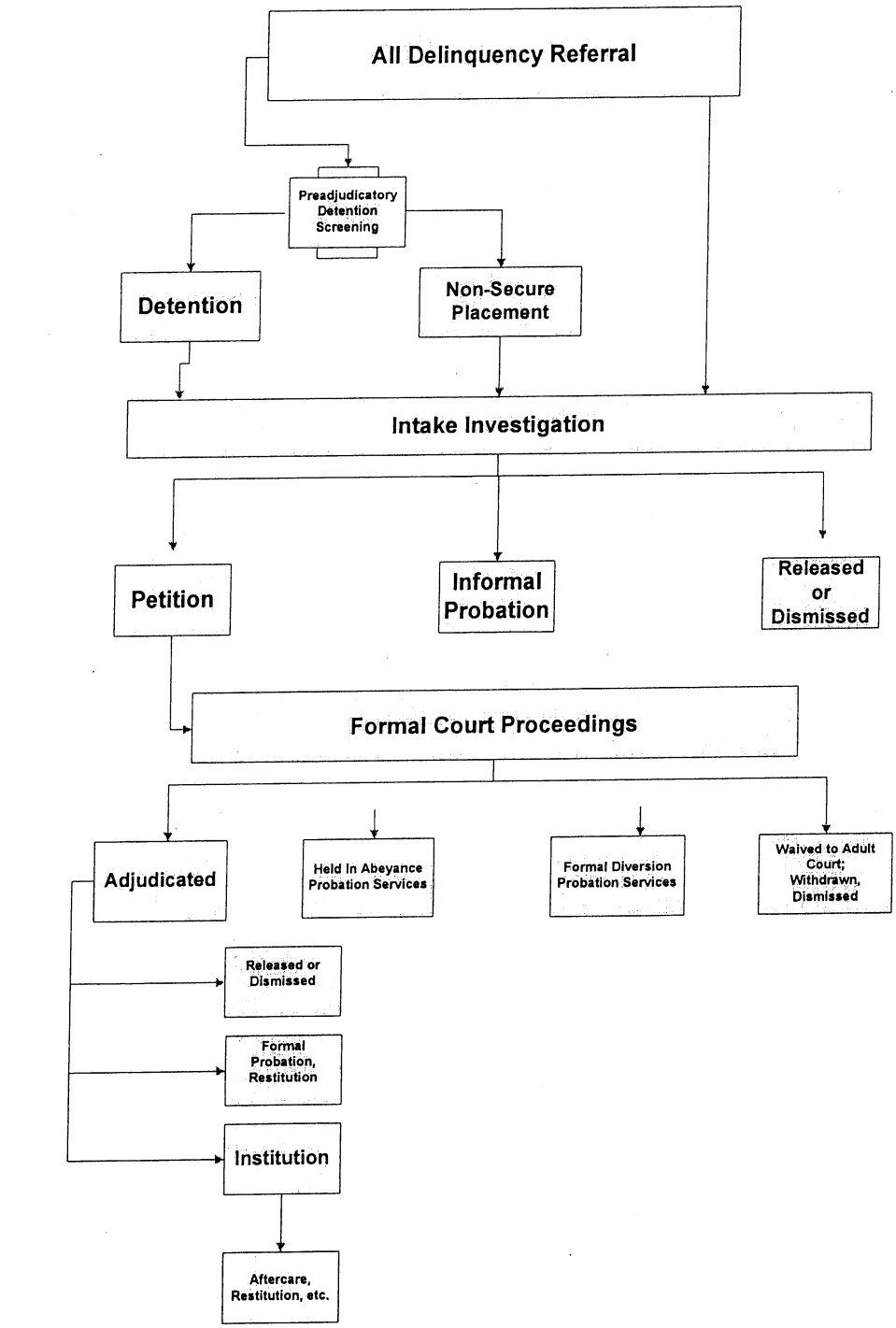
Decision Making Stages in Alaska

The decision making stages in Alaska are shown in Figure 2.1. (next page). Once a referral has been made youth enter the juvenile justice system. Prompted by a referral typically by law enforcement, *pre-adjudicatory detention screening* may occur to determine if a youth should be detained. At this stage, there may be a request for detention, and that request may result in a secure detention. Alternatively, the youth could be (temporarily) released or placed in non-secure settings (attendant care shelter or emergency placement).

All youth referred to the juvenile justice system have an *intake* investigation where Division of Juvenile Justice (DJJ) staff determines whether a youth should be dismissed, placed on informal probation or adjustment or a court petition should be filed. Following a petition for adjudication, youth receive one of six court dispositions. These court dispositions are: *youth are adjudicated as delinquents, held in abeyance, diverted, waived, withdrawn, or dismissed.* Adjudicated delinquents may be sentenced to correctional facilities while others may be placed on informal probation, formal probation (of various levels), or in residential care.

Figure 2.1

Alaska DJJ Service Delivery System



Review of Identification Results for Alaska

Recall that the JJDP Act was modified in 2002 to address "juvenile delinquency prevention efforts and system improvement efforts designed to reduce, without establishing or requiring numerical standards or quotas, the disproportionate number of juvenile members of minority groups, who come into contact with the juvenile justice system." This change broadened the DMC initiative from "disproportionate minority confinement" to "disproportionate minority contact," requiring an examination of possible disproportionate representation of minority youth at all decision points in the juvenile justice continuum. Recall also that prior to the reauthorization of the mandate in 2002, information for the identification phase was provided in the form of indices that represented the under- and over- representation of minorities relative to their representation in the population of youth with 1.0 as the comparison base. Above 1.0 represents overrepresentation while below 1.0 indicates underrepresentation. After the reauthorization the information was changed to relative rates (see, http://ojjdp.ncjrs.org/dmc/tools/index.html). Information presented below will be first based on the indices, followed by information on the relative rates for the year 2002 through 2003.

In FY2000, 69.6% of Alaska youths were Caucasian, 21.4% were Native American (Alaska Native), 4.6% were African- American, and 4.4% were Asian or Pacific Islander. An examination of the indices and percentages relative to their population, however, reveals that Native Americans and African-Americans were often overrepresented at every stage of the juvenile justice process while Caucasians and Asian/Pacific Islanders are underrepresented. Detailed information on the

overrepresentation of Native Americans and African Americans is illustrated in Table 2.1.

Table 2.1. Identification Results for Native Americans and African-Americans Involving Average Indices (FY 1993 – FY 2000) for the state of Alaska

Stage	Native Americans	African Americans
Referral	1.55	1.70
Detention	1.63	2.78
Petition	1.65	2.19
Adjudication	1.54	2.38
Institution	1.55	2.16

Source: www.hss.state.ak.us/djj/information/djj_publications.htm, *State of Alaska, Department of Health and Social Services, Division of Juvenile Justice (2001)*

Differentiating the identification of overrepresentation by decision making stages for Anchorage and Fairbanks in terms of relative rates is provided in Table 2.2 (next page). The information was adapted from that given by the state of Alaska to OJJDP representing data from 1999 through June 2001 in the form of relative rates.

A look at Table 2.2 reveals information for Anchorage and Fairbanks that parallels trends reported over the last decade and discussed above concerning minority overrepresentation in the state as a whole. For example, overrepresentation is evident more so in both jurisdictions for Native Americans and African Americans relative to Asians and Native Hawaiians who often are underrepresented. In Anchorage, for example, Native Americans and African Americans have relative rates of 3.28 and 2.58

for the stage of referral. In other words, 3.28 Native American youth are referred to juvenile court to 1 white while for African Americans it is 2.58 to 1 white. In Fairbanks, 4.85 Native youth are referred to 1 white and for African Americans the comparison is 2.05 to 1 white.

Table 2.2. Relative Rate Indices for Anchorage and Fairbanks by Racial/Ethnic Groups (July 1999 through June 2001).

Anchorage

Decision Making Stage	Native American	African American	Asian Hawaiian	All Minorities
Referred	3.28*	2.58*	1.42*	1.76*
Accepted	3.21*	2.47*	1.44*	1.73*
Diverted	.80*	.84*	1.03	.87*
Secure Detention	1.55*	1.44*	.92	1.37*
Petitioned	1.41*	1.43*	1.04	1.31*
Adjudicated	1.00	.98	.74*	.94*
Probation	.77*	.87	1.63*	.95
Confinement	1.93	2.85*	1.60	2.96*
Adult Waiver	--	--	--	--

Fairbanks

Decision Making Stage	Native American	African American	Asian Hawaiian	All Minorities
Referred	4.85*	2.05*	.54*	2.29*
Accepted	4.88*	2.03*	.60	2.29*
Diverted	.81*	.64*	.78	.80
Secure Detention	2.32*	2.59*	.63	2.22*
Petitioned	1.59*	2.14*	1.70	1.65*
Adjudicated	.89	.88	.95	.90
Probation	1.01	.78	1.41	.91
Confinement	3.11	1.60	18.67*	2.86*
Adult Waiver	--	--	--	--

* Statistically significant at $p < .05$.

Source: State of Alaska, Department of Health and Social Services, Division of Juvenile Justice State of Alaska Formula Grant Application FFY 04.

Across the nation, minority youth are overrepresented in secure detention. In 1997, for example, 19% of all juvenile delinquent referrals resulted in detention with African American youth comprising 47% of those detained (Hoyt et al., 2002). In both Anchorage and Fairbanks, minority overrepresentation exists. Native Americans are held in secure detention at a rate of about 1 ½ times more than whites in Anchorage and over 2 times more likely in Fairbanks. For African Americans, the relative rates are 1.44 and 2.59 in Anchorage and Fairbanks, respectively.

Another finding that is also evident and unfortunately exists across the nation is the underrepresentation of minority youth in diversion at intake (e.g., Leiber and Stairs, 1999). In Anchorage and Fairbanks, both Native Americans and African Americans are less likely than their white counterparts to participate in diversion. For Native Americans, the relative rate to 1 white is .80 in Anchorage and .81 in Fairbanks. For African Americans, the relative rate is .84 in Anchorage and .68 in Fairbanks.

Finally, a closer examination of the relative rates in Table 2.2 indicate that, with some exceptions, more evidence of overrepresentation appears earlier than later in the system for both jurisdictions. That is, the relative rates point to more differences at referral, detention, diversion and petition than at adjudication, probation, and confinement.

Review of Prior Research on Juvenile Justice Decision Making in Alaska

An exhaustive review of the literature that has examined juvenile justice decision making, or in general case referrals in Alaska, is beyond the scope of this study. A source for some of these studies can be found on the webpage of the Justice Center at the University of Alaska at Anchorage (http://justice.uaa.alaska.edu/publications/). An

exhaustive review of that material will also not be provided. Instead, three studies that have examined juvenile justice case referrals and/or decision making will be briefly outlined. Two of the studies relied mostly on descriptive information such as frequencies and therefore should be viewed as exploratory and providing a background on detention and juvenile justice referrals in Alaska (Schafer and Curtis, 1994; Schafer, 1998). The third study is a more comprehensive examination of juvenile justice decision making with a particular focus on gender. This study used a large sample and multivariate statistical techniques (Rosay, 2003).

Schafer and Curtis (1994) examined 1,552 instances of detention in Alaska during 1993. The data utilized in this study came from the Justice Center which was collected on behalf of the Division of Family and Youth Services. From this data, the authors were able to extract the date and time of admission and release, the juvenile's date of birth, sex, and race of the juvenile as well as the reason youth were placed in detention. Schafer and Curtis (1994) excluded youth who were booked and released from adult facilities. Admission/release time data was used to determine the number of days juveniles were detained in Alaska. Between January 1 and December 31, 1993, 1552 detention events were recorded. Out of these events, it was determined that 1,023 youth were detained. Most youth were detained twice (N=307). Whites accounted for 43 percent of those detained. Native American youth accounted for 30 percent. African Americans, Hispanics, Asian/Pacific Islanders were held longer in duration (median length 4 days) when compared to whites or Native Americans.

The reasons juveniles were detained were broken into several categories such as traffic offenses, offenses against person, and so on. The author's primary interest was the

number of detentions involving status offenses. Results suggest that few detentions were the result of violence (16.6 percent), which runs contrary to the general perception that juveniles in Alaska are becoming increasingly violent. Further, the mean length of stay for violent offenses was greater than that for property offenses. Those youth who were detained due to status offenses were more likely to be detained under a protective custody category. Gender differences also became evident in the findings. Specifically, the data on gender revealed that male youth accounted for 75 percent of all detentions recorded and, in addition, accounted for 83 percent of days spent in detention. Age effects were also noted by the author. Finally, probation violations accounted for the largest proportion of juveniles detained (38.7 percent).

In sum, the authors found Alaska to be in compliance with that aspect of federal regulation which prohibits juveniles from being held in adult facilities. However, the authors did note that future research needs to incorporate a larger time frame and sample to enhance our understanding of detention in Alaska.

Shafer (1998) examined youth referred to Youth Corrections in Alaska. The main focus of this study was to examine stereotypes about juvenile offenders. The author found that Native American youth had more referrals due to alcohol related referrals when compared to African American or white youth. In addition, female youth were more likely to have a referral of alcohol in their file when compared to male youth.

The sample was relatively small. More specific, Shafer utilized a stratified sample of youth from a larger sample which was randomly selected for an in-depth study. This method ensured equal proportions from each racial group. The sample consisted of

112 youth. Out of these youth 45 were white, 35 Native American, and 37 were African American.

The mean age of all youth at the time of their first referral was about 14 and one-half years. The authors examined both legal and extra legal factors. Extra legal factors examined in this study included family information, school information, and alcohol involvement. Findings suggest that burglary (N=14) was the only felony charge for which youth were referred. Theft accounted for the largest proportion of all first referrals with white youth being the most likely to be referred for this crime. Additionally, Shafer found that minority youth were more likely to accumulate numerous referrals when compared to white youth.

Furthermore, youth who accumulated several referrals did not have stable living situations. For instance, some parents refused to take their youth in and others requested more serious charges to be brought against their youth.

Shafer (1998) felt relatively confident about her findings in that they mirrored findings from larger samples; specifically the finding that minority youth were more likely than white youth to accumulate referrals. In addition, the author believes that youth living in small villages are more likely to be placed in the category of habitual offender which suggests that high visibility and personal knowledge of offenders may play a role in the accumulation of lengthy records. Other findings included that minority youth were more likely when compared to whites to live with someone other than their biological parent. Additionally, a small proportion of youth who had at least five referrals were found to have stable home lives but most had some sort of emotional problem. According to the author these findings suggest that both prevention and

intervention efforts should be aimed at providing a level of stability and safety for these troubled youth.

Several limitations were apparent in this study. Foremost, the sample was relatively small which brings into question if these results can be generalized to the general population of Alaskan youth. Another limitation was that record information on youth was incomplete.

Rosay (2003) examined the extent gender impacted justice decision making in the state of Alaska. The data came from the Alaska Division of Family and Youth Services (DFYS), now the Division of Juvenile Justice (DJJ). The time frame examined referrals from 1992 to 1995. Rosay concentrated on youth involved in assault in the fourth degree, concealment of merchandize worth less than $50, criminal mischief in the third degree, theft in the third degree, theft in the fourth degree, and possession or consumption of alcohol. The sample consisted of 9,493 youth aged 10 to 17 years old.

Although a number of different statistical analyses were conducted, we will focus on the results from the logistic regression models (a form of multivariate analysis technique that allows for the ability to control or consider the impact of a number of variables or factors at the same time). Rosay differentiated decision making by: intake dismissal, intake adjustment and intake petition and formal court proceedings involving dismissal, diversion, and adjudication (2003: 13-14). In addition to crime or charge type, prior referral, age, region, race and gender were treated as independent variables.

Rosay reports that males are significantly more likely to be dismissed, less likely to be informally adjusted, and more likely to be petitioned than similarly situated females. Native American youth were shown to be less likely to receive an informal

adjustment and more likely to be petitioned than whites. No gender effects were reported for decision making involving formal court proceedings. Native Americans were found to be less likely to be adjudicated delinquent. An examination of the effects of race and gender by each region or jurisdiction was not reported.

Summary of Results of the State of Alaska's 2004 Formal Assessment Study of Disproportionate Minority Contact with the Alaska Juvenile Justice System

In December 2003, the State of Alaska, Department of Social Services, Division of Juvenile Justice (DJJ), contracted with Craciun Research Group, Inc. to conduct an assessment study of disproportionate minority contact with the Alaska juvenile justice system. The two jurisdictions studied were Anchorage and Fairbanks. The information that follows was taken from the *2004 Assessment Study Disproportionate Minority Contact with the Alaska Juvenile Justice System* report (Craciun, 2004).

The basic objectives of the DMC Assessment study were to examine why overrepresentation exists and to determine whether the discrepancies that have been identified at key decision points in the juvenile justice process have increased, decreased, or not changed. The last objective was to make recommendations for continued improvements.

Methodology

The research methods used were both quantitative and qualitative. Specific research methods employed included:

- Analysis of JOMIS data (State database of juvenile justice cases)
- Manual review of case records and analysis
- Interviews with key players/informants
- Observations of court proceedings
- Focus Groups with youth referred to the Alaska Juvenile Justice System

Quantitative Methodology Employed.

The analyses focused on all referrals of youth to Anchorage and Fairbanks during the period July 1, 2002 through December 31, 2003. The study focused on a total sample of 3,777 cases. Of this total sample, 3,057 cases were from Anchorage while 720 came from Fairbanks.

Stages Studied (Dependent Variables)

The key decision points selected for the study were referral, request for pre-adjudicatory detention screening, pre-adjudicatory detention screening, intake investigation, and court proceedings. Each of the stages treated as categorical variables (i.e., no versus yes).

Factors Examined (Independent Variables)

The population groups used for the analysis were Caucasian, Native American, African American, and Asian/Pacific Islander. Other independent variables included: age at referral, gender, race, prior referral record, category of offense(s) at referral, level (degree) of most serious offense at referral, change in level of most serious offense from time of referral to final report, level of most serious prior offense, weapon-related offense, number of offenses at referral, probation level referral, residence outside of the community, most serious prior disposition, preadjudicatory detention screening requested, and detention status for current referral. Variables such as school status, living arrangement, parents' marital status, and employment status were not included in this study because of the occasional failure to enter the information at the local level.

Qualitative Methodology Employed.

Qualitative methods were included because they can provide greater depth and understanding in the attitudes and behaviors that result in DMC. Three qualitative methods were used that included observations of juvenile court proceedings, focus groups with youth in both detention facilities and group homes, and personal interviews with key players in the system.

Observations

Observations of eleven juvenile court proceedings in Anchorage and Fairbanks were scheduled for two weeks in March 24 through April 1, 2004. A one-page survey instrument was designed to capture the observations for each proceeding. The observer noted such factors as race and ethnic background of the juvenile, family situation, and demeanor of all involved in the proceedings.

Focus Groups

Six focus groups were held May 10 through May 13, 2004, in Anchorage and Fairbanks. The participants were ages 15-20 and included Alaska Natives, African Americans, Asian Americans, Pacific Islanders, and a few Caucasians.

Personal Interviews

Thirty personal interviews of juvenile justice personnel were conducted. The interviews were in Anchorage and Fairbanks during July 23 through August 13, 2004.

Results

For the quantitative phase of the study, in both Anchorage and Fairbanks, Caucasians comprised over 70 percent of the population (72.2 % Anchorage, 77.8%

Fairbanks) but made up only 46.5 percent of the referrals in Anchorage and 56.4 percent in Fairbanks, respectively.

The more significant comparisons, however, are those involving minority populations. In Anchorage, 18 percent of the youth referred for juvenile offenses are Native American, but this population represents only 7.3 percent of the population. Similarly, African Americans represent 5.8 percent of the population but represent 12.6 percent of the referrals, and youth in the "other" or bi-racial category are approximately 5 percent of the population and nearly 14 percent of the referrals. In other words, Native American and African American youth were about twice as likely to have a juvenile referral in Anchorage, as is the entire population and almost four times as likely as a Caucasian youth.

In Fairbanks, the disparities are much larger and generally affect Native American youth to a much greater degree than African American youth. Native American youth are more than four times as likely to be referred and more than six times as likely as Caucasian youth. Minority youth are more likely to be referred (disproportionately) by the Fairbanks police to the juvenile system than they are in Anchorage. However, once they are in the system, the difference in racially based decision-making between Fairbanks and Anchorage is reversed.

Results from the use of multivariate procedures in the form of logistic regression **reveal race differences once legal and extralegal factors and the process variable of detention were considered.** These race findings were conditioned by these variables and appear to occur more frequently at intake rather than formal court proceedings. The relationships seem to exist in both Anchorage and Fairbanks. **It is important to note**

that although race effects were found, legal and, to some extent extralegal variables, explained most of the decision making. Some of the findings involving race effects at detention and intake were:

Decision Making Involving Detention

- Minority youth in Anchorage are more likely than whites to be subjected to a detention screening request.
- Whites involved in probation violations in Fairbanks are less likely than their minority counterparts to have a detention screening request.
- For non-felony cases, race plays a more complex role in both locations, with Native American youth in Anchorage more likely than the overall population to be detained both in general and when they have a previous adjudication, but less likely to have such a request when they commit public order offenses.
- Whites are less likely to be detained in Fairbanks than all other youth.

Decision Making at Intake

- In both locations, being detained increases the chances of receiving a petition. Thus, since minorities were more likely to be detained, minorities are more likely to be petitioned.
- Whites with a greater number of prior referrals in Anchorage decrease the odds of receiving a petition at intake. That is, whites with more prior referrals were less likely than other race groups, with less or more prior referrals, to be petitioned.
- For African Americans, involved in a felony case and being older in Anchorage decrease the odds of receiving a petition at intake.
- Native Americans (felony) are less likely to be petitioned in Anchorage.
- Native Americans (felony) are less likely to be petitioned if property offender in Anchorage.
- Asian property offenders (felony) are more likely to be petitioned in Anchorage.
- Asians (felony) are less likely to be petitioned in Anchorage.

- Whites (felony) are less likely to be petitioned in Anchorage.
- Native Americans and whites (nonfelony) are less likely to be petitioned in Fairbanks.
- Those detained more likely to be petitioned; African Americans indirect effect through detention in Fairbanks.
- For African Americans, involved in a nonfelony case in Anchorage, the odds decrease of receiving probation or an informal adjustment at intake.
- For whites, involved in a felony case in Anchorage, the odds increase of receiving probation or an informal adjustment at intake.
- Females are more likely to receive informal adjustment in Anchorage.
- Native American youth involved in a felony case are more likely than others to receive probation or an informal adjustment at intake in Fairbanks.
- Females more likely to receive informal adjustment in Fairbanks.
- No race effects reported for decision making at formal stages in both Anchorage and Fairbanks.

Overall, race matters in both Anchorage and Fairbanks even after key variables are controlled. The race findings appear to be more evident in decisions involving detention and intake outcomes. Under certain conditions, minority youth are more likely to be detained and not participate in informal probation than similarly situated whites. These findings support those reported in the identification phase. Also, race seems to operate indirectly through detention to influence case outcomes and contribute to minority overrepresentation in the system. For example, African American youth may be more likely to be detained and thereafter, while race does not explain further case decision making, detention does and consequently, indirectly through detention, African Americans are more likely to receive the more severe outcome relative

to all other youth. These findings, race effects being more pronounced at detention and intake and race working through detention, are consistent with results nation wide (e.g., Leiber and Fox, 2005).

In addition, prior research has also shown that for a variety of reasons, minority youth are less likely to receive an informal adjustment than similar whites (e.g., Leiber, 1994). The findings are more pronounced in Anchorage than Fairbanks. In some instances, gender is also reported to influence decision making with females more likely to receive an adjustment and less likely to be petitioned than their male counterpart. The authors of the assessment study note that these findings should be viewed with caution due to small numbers at some of the decision making stages.

For the qualitative component of the assessment study, the authors conclude that a major reason for overrepresentation, regardless of location, was the finding that the lack of parental involvement significantly impacts which youths are referred into the juvenile system and the actions taken while within the system. According to the authors, if police officers believe that parents are actively concerned when their children get in trouble with the law, they tend to warn the offending juveniles rather than arrest them. After youth are arrested, if parents cannot be contacted, the juvenile justice authorities are likely to request detention screening rather than turn them out without adult supervision. If parents are still not available when the decision is made to detain, minority juveniles are (disproportionately) assigned to detention where they may be held for an inordinate amount of time before the courts make decisions about their cases.

Key findings from the focus groups were:

- Youth dissatisfaction with juvenile probation officers.
- Youth want to be involved with their treatment plans.

Results from the personal interviews were:

- Lack of awareness of DMC.
- Poverty and lack of strong parental support were seen as contributing factors to DMC.
- Minority youth may be detained for their "own protection".
- There is a need for more neutral advocates for youth.
- There is a need for cultural sensitivity training and more minorities as decision makers.

Recommendations

To reduce the disproportionate number of minority youth coming into contact with the Alaska juvenile justice system, several recommendations were made. The first recommendation was to institute a **Youth Ombudsman Office and Youth Champion Program** to decrease DMC in the absence of parental involvement.

Secondly, **community based resources that work on prevention and treatment** for youth should be introduced to help eradicate DMC in Alaska. Programs should include more activities for youth in rural areas and direction and advice should be solicited from tribal leaders for cultural relevance. In urban areas, it is important to establish outreach efforts to both parents and youth to connect them with activities that already exist.

The third recommendation is to **make significant efforts** to reduce

overrepresentation, **directed towards those making the referrals, those making the decision to request a detention screening, and those making the detention decision**. This third recommendation is based on the finding that most race effects occurred early in the proceedings and these decisions have a significant impact at later stages.

Fourth, DJJ should **develop strategies** for addressing overrepresentation which **are locality specific**, i.e., which address the decisions which are most prone to contribute to overrepresentation in each location, principally, the decision to refer, to request detention screenings and to petition in Anchorage and the decision to refer in Fairbanks.

The fifth recommendation is that the focus of DJJ in each location should be on addressing the specific ways in which race plays into the decisions regarding youth in the DJJ system, not on more generic issues of prejudice or cultural sensitivity. Also, DJJ should work with local jurisdictions to study the referral process itself; the aim is to **determine how race impacts on the decision to bring a youth into the system**, so that those impacts can be addressed in the effort to reduce minority overrepresentation.

Finally, many **data issues** were confronted during the project that centered on missing data. Therefore, a recommendation was made that DJJ should reinforce the expectation and institute procedures for assuring the information is entered into JOMIS. According to the authors, a more thorough and complete analysis of minority overrepresentation and other issues would be possible at reasonable cost if JOMIS were fully utilized.

Summary

An inspection of the identification results and findings from both prior research and the formal assessment study indicate that minority youth are overrepresented in many stages throughout Alaska's juvenile justice system. Although legal and extralegal factors and the process variable of detention explained most of the decision making, in Fairbanks and especially Anchorage, under certain conditions minority youth are more likely to be referred to juvenile court, not participate in informal adjustments, and be petitioned than similarly situated whites. The race findings seem to occur earlier in the proceedings than later. **The studies by Rosay (2003) and Craciun (2004) also report some evidence that being a female may translate into more lenient outcomes relative to similarly situated males.**

Chapter Three

The Present Research

The present study re-examines data collected by the Craciun Research Group, Inc. (2004) as part of an effort to comply with OJJDP and the request for an assessment into the causes or contributing factors of DMC in Alaska and in particular, Anchorage and Fairbanks. Recall that the justification for the present research is not driven by questions concerning the results from the Craciun study but the need for further clarity and validation of the extent legal factors and extralegal considerations, as well as race/ethnicity, influence case proceedings and outcomes. While the same data set is used and many of the same variables (both independent and dependent) are included in the analysis (although some have been omitted in the present research), this study is not a replication of the Craciun study. In this Chapter, the data and sample are described as are the structural characteristics of the jurisdictions, the case characteristics, and the decision making stages examined. The analysis procedures employed follows and concludes the discussion.

Data and Samples

For the present research, information from all case referrals to juvenile courts for delinquency acts and probation violations in Anchorage and Fairbanks is used. The time frame examined covered cases referred between July 1, 2002, and June 30, 2003, and includes all outcomes of cases up to December 31, 2003. Most of the data came from the state database of juvenile cases. The Division of Juvenile Justice maintains the database and is known as the Juvenile Offender Management Information System or JOMIS. Additional data also came from actual cases files where information was either not

consistently recorded or collected. Two hundred cases were selected for inclusion in the study. Random samples of 50 cases at each site were taken from: all referrals, those screened for detention, referrals with an intake disposition, and referrals with a court disposition (Craciun, 2004: 128, 145). This information was linked with JOMIS. The data from personal interviews, observations of court proceedings, and focus groups with youth is not considered or analyzed in the present study.

The total sample of cases used in the study is 3,777 with 3057 representing Anchorage and 720 representing Fairbanks. Forty-eight percent of the cases were identified as white (n= 1828), 11 percent African American or black (n= 432), 21 percent Native American (n= 785), 8 percent Asian/Pacific Islander (n=285) and 12 percent as other (n=447).

The Structural Characteristics of the Jurisdictions

Because of the importance that structural contexts have in increasing our understanding of race, decision making, and social control, information is provided that distinguishes each jurisdiction on these indexes. The structural characteristics discussed were selected on the basis of theory and previous research (e.g., Sampson and Laub, 1993; Leiber, 2003; see also, Chapter Two).

Table 3.1 provides the distributions on the population for each jurisdiction and race concentration. Anchorage has the larger population of the two (n= 260,283) but the percent persons 17 and younger is fairly equal for the jurisdictions with 13 percent for Anchorage and 13.5 percent for Fairbanks. The largest minority presence is also in Anchorage with whites representing 66 percent of the youth population compared to 73 percent for Fairbanks.

Table 3.1. Municipality/Borough Characteristics – Population and Minority Concentration by Jurisdiction

	Municipality Anchorage	North Star Borough Fairbanks
I. Population	260,283	82,840
% Persons 17 and younger	13.0	13.5
II. % of All Youth (17 and younger)		
Caucasian	66.0	73.0
Native American	8.3	8.5
African American	6.7	6.0
Asian/Hawaiian/Other Pacific Islander	7.4	2.0
Other	12.0	10.0

Source: Bureau of the Census (2000) 2000 Census of Population: General Population Characteristics.

The two jurisdictions are closely aligned in terms of the distribution of minority youth. In both places, Native American youth make up the largest minority group at 8.3 percent in Anchorage and 8.5 percent in Fairbanks. The next largest minority youth group in Fairbanks is African American (6%), while in Anchorage it is Asian/ Hawaiian/Other Pacific Islander (7.4%). The latter racial/ethnic group represents a much smaller presence in Fairbanks (2%). African American youth make up 6.7% of the population in Anchorage. Minority youth classified as other represent 12 percent in Anchorage and 10 percent in Fairbanks.

Table 3.2 presents the distributions for the structural indexes represented by underclass poverty, wealth, and juvenile crime. Underclass concentration is represented by the percentage of persons in poverty, the rate of unemployment, the percent teens that are high school dropouts, the percent of births by teens, and the percent unwed mothers. Wealth of a community is captured by the average household income, per capita personal income, and median HUD income. Juvenile crime is measured by official data differentiated by race/ethnicity and a five-year average expressed as the percent of delinquency referrals distinguished by person, property, drugs/alcohol, and other offenses.

The measures are based on Census information and crime data that represent population parameters. Because these are population parameters as opposed to samples of the populations, any differences in the contextual variables are true differences and negate problems associated with chance and with the use of tests for significance.

Fairbanks can be characterized overall as poorer than Anchorage. Of the eight measures representing underclass and wealth, Fairbanks ranks higher on the underclass

Table 3.2. Municipality/Borough Characteristics – Inequality and Juvenile Crime, Distributions by Jurisdiction

	Municipality Anchorage	North Star Borough Fairbanks
I. Underclass		
% Persons in poverty	8.9	9.1
Unemployment (rate)	4.7	6.2
% Teens high school dropout (2000-2002)	8.6	8.7
Percent of births by teens (ages 19 and under)	9.8	8.0
Percent unwed mothers	30.7	22.7
II. Wealth		
Average Household income (in dollars)	54,234	46,944
Per capita personal income (in dollars)	32, 659	25,341
Median HUD income (in dollars)	60,500	49,200
III. Juvenile Crime (10-17, 5 year average, 98-2002)		
Caucasian	58.0	57.2
Native American	16.9	30.4
African American	12.6	8.1
Asian/Hawaiian/Other Pacific Islander	8.0	< 1.0
Other	3.2	<1.0
Delinquency referrals (10-17, 5 year average, 98-2002, %)		
Person	18.3	23.0
Property	52.0	48.0
Drugs/Alcohol	8.0	14.5
Other	22.0	13.9

Sources: Alaska Department of Juvenile Justice (2005); United States Census Bureau (2000); State of Alaska Health & Social Services (2001), Bureau of Vital Statistics; Kids Count - Alaska.

indexes and lower on the wealth indexes. The results from the five-year average for official crime reports differentiated by race/ethnicity show that whites or Caucasians commit more crime in both jurisdictions, followed by Native American youth. However, Native Americans constitute a much larger percentage in Fairbanks (30.4%) relative to Anchorage (16.9%). Conversely, Asian/Hawaiian/Other Pacific Islander represents 8 percent of juvenile crime in Anchorage compared to less than one percent in Fairbanks. African American youth are reported at 12.6 percent in Anchorage while representing 8.1 percent in Fairbanks.

Case Characteristics

The independent variables include extralegal and legal factors representing race, age and gender, prior record, and current offense. Previous research on the influence of race on juvenile justice decision making includes similar variables (e.g., Bishop and Frazier, 1988). Several central variables, however, representing social characteristics and detention status are not included. In some instances the decision to not include such variables as school status, living arrangement, and parents' marital status was based on the absence of data that varied by jurisdiction. For example, in Anchorage, living arrangement is unreported in over 55 percent of the cases but only 18 percent of the cases in Fairbanks. In other instances, the variable lacked variability and was almost a constant or there simply was too few cases overall to justify inclusion. Information representing detention screening requests and detention in general fell into these categories. The omission of these variables is a limitation of the study due to their importance in decision making and possible association with race/ethnicity and case outcomes. Table 3.3

presents the variables, the coding scheme, and the distributions differentiated by Anchorage and Fairbanks.

The social traits are represented by race/ethnicity, gender, and age. Race/ethnicity is operationalized by white, African American, Native American, Asian (which includes Hawaiian/Other Pacific Islander) and other. The collapsing of Hawaiian/Other Pacific Islander was conducted because these groups were treated as such at that time by JOMIS. In the analysis, race will be represented by dummy variables with whites the reference category.

The juvenile's previous history of contact with the system is captured by the variable prior record that is treated as a dichotomy (0 = no, 1 = yes). Three variables are used to represent the current offense: the number of charges (interval), the seriousness of the offense (0 = probation violation, 1 = misdemeanor, 2 = felony), and the type of crime. Because of the theoretical importance of drug offending in a contextual analysis of race and decision making (e.g., Sampson and Laub, 1993), dummy variables were created to distinguish between property, person, and drug offenses. Referrals consisting of disorderly conduct, resisting arrest, probation and conduct offenses, and so forth comprise the reference group. Most cases are classified as misdemeanors (65%) and property crimes (61%).

A comparison of the legal and extralegal variables reveals statistically significant associations by jurisdiction and crime severity and the three measures of crime type. In Anchorage, more of the cases are misdemeanors (67% compared to 54% in Fairbanks) and involve property offending (66% compared to 40% in Fairbanks). Differences by jurisdiction are also evident in offenses classified as felony (33% in Fairbanks compared

Table 3.3. Distribution of Independent Variables Differentiated by Jurisdiction

Variable	Total Sample N	%	Anchorage N	%	Fairbanks N	%
Jurisdiction						
Anchorage	3057	81				
Fairbanks	720	19				
Race						
White	1828	48	1422	46	406	57
African American	432	11	385	13	47	6
Native American	785	21	552	18	233	32
Asian	285	8	279	9	6	1
Other	447	12	419	14	28	4
Age						
(young to old)	x= 15.49		15.44		15.69	
	std.dev. = 1.81		1.79		1.87	
	range =6.7-19.52		6.8-19.52		7.82-18.96	
Gender						
Male	2580	68	2058	67	522	73
Female	1197	32	999	33	198	27
Prior Record						
No	2038	54	1656	54	382	53
Yes	1739	46	1401	46	338	47
#Charges	x = 1.38		1.36		1.44	
	std.dev. = .96		.95		1.04	
	range = 1-10		1-10		1-10	
Crime Severity						
Probation-Violation	426	11	335	11	91	13
Misdemeanor	2450	65	2058	67	392	54**
Felony	901	24	664	22	237	33
Offense Type						
Property						
No	1476	39	1044	34	432	60**
Yes	2301	61	2013	66	288	40
Person						
No	3164	84	2630	86	534	74**
Yes	613	16	427	14	186	26
Drugs						
No	3409	90	2831	93	578	80**
Yes	368	10	226	7	142	20

** $p < .01$

to 22% in Anchorage), person offenses (26% in Fairbanks compared to 14% in Anchorage) and drug offenses (20% in Fairbanks compared to 7% in Anchorage). In short, offense characteristics as measured by crime severity and crime type appear to be slightly more serious in Fairbanks than in Anchorage.

Decision Making Stages

This study focuses on the extent legal and extralegal factors, including race, impact decisions once the youth is in the system. Decision making is measured by three possible outcomes at intake and two possible outcomes once formal court proceedings have been initiated. Both detention and waiver to adult court were not included as dependent variables because of small numbers. For example, only four youth were transferred to adult court during the studied time frame.

At intake, decision making is represented by release (no = 0, yes = 1), informal adjustment or diversion (no = 0, yes = 1), and petition to court (no = 0, yes =1). Cases involving formal court decision making outcomes are referred to as adjudication and are differentiated by dismissal (no = 0, yes = 1) and adjudicated (no = 0, yes =1). The operationalization of the dependent five dependent variables reflects the measurement construed by Craciun (2004). Each of the decisions is distinguished first by jurisdiction than by race and jurisdiction. The results are presented in Table 3.4 through 3.6.

Table 3.4 provides the results for decision making at intake and adjudication differentiated by Anchorage and Fairbanks. An examination of the five decision making outcomes by jurisdiction reveals a few statistically significant differences. Although the outcome most often used at intake is adjustment in both jurisdictions, this case outcome occurs more frequently in Anchorage (70%) than in Fairbanks (59%). Conversely,

Table 3.4. Decision Making by Jurisdiction

	Intake			Formal Court Proceedings	
Jurisdiction	Dismissal (1)	Adjustment (2)	Petition (3)	Dismissal (4)	Adjudicated (5)
Anchorage	312 (11%)	1995 (70%)	533 (19%)	115 (16%)	587 (84%)
Fairbanks	111 (15%)	421* (59%)	188 (26%)	66* (39%)	104* (61%)

Note: For Anchorage, the number of cases at intake is 2,840 (217 cases are missing) and at formal court proceeding the number of cases is 702 (48 cases are missing). For Fairbanks, the number of cases at intake is 720 and at formal court proceedings the number of cases is 170 (18 cases are missing). Percent represents within outcome, *$p < .05$.

dismissal at formal court proceedings is more evident in Fairbanks (39% compared to 16%) and consequently, fewer adjudications relative to Anchorage (61% compared to 84%).

Table 3.5 presents decision making differentiated by race for Anchorage. Differences by race are evident. Although slight, African Americans (62%) and to some degree, Native Americans (65%), are less likely to participate in adjustment at intake than whites (74%), Asians (70%), and other minority youth (70%). No differences exist by race in terms of release or petition. Likewise, no significant associations are evident between race and decision making at formal court proceedings (adjudication).

The results for decision making by race for Fairbanks are presented in Table 3.6. As one can see, there are no individual differences among minorities with decision making but once they are treated as one group and although not very strong, a statistically significant association between being minority and involvement in adjustment at intake is evident. Sixty-one percent of whites received an adjustment compared to 55 percent for minorities. The collapsing of all minorities into one group was conducted due to the relatively small number of individual minority groups.

Overall, decision making in Anchorage and Fairbanks is more alike than different. Also, race, for the most part, does not appear to be associated with intake and adjudication outcomes. There are two exceptions. In Anchorage, African American and Native American youth appear to be less likely to participate in diversion at intake than all other groups. In Fairbanks, minority youth as a whole are less likely to be involved in adjustment than whites.

Table 3.5. Decision Making by Race - Anchorage

	Intake			Formal Court Proceedings	
Race	Dismissal (1)	Adjustment (2)	Petition (3)	Dismissal (4)	Adjudicated (5)
White	136	1006	213	45	227
	(10%)	(74%)	(16%)	(17%)	(83%)
African American	63	220*	69	21	71
	(18%)	(62%)	(20%)	(23%)	(77%)
Native American	59	325*	113	17	131
	(12%)	(65%)	(23%)	(11%)	(89%)
Asian	19	181	58	15	64
	(7%)	(70%)	(23%)	(19%)	(81%)
Other	35	263	80	17	94
	(9%)	(70%)	(21%)	(15%)	(85%)

Note: For Anchorage, the number of cases at intake is 2,840 (217 cases are missing). The number of cases at formal court proceeding is 702 (48 cases are missing). Percent represents within racial group, within outcome. Probability ( ). *p< .05.

Table 3.6. Decision Making by Race- Fairbanks

	Intake			Formal Court Proceedings	
Race	Dismissal (1)	Adjustment (2)	Petition (3)	Dismissal (4)	Adjudicated (5)
White	59 (14%)	250 (61%)	102 (25%)	37 (39%)	57 (61%)
African American	12 (23%)	28 (53%)	13 (24%)	1 (14%)	6 (86%)
Native American	36 (16%)	126 (56%)	63 (28%)	26 (43%)	34 (57%)
Asian	0 (0%)	5 (100%)	0 (0%)	0 (0%)	0 (0%)
Other	6 (21%)	12 (41%)	11 (38%)	2 (22%)	7 (78%)
Minority	52 (17%)	171* (55%)	86 (27%)	29 (34%)	57 (66%)

Note: The number of cases at intake is 720, the number of cases at formal court proceedings is 170 (18 cases are missing). Minority reflects grouping of African American, Native American, Asian, and Other. Percent represents within racial group, within outcome.

Analysis Procedures

The results from the cross-tabulations suggest that differences exist to some extent in the kinds of youth Anchorage and Fairbanks handle. Despite these differences in the legal characteristics associated with cases, decision making appears up to this point to be more alike than different. In both jurisdictions, minority youth are less likely to be involved in diversion at intake. In the discussion to follow, multivariate analyses in the form of logistic regression are used to determine if these results remain once legal and extralegal factors are considered.

More specific, this type of statistical tool allows for the ability to take into consideration multiple factors at the same time and these factors are assumed to be the same (i.e., crime severity, crime type, etc.) that a decision-maker relies on in arriving at a case outcome for a youth. Theoretically, once legal criteria and to some degree, extralegal factors such as age, are taken into account race should not explain decision making. Accordingly, if race differences exist in case outcomes it is because of differences in the legal and extralegal factors. That is, if African Americans are found to be more likely than whites to be petitioned, it is, for example, because they evidence greater involvement in more serious crime. This line of thought is how we believe and want the system to work. Conversely, if race differences in case outcomes are present even after legal and extralegal factors are considered, that means in addition to crime severity, etc., something else is going on that might involve some form of bias and/or program deficiency.

In addition to estimating additive models for each dependent variable, separate models for each jurisdiction and each racial group will be estimated to assess for the

possibility of interaction effects. Recall that a race interaction relationship with decision making indicates that some variable, such as gender or crime type, works in conjunction with race to influence decision-makers differently than other youth. For example, being African American and a male (African American male) may impact decision making differently than being just African American or being just a male or being a white male. Therefore, tests for the possibility of combination relationships between race and each independent variable with decision making allows for a more thorough examination of the complexities surrounding juvenile justice decision making than just the assessment of the individual effects of race, crime severity, etc. on case outcomes. Objectively, after legal and extralegal factors are considered, tests should not produce findings of either individual relationships of race with decision making or evidence of race interaction relationships with other variables and case proceedings. If a race interaction relationship is found to exist, this points once again to the possibility that bias may be operating or something exists that is working to disadvantage one racial group relative to another.

Logistic regression coefficients by themselves do not lend to the interpretation of what impact an individual variable (race, crime severity, etc.) has on a dependent variable (decision making). To allow for the comparison of the relative effect of each variable on decision making, the regression coefficient for each independent variable and the mean of the dependent variable for each equation are used to calculate probability estimates (for further information on this procedure and how to calculate refer to Peterson, 1985). Ideally, factors such as crime type, crime severity, etc. should increase the probability of receiving an outcome more than race/ethnicity net the effects of legal and extralegal considerations on decision making.

The results from zero-order correlations and from the collinearity diagnostic statistics revealed acceptable levels of shared correlation among variables (Belsley et al., 1980). The zero-order relationships among the variables are provided for Anchorage and Fairbanks and are presented in the appendices.

Chapter Four

The Influence of Legal and Extralegal Factors on Decision Making

In this Chapter, results from examining the factors that explain decision making in general and for each jurisdiction once multiple variables are considered is presented. Summary sections are provided at the end of each section.

Decision Making in General

The logistic regression results predicting each of the five dependent variables and are presented in Table 4.1. Similar to the findings from the bivariate analysis, jurisdiction differences in decision making are evident. Race also appears to still impact decision making at intake once legally relevant case characteristics and extralegal considerations are taken into account.

An examination of column 1 through column 5 shows the presence of statistically significant effects for jurisdiction at four of the five decision making stages. In Fairbanks, youth are more likely to have their case dismissed by +.04, less likely to be involved in diversion by -.07, and more likely to be petitioned by +.10 at intake than similarly situated youth in Anchorage. At formal court proceedings, youth in Fairbanks have increased likelihood of not being adjudicated a delinquent (-.07).

Being African American increases the probability of having the case dismissed at intake (column 1, +.07). With the exception of being Asian, African Americans, Native Americans, and minority youth categorized as other are less likely than whites to receive an informal adjustment at intake (column 2). Being African American reduces the likelihood of participation in diversion by -.11; Native American youth by -.10 and

Table 4.1. Logistic Regression Results for Decision Making Stages

	Intake			Formal Court Proceedings	
Variables	Dismissal (1)	Informal Adjustment (2)	Petition (3)	Dismissal (4)	Adjudicated (5)
Jurisdiction	.37**	-.28**	.57**	.99	-.53**
	(.04)	(-.07)	(.10)	(.07)	(-.07)
Race					
African American	.63**	-.47**	.00	.15	-.08
	(.07)	(-.11)	(.00)	(.01)	(-.01)
Native American	.12	-.40**	.19	-.02	.30**
	(.01)	(-.10)	(.03)	(.00)	(.05)
Asian	-.46	-.24	.29	.33	.41*
	(-.03)	(-.06)	(.04)	(.02)	(.07)
Other	-.16	-.37**	.28	.01	.44**
	(-.01)	(-.09)	(.04)	(.00)	(.08)
Age	-.01	-.26**	.20**	.04	.28**
	(.00)	(-.06)	(.03)	(.00)	(.06)
Gender	-.13	.46**	-.66**	-.52**	-.82**
	(-.01)	(.10)	(-.07)	(-.02)	(-.10)
Prior Record	.09	-1.21**	1.67**	.45**	1.82**
	(.01)	(-.29)	(.35)	(.03)	(.40)
Number of Charges	.10*	-.54**	.53**	.42**	.49**
	(.01)	(-.13)	(.09)	(.02)	(.09)
Crime Severity	.54**	.05	.12	-.01	.02
	(.06)	(.01)	(.02)	(.00)	(.00)
Crime Type					
Property	-.34*	1.16**	-.52**	-.63**	-.77**
	(-.03)	(.21)	(-.06)	(-.02)	(-.09)
Person	.11	.76**	-.32*	-.09	-.90**
	(.01)	(.15)	(-.04)	(.00)	(-.10)
Drugs	-.72**	1.74	-1.30**	-1.56**	-1.70**
	(-.05)	(.26)	(-.12)	(-.04)	(-.15)
-2 Log Likelihood	2553.7	3936.07	2928.85	2553.70	2726.35

Note: Regression coefficient, probability ( ).

**p < .01, *p < .05

minority youth categorized as other by -.09. Native Americans, Asians and youth in the other minority group are also more likely than all other youth to be adjudicated delinquent (column 5, +.05, +.07, and +.08, respectively).

Of the other extralegal considerations, older youth are less likely to be involved in diversion (-.06), but more likely to be petitioned (+.03) and adjudicated delinquent (+.05). Being female increases the probability of an informal adjustment by .10, and decreases the probability of being petitioned by -.07, going further at formal court proceedings (-.02) and adjudicated by -.10.

As expected, legal factors explain decision making and the effects vary in significance and magnitude. Relative to the individual race variables, legal considerations are often stronger.

Summary

In short, jurisdictional differences are evident in decision making outcomes. Other additional findings are:

- Legal factors explain case outcomes.
- Race is also a determining factor once relevant information is controlled. The race effects differ by the minority group and the decision making point examined.
- Two of the more consistent race findings are that with the exception of Asian youth, all other minority groups are less likely to participate in an informal adjustment at intake and Native Americans, Asians and youth classified as other minority are more likely to be adjudicated delinquent than similarly situated whites and African Americans.

- Being female also increases the likelihood of an informal adjustment and decreased the chances of being petitioned, going further at formal court proceedings and being adjudicated delinquent.

Next, the analysis and discussion focuses on the factors that influence decision making individually in Anchorage and Fairbanks. In the first step of the analysis, race is included in the model followed by the estimation of separate models for each individual racial group. This is done to examine what impact, if any, race has on decision making and what factors within each racial group influence decision making and whether these are similar or different across groups.

Decision Making in Anchorage

Intake Dismissal

Table 4.2. presents the results for decision making representing intake dismissal. Overall, there are few statistical effects. But, race and the two legal variables, the number of charges and crime severity have positive relationships with the decision to release at intake.

Being African American increases the chances of receiving a dismissal by +.07 once all relevant legal and extralegal factors are considered (column 1). Although intuitively the direction of the effects do not make sense, the greater number of charges and the more severe the crime increase the chances of being released by +.02 and +.06, respectively.

Differentiating the models by each racial group (column 2 through column 6) once again reveals the presence of few statistically significant relationships. For both whites (column 2) and Native Americans (column 4), the number of charges and crime

Table 4.2. Logistic Regression Results for Anchorage- Intake Dismissal, Differentiated by Race/Ethnicity

Variables	Full Model (1)	White (2)	African American (3)	Native American (4)	Asian (5)	Other (6)
Race						
African American	.62**					
	(.17)					
Native American	.14					
	(.17)					
Asian	-.41					
	(.26)					
Other	-.14					
	(.20)					
Age	.01	.02	-.09	-.02	.09	.16
	(.04)	(.06)	(.07)	(.09)	(.14)	(.10)
Gender	-.09	.15	-.09	-.14	-.53	-.72
	(.14)	(.21)	(.34)	(.30)	(.61)	(.48)
Prior Record	.17	.07	-.04	.50	.22	.20
	(.12)	(.19)	(.29)	(.30)	(.52)	(.37)
Number of Charges	.16**	.19**	.14	.28**	-.27	-.01
	(.05)	(.07)	(.16)	(.11)	(.31)	(.16)
Crime Severity	.54**	.82**	-.09	.57*	.38	.50
	(.12)	(.19)	(.33)	(.27)	(.45)	(.38)
Crime Type						
Property	-.29	-.42	.07	-.07	-.93	-.08
	(.17)	(.27)	(.42)	(.41)	(.66)	(.50)
Persons	.09	.01	.60	.32	-.09	-.35
	(.20)	(.31)	(.49)	(.43)	(.79)	(.63)
Drugs	-.49	-.56	.10	-.97	-6.52	-.15
	(.29)	(.39)	(.89)	(.82)	(24.36)	(.78)
-2 Log Likelihood	1950.32	861.79	338.36	355.68	132.41	232.10

Note: Regression coefficient, probability ( ).
**p < .01, *p < .05

severity predict decision making. The likelihood of the case being dismissed at intake for whites who have a greater number of charges is +.02 and if they are involved in a serious crime it is +.10. For Native Americans, under similar circumstances, the chances are increased by +.03 and +.06, respectively. Tests for race interaction relationships with each independent variable failed to yield the presence of statistically significant effects at the $p < .01$ level.

Intake Informal Adjustment

Table 4.3. provides the coefficients for decision making at intake and informal adjustment. In contrast to the decision to release (Table 4.2), a large number of predictors are present. Once again, race has an effect on this decision as do other extralegal considerations and legal factors.

Unfortunately and similar to previous research nation-wide (e.g., Leiber, 1994; Leiber and Stairs, 1999), minority youth appear to participate less in diversion at intake than similarly situated whites (column 1). Every minority racial group has a less of likelihood to participate in an informal adjustment than their white counterpart. For African Americans, the chances of involvement in an informal adjustment are reduced by -.13; for Native Americans, it is -.11; for Asians, it is -.07, and for minority youth grouped as other, it is -.10.

Older youth have a decreased likelihood of receiving diversion at intake (-.07) while females have an increased probability (+.08). With the exception of crime severity, all other legal factors are statistically significant predictors of the dependent variable.

Of the statistically significant variables, the effects of the legal variables are stronger than those of race, age and gender. For example, the likelihood of receiving an

Table 4.3. Logistic Regression Results for Anchorage- Intake Informal Adjustment, Differentiated by Race/Ethnicity

Variables	Full Model (1)	White (2)	African American (3)	Native American (4)	Asian (5)	Other (6)
Race						
African American	-.54**					
	(-.13)					
Native American	-.45**					
	(-.11)					
Asian	-.31*					
	(-.07)					
Other	-.42**					
	(-.10)					
Age	-.29**	-.25**	-.26**	-.43**	.18*	-.28**
	(-.07)	(-.06)	(-.06)	(-.10)	(.04)	(-.07)
Gender	.38**	.42**	.35	.33	-.14	.76**
	(.08)	(.09)	(.07)	(.07)	(-.03)	(.15)
Prior Record	-1.27**	-1.24**	-1.15**	-1.36**	-1.72**	-1.08**
	(-.31)	(-.30)	(-.28)	(-.33)	(-.40)	(-.26)
Number of Charges	-.52**	-.52**	-.55**	-.52**	-.34**	-.66**
	(-.13)	(-.13)	(-.13)	(-.13)	(-.08)	(-.16)
Crime Severity	.06	.17	-.20	.09	-.20	.07
	(.01)	(.04)	(-.05)	(.02)	(-.05)	(.02)
Crime Type						
Property	1.20**	1.04**	1.40**	1.28**	1.40**	1.37**
	(.21)	(.19)	(.23)	(.22)	(.23)	(.23)
Persons	.98**	.58**	1.04*	1.54**	.98	1.36**
	(.18)	(.12)	(.19)	(.25)	(.18)	(.23)
Drugs	1.56**	1.19**	.89	2.48**	7.33	1.81**
	(.25)	(.21)	(.17)	(.31)	(.35)	(.27)
-2 Log Likelihood	3140.83	1406.61	432.57	560.02	281.18	426.97

Note: Regression coefficient, probability ( ).
**p < .01, *p < .05

informal adjustment at intake is reduced by -.30 if the youth had a prior referral to juvenile court compared to +.13 if the youth is African American.

An examination of the individual models for each racial group, for the most part, reveals few differences in the factors that account for the decision to participate in an informal adjustment. The effects of age, prior referral, the number of charges, and to some extent, offense type, are not only statistically significant determinants for each group, the magnitude of the effects, as measured by the probabilities, is fairly similar across all racial groups.

Although the effect of gender on involvement in diversion at intake at first appears to be conditioned by race, a closer look of the effect of race/gender reveals that there are no differences by racial groups with decision making. That is, while for white females the likelihood of participation in an informal adjustment is increased by +.09 and for minorities grouped as other who are female, the chances are increased by +.15, tests of the interactions show that these effects are not statistically significant different from that of other racial groups. This is true as well as for what appears to be a joint relationship between race and drugs and decision making involving informal adjustments. For whites who are involved in drugs, the probability of participation in an informal adjustment under these conditions is +.21 for whites, +.31 for Native Americans, and +.27 for minorities classified as other. Again, tests failed to show that these differences are statistically significant. Thus, being minority, female, and involved in drugs do not jointly influence decision making but rather individually impact participation in an informal adjustment.

Intake Petition

Table 4.4. details the coefficient results for models representing intake petition. Once again, race and other extralegal factors as well as legal considerations explain decision to petition youth at intake (column 1). Recall that once legal considerations are taken into account, race should not be a statistically significant predictor of decision making.

Being Native American increases the chances of being petitioned by +.05 while for Asians it is +.06 and minorities categorized as other, it is +.05 once controls are considered. Legal factors are predictors and their effect is stronger than those of race and other extralegal considerations. For example, having a prior referral increases the chances of intake petition by +.35.

Separating the models by each racial group reveals similar factors at work to explain decision making at this point. Once again, race and gender appear to interact to impact decision making. Contrary to the conditioning effect of race and gender on the decision to use an informal adjustment, white females are more likely to petitioned (column 2, +.15) than being female, male, and something other than white or a combination thereof, but in particular, relative to African American females (column 3, -.07). However, tests for joint race/gender relationships failed to show a significant effect involving all race and gender groups with the decision to petition at intake.

Formal Court Proceedings and Dismissal

Tabe 4.5. provides the result for understanding decision making involving formal court proceedings and dismissal. Similar to the results at intake and release, there are few statistically significant effects with the dependent variable.

Table 4.4. Logistic Regression Results for Anchorage- Intake Petition, Differentiated by Race/Ethnicity

Variables	Full Model (1)	White (2)	African American (3)	Native American (4)	Asian (5)	Other (6)
Race						
African American	.05					
	(.01)					
Native American	.31*					
	(.05)					
Asian	.39*					
	(.06)					
Other	.34*					
	(.05)					
Age	.24**	.19**	.23**	.47**	.09	.26**
	(.04)	(.03)	(.03)	(.08)	(.01)	(.04)
Gender	-.63**	0.83**	-.58**	-.31	-.22	-.69
	(-.07)	(.15)	(-.07)	(-.04)	(-.03)	(-.08)
Prior Record	1.66**	1.84**	1.64**	1.26**	1.78**	1.35**
	(.35)	(.39)	(.34)	(.25)	(.38)	(.27)
Number of Charges	.54**	.57**	.53**	.40**	.36**	.78**
	(.09)	(.10)	(.09)	(.06)	(.06)	(.14)
Crime Severity	.17	.10**	.09	-.13	.39	.07
	(.03)	(.01)	(.01)	(-.02)	(.06)	(.01)
Crime Type						
Property	-.55**	-.40	-.55**	-.87**	-.38	-.45
	(-.06)	(-.05)	(-.06)	(-.09)	(-.05)	(-.05)
Persons	-.60**	-.40	-.60**	-.74**	-1.06	-.61
	(-.07)	(-.05)	(-.07)	(-.08)	(-.10)	(-.07)
Drugs	-1.11**	-.74*	-1.19**	-2.10**	-6.16	-1.19
	(-.11)	(-.08)	(-.11)	(-.15)	(-.17)	(-.11)
-2 Log Likelihood	2267.88	938.62	1985.97	443.59	235.01	321.60

Note: Regression coefficient, probability ( ).
**p < .01, *p < .05

Table 4.5. Logistic Regression Results for Anchorage- Adjudication Dismissal, Differentiated by Race/Ethnicity

Variables	Full Model (1)	White (2)	African American (3)	Native American (4)	Asian (5)	Other (6)
Race						
African American	.42					
	(.02)					
Native American	-.25					
	(-.01)					
Asian	.43					
	(.02)					
Other	.15					
	(.01)					
Age	.07	-.02	.28	.23	-.19	.17
	(.00)	(.00)	(.01)	(.01)	(-.01)	(.01)
Gender	-.46	-.86	-.40	.54	-1.25	-.44
	(-.01)	(-.02)	(-.01)	(.03)	(-.03)	(-.01)
Prior Record	1.30**	1.58**	.78	1.07	1.59*	.82
	(.09)	(.13)	(.04)	(.07)	(.13)	(.05)
Number of Charges	.43**	.51**	.70	.24	.39*	.52**
	(.02)	(.02)	(.04)	(.01)	(.02)	(.03)
Crime Severity	-.15	-.31	.25	-.22	-.24	-.71
	(-.01)	(-.01)	(.01)	(-.01)	(-.01)	(-.02)
Crime Type						
Property	-.83**	-.45	-1.71	.46	-.91	-1.55
	(-.02)	(-.01)	(-.03)	(.02)	(-.02)	(-.03)
Persons	-.60	.09	-2.41	1.06	-7.92	-1.39
	(-.02)	(.00)	(-.04)	(.07)	(-.04)	(-.03)
Drugs	-1.24*	-1.35	.01	-6.10	-7.37	-7.39
	(-.03)	(-.03)	(.00)	(-.04)	(-.04)	(-.04)
-2 Log Likelihood	842.35	331.80	127.58	139.44	92.26	102.89

Note: Regression coefficient, probability ( ).
**p < .01, *p < .05

Race is not a predictor of the decision to dismiss a case at this stage in the proceedings once all factors are controlled (column 1). Gender is also not a determinant of decision making at this point. A number of the legal factors account for the decision to dismiss at adjudication. This holds true when individual models for each racial group were estimated. It is important to note, however, that in the full model (column 1) drugs has an inverse relationship with the dependent variable (youth involved with drugs are released).

The variable capturing drug involvement has no effect for either racial group (column 2 through column 6). But, when tests for race interaction effects were performed, a positive statistically significant term at the $p < .01$ level was present between being African American and drug offending with the dependent variable (not shown in Table 4.5). That is, being African American and involved in drug offending increased the chances of having the case dismissed (by a whopping +.55). To the extent that this relationship reflects decision making in Anchorage, however, may be questioned because of the relatively small number of cases. The results may reflect reality or they may be a byproduct of a misspecified model. Therefore, the finding should be noted but viewed with caution.

Formal Court Proceedings and Adjudicated

Table 4.6. presents the logistic regression coefficients for models representing the decision to adjudicate a delinquent. Race, other extralegal factors, and legal criteria all predict the dependent variable.

With the exception of African Americans, all other minority youth are more likely to be adjudicated delinquent than whites once all factors are considered. Being Native

Table 4.6. Logistic Regression Results for Anchorage- Adjudication Adjudicated

Variables	Full Model (1)	White (2)	African American (3)	Native American (4)	Asian (5)	Other (6)
Race						
African American	-.04					
	(-.01)					
Native American	.40**					
	(.07)					
Asian	.49**					
	(.09)					
Other	.50**					
	(.09)					
Age	.31**	.26**	.51**	.44**	.15	.28
	(.05)	(.04)	(.09)	(.08)	(.02)	(.05)
Gender	-.74**	-1.01**	-.85	-.53*	-.16	-.87**
	(-.09)	(-.11)	(-.10)	(-.07)	(-.02)	(-.10)
Prior Record	1.95**	2.06**	3.30**	1.67**	1.82**	1.58**
	(.43)	(.46)	(.67)	(.36)	(.40)	(.34)
Number of Charges	.47**	.49**	.86**	.15	.48**	.65**
	(.08)	(.09)	(.17)	(.02)	(.08)	(.12)
Crime Severity	-.01	-.34*	.47	-.15	.41	.14
	(.00)	(-.05)	(.08)	(-.02)	(.07)	(.02)
Crime Type						
Property	-.84**	-.57**	-1.53**	-.80**	-.80	-1.09**
	(-.10)	(-.07)	(-.14)	(-.09)	(-.09)	(-.12)
Persons	-1.12**	-.45	-1.76**	-1.68**	-2.08**	-1.29**
	(-.12)	(-.06)	(-.15)	(-.15)	(-.16)	(-.13)
Drugs	-1.59**	-1.17**	-1.36	-2.45**	-6.51	-1.58**
	(-.14)	(-.12)	(-.13)	(-.17)	(-.19)	(-.14)
2 Log Likelihood	2237.59	921.60	232.06	455.12	232.29	335.48

Note: Regression coefficient, probability ( ).
**p < .01, *p < .05.

American increases the chances of adjudication by +.07; being Asian by +.09, and falling into the other minority group by +.09.

Being female once again influences decision making and appears to be conditioned by being white (column 2), black (column 3), or some other minority classification (column 6). White females are less likely be adjudicated delinquent by -.11; Native American females by -.07, and females classified as other minority by -.10. However, tests failed to show that the joint effects between race and gender with decision making are statistically significant.

Legal criteria predict the adjudication process and the effects are sometimes quite strong. For example, having a prior referral increases the likelihood of adjudication by +.43. The effect of prior referral on the dependent variable seems to hold across all racial groups.

Summary

In Anchorage:

- Legal factors often explained much of the decision making outcomes. This is especially true at the stage of formal court proceedings involving the decision to adjudicate a youth delinquent.
- With the exception of dismissal at adjudication (but see discussion above), race still mattered at four decision making outcomes even after controlling for legal criteria. Race directly influenced decision making.
- Of the statistically significant race findings, the relationships did not always involve black youth.

- African Americans were more likely to have their cases dismissed at intake.
- Whites were more likely to receive an outcome of informal adjustment relative to all minorities.
- Intake decisions pertaining to petition showed that Native Americans, Asians, and other minority youth were more likely to be petitioned at intake than other youth.
- With the exception of African Americans, all minorities were more likely to be adjudicated delinquent than their white counterpart.
- Females were more likely than males to participate in an informal adjustment once all legal factors were considered. In addition, females were less likely to have their cases petitioned and to be adjudicated delinquent compared to similarly situated males.

Next, decision making in Fairbanks is examined.

Decision Making in Fairbanks

Because of the relatively small number of different minority youth the analysis was conducted in two steps. First, separate models were estimated for each racial group unless the numbers were too small to conduct the analysis. Still, when examining some of the models, especially for African Americans, it is important to view the findings with caution due to the small number of youth. The second step involved collapsing all minorities into one category and a model was then estimated to allow for comparisons of whites to minorities. This last step was performed to increase the size of the minority sample and therefore gain more confidence in the results.

Intake Dismissal

Table 4.7. logistic regression results for decision making representing intake dismissal in Fairbanks, Alaska. Similar to analyses involving the decision to release youth in Anchorage, there are few statistically significant predictors of the dependent variable. Still, being African American increases the likelihood of having the case involve a dismissal by +.13 once all relevant legal and extralegal considerations are taken into account (column 1). The only other statistically significant effect that exists is between the severity of the crime and the decision to dismiss a case. Youth charged with more severe crimes increase the probability of dismissal by +.08.

An examination of the individual models for each racial group also reveals few effects. In addition, tests for the presence of race interactions with each independent variable failed to show differences by race and the independent variables with decision making. However, there is one exception. Being African American and having a prior referral, the combination of the two, increased the chances of dismissal by +.59 ($p < .01$).

The models were re-estimating with all minorities collapsed into one category and compared to whites. The results are presented in Table 4.8. The individual effects of being African American as well as the joint relationships between being African American with prior referral are "washed out" and are no longer present. The only effect to remain is the one between the severity of the crime (column 1) with decision making and when differentiated by white v. minority, the relationship exists for the latter group (column 3). Tests for an interaction between being minority and the severity of crime, however, failed to show that the relationship differs for whites relative to minorities.

TABLE 4.7. Logistic Regression Results for Fairbanks- Intake Dismissal Differentiated by Race/Ethnicity

Variables	*Full Model (1)*	*White (2)*	*African American (3)*	*Native American (4)*	*Asian (5)*	*Other (6)*
Race						
White	--	--	--	--	--	--
African American	.77* (.13)	--	--	--	--	--
Native American	.05 (.01)	--	--	--	--	--
Asian	-4.55 (-.15)	--	--	--	--	--
Other	-.28 (.-.03)	--	--	--	--	--
Age	-.05 (-.01)	.03 (.00)	-.32 (-.04)	-.06 (-.01)	--	--
Gender	-.22 (-.03)	-.17 (-.02)	-2.55 (-.14)	-.38 (-.04)	--	--
Prior Referral	-.08 (-.01)	-.42 (-.05)	2.77* (.59)	-.26 (-.03)	--	--
No. of Charges	-.16 (-.02)	-.04 (-.01)	-1.92 (-.12)	-.36 (-.04)	--	--
Severity of Crime	.54* (.08)	.33 (.05)	-1.50 (-.11)	1.01* (.18)	--	--
Type of Crime						
Property	-.41 (-.05)	.07 (.01)	4.22* (.77)	-1.70* (-.12)	--	--
Person	.20 (.03)	.56 (.09)	3.56 (.71)	-.50 (-.05)	--	--
Drugs	-1.07 (-.09)	-.87 (-.08)	1.57 (.31)	-1.60* (-.12)	--	--
-2 Log Likelihood	589.92	323.90	31.60	182.42	--	--

Note: Regression coefficient, probability ( ), no results for Asian and Other, too few cases

** p < .01, *p < .05

TABLE 4.8. Logistic Regression Results for Fairbanks- Intake Dismissal Differentiated by Race/Ethnicity

Variables	*Full Model (1)*	*White (2)*	*Minority (3)*
Race	.13		
	(.02)		
Age	-.04	.03	-.12
	(-.01)	(.00)	(-.01)
Gender	-.26	-.17	-.45
	(-.03)	(-.02)	(-.05)
Prior Referral	-.11	-.42	.20
	(-.01)	(-.05)	(.03)
No. of Charges	-.16	-.04	-.48
	(-.02)	(-.01)	(-.05)
Severity of Crime	.51**	.33	.66*
	(.08)	(.05)	(.10)
Type of Crime			
Property	-.36	.07	-.73
	(-.04)	(.01)	(-.07)
Person	.25	.56	-.02
	(.03)	(.09)	(.00)
Drugs	-.98	-.87	-.99
	(-.09)	(-.08)	(-.09)
-2 Log Likelihood	596.03	323.90	263.387

Note: Regression coefficient, probability ( )
** p < .01, *p < .05

Intake Informal Adjustment

Table 4.9. provides the logistic regression results for the decision involving an informal adjustment at intake. A large number of factors appear to explain decision making. Race is not a statistically significant predictor of the dependent variable.

Older youth, those with a prior referral, and cases with a greater number of charges reduce the likelihood of participating in an informal adjustment (column 1). Being female as well as youth involved with a drug offense or property offense increases the probability of receiving intake diversion.

Although there are differences within each racial group concerning the factors that predict participation in an informal adjustment, none were found to be statistically different for one group compared to another. This held even after the models were re-estimated with comparisons involving whites to minorities (Table 4.10).

Intake Petition

Table 4.11. presents the results for intake petition. Race is not a statistically significant determinant of the dependent variable.

Youth with a prior referral and those with a greater number of charges increase the likelihood of having a recommendation of petition at intake. Conversely, females and youth charged with a drug offense decrease the chances of being petitioned.

Although there are a number of statistically significant effects present within each racial group and decision making, tests to assess for differences failed to show that an effects is stronger for one racial relative to another. The re-estimation of the equations with race operationalized as white vs. minority yielded similar results as reported above (Table 4.12.).

TABLE 4.9. Logistic Regression Results for Fairbanks- Intake Informal Adjustment Differentiated by Race/Ethnicity

Variables	*Full Model (1)*	*White (2)*	*African American (3)*	*Native American (4)*	*Asian (5)*	*Other (6)*
Race						
White	--	--	--	--	--	--
African American	-.03 (-.01)	--	--	--	--	--
Native American	-.263 (-.07)	--	--	--	--	--
Asian	1.24 (.25)	--	--	--	--	--
Other	-3.06 (-.52)	--	--	--	--	--
Age	-.18* (-.04)	-.09 (-.02)	-.29 (-.07)	-.32* (-.08)	--	--
Gender	.80* (.17)	.81* (.18)	.16 (.04)	1.02* (.21)	--	--
Prior Referral	-1.11* (-.27)	-1.32* (-.31)	-1.60 (-.36)	1.00* (.21)	--	--
No. of Charges	-.64* (-.16)	-.57* (-.14)	-2.25* (-.45)	-.57* (-.14)	--	--
Severity of Crime	.04 (.01)	-.22 (-.05)	1.44 (.27)	.13 (.03)	--	--
Type of Crime						
Person	.24 (.06)	.24 (.06)	-.73 (-.18)	.26 (.06)	--	--
Property	1.20* (.24)	1.30* (.26)	-.48 (-.12)	1.14* (.23)	--	--
Drugs	1.97* (.33)	2.24* (.35)	.74 (.16)	2.28* (.35)	--	--
-2 Log Likelihood	769.06	425.23	35.58	241.12	--	--

Note: Regression coefficient, probability ( ),
No results for Asian and Other, too few cases
** $p < .01$, *$p < .05$

TABLE 4.10. Logistic Regression Results for Fairbanks- Intake Informal Adjustment Differentiated by Race/Ethnicity

Variables	*Full Model (1)*	*White (2)*	*Minority (3)*
Race	-.21		
	(-.05)		
Age	-.18**	-.09	-.28**
	(-.04)	(-.02)	(-.07)
Gender	.80**	.81*	.78**
	(.17)	(.18)	(.17)
Prior Referral	-1.11*	-1.32*	-.91**
	(-.27)	(-.31)	(-.22)
No. of Charges	-.63**	-.57*	-.69**
	(-.16)	(-.14)	(-.17)
Severity of Crime	.03	-.22	.28
	(.01)	(-.05)	(.07)
Type of Crime			
Person	.24	.24	.35
	(.06)	(.06)	(.08)
Property	1.20**	1.30*	.93
	(.24)	(.26)	(.20)
Drugs	1.99**	2.24*	1.67
	(.33)	(.35)	(.30)
-2 Log Likelihood	771.15	425.23	337.64

Note: Regression coefficient, probability ( )
** p < .01, *p < .05

TABLE 4.11. Logistic Regression Results for Fairbanks- Intake Petition Differentiated by Race/Ethnicity

Variables	*Full Model (1)*	*White (2)*	*African American (3)*	*Native American (4)*	*Asian (5)*	*Other (6)*
Race						
White	--	--	--	--	--	--
African American	-.11 (-.02)	--	--	--	--	--
Native American	-.04 (-.01)	--	--	--	--	--
Asian	-5.18 (-.26)	--	--	--	--	--
Other	.14 (.03)	--	--	--	--	--
Age	.10 (..02)	-.02 (.00)	.73 (.16)	.26* (.05)	--	--
Gender	-.78* (-.12)	-.73* (-.12)	3.58* (.67)	-1.27* (-.17)	--	--
Prior Referral	1.77* (.41)	2.18* (.50)	.50 (.11)	1.61* (.38)	--	--
No. of Charges	.52* (.11)	.41* (.09)	2.76* (.59)	.40 (.08)	--	--
Severity of Crime	-.01 (.00)	.16 (.03)	-9.44 (-.26)	-.08 (-.02)	--	--
Type of Crime						
Property	-.50 (-.08)	-.96* (-.14)	9.36 (.74)	-.26 (-.05)	--	--
Person	.22 (.04)	.02 (.00)	9.69 (.74)	.35 (.07)	--	--
Drugs	-1.44* (-.18)	-2.01* (-.22)	9.46 (.74)	-1.61* (-.19)	--	--
-2 Log Likelihood	639.75	336.05	18.80	211.95	--	--

Note: Regression coefficient, probability ( ), No results for Asian and Other, too few cases

** p < .01, *p < .05

TABLE 4.12. Logistic Regression Results for Fairbanks- Intake Petition Differentiated by Race/Ethnicity

Variables	*Full Model (1)*	*White (2)*	*Minority (3)*
Race	-.06		
	(-.01)		
Age	.10	-.02	.23**
	(.02)	(.00)	(.05)
Gender	-.80**	-.73*	-.84*
	(-.12)	(-.12)	(-.13)
Prior Referral	1.77**	2.18*	1.40**
	(.41)	(.50)	(.33)
No. of Charges	.52**	.41*	.65**
	(.11)	(.09)	(.14)
Severity of Crime	-.01	.16	-.13
	(.00)	(.03)	(-.02)
Type of Crime			
Property	-.50	-.96*	-.11
	(-.08)	(-.14)	(-.02)
Person	.18	.02	.30
	(.04)	(.00)	(.06)
Drugs	-1.46**	-2.01*	-.88
	(-.18)	(-.22)	(-.13)
-2 Log Likelihood	643.59	336.05	295.55

Note: Regression coefficient, probability ( )
** $p < .01$, *$p < .05$

Formal Court Proceedings and Dismissal

The logistic regression results for decision making involving dismissal at adjudication are detailed in Table 4.13. Once again, race is not a statistically significant predictor of the dependent variable once legal and extralegal factors are controlled.

Prior referral and the number of charges associated with a case have positive effects on decision making. That is, youth with a prior record and those with a greater number of charges increase the chances of a dismissal at adjudication. Being involved with a drug offense decreases the probability of a dismissal (-.07).

Re-estimating the models with race defined as white vs. minority did not drastically alter the findings (Table 4.14). The effect of drugs on the decision not to dismiss, however, is also now a predictor for minority youth. The calculation of an interaction term between race and drugs with the dependent variable did not indicate that while illegal drug offending was significant for minority youth that the effect was different for whites.

Formal Court Proceedings and Adjudication

Table 4.15. presents the results for the decision to adjudicate a youth delinquent. Race is not a statistically significant predictor of the dependent variable (column 1).

Age, prior referral and the number of charges have a positive statistically significant effect on the adjudication process. Gender and drug offending have inverse or negative relationships with dependent variable. An examination of the effects within models (column 2, column 4) reveals fairly similar patterns. For example, being a white female reduces the likelihood of adjudication by -.11 while being a Native American female decreases the chances of adjudication by -.10.

TABLE 4.13. Logistic Regression Results for Fairbanks- Adjudication Dismissal Differentiated by Race/Ethnicity

Variables	*Full Model (1)*	*White (2)*	*African American (3)*	*Native American (4)*	*Asian (5)*	*Other (6)*
Race						
White	--	--	--	--	--	--
African American	-1.59 (-.07)	--	--	--	--	--
Native American	.20 (.02)	--	--	--	--	--
Asian	-4.93 (-.09)	--	--	--	--	--
Other	-.60 (-.04)	--	--	--	--	--
Age	.01 (.00)	-.16 (-.01)	--	.22 (.02)	--	--
Gender	-.44 (-.03)	-.56 (-.04)	--	-.29 (-.02)	--	--
Prior Referral	1.75* (.27)	1.91* (.31)	--	2.04* (.38)	--	--
No. of Charges	.43* (.04)	.32* (.03)	--	.82* (.09)	--	--
Severity of Crime	.16 (.01)	.45 (.04)	--	-1.65 (-.07)	--	--
Type of Crime						
Property	-.08 (-.01)	-.26 (-.02)	--	.31 (.03)	--	--
Person	.67 (.07)	.41 (.04)	--	1.22 (.27)	--	--
Drugs	-1.43* (-.07)	-1.59 (-.07)	--	-7.34 (-.09)	--	--
-2 Log Likelihood	356.11	202.36	--	118.33	--	--

Note: Regression coefficient, probability ( ), no results for African American, Asian and Other, too few cases

** p < .01, *p < .05

TABLE 4.14. Logistic Regression Results for Fairbanks- Adjudication Dismissal Differentiated by Race/Ethnicity

Variables	*Full Model (1)*	*White (2)*	*Minority (3)*
Race	-.01		
	(.00)		
Age	.21**	-.16	.21
	(.02)	(-.01)	(.02)
Gender	-1.30**	-.56	-.19
	(-.29)	(-.04)	(-.01)
Prior Referral	1.22**	1.91*	1.69**
	(.16)	(.37)	(.34)
No. of Charges	.59**	.32*	.78**
	(.06)	(.03)	(.09)
Severity of Crime	.11	.45	.05
	(.01)	(.04)	(.00)
Type of Crime			
Property	-.52	-.26	-.10
	(-.13)	(-.02)	(-.01)
Person	-.36	.41	.73
	(-.03)	(.10)	(.17)
Drugs	-2.16**	-1.59	-2.87*
	(-.08)	(-.07)	(-.08)
-2 Log Likelihood	463.03	202.36	149.59

Note: Regression coefficient, probability ( )
** p < .01, *p < .05

TABLE 4.15. Logistic Regression Results for Fairbanks- Adjudication Adjudicated Differentiated by Race/Ethnicity

Variables	*Full Model (1)*	*White (2)*	*African American (3)*	*Native American (4)*	*Asian (5)*	*Other (6)*
Race						
White	--	--	--	--	--	--
African American	-.19 (-.02)	--	--	--	--	--
Native American	-.01 (.00)	--	--	--	--	--
Asian	-4.76 (-.60)	--	--	--	--	--
Other	.30 (.04)	--	--	--	--	--
Age	.21* (.03)	.17 (.04)	--	.40* (.06)	--	--
Gender	-1.28* (-.10)	-1.57* (-.11)	--	-1.36* (-.10)	--	--
Prior Referral	1.21* (.23)	1.43* (.26)	--	1.44* (.26)	--	--
No. of Charges	.59* (.09)	.36* (.05)	--	1.08* (.18)	--	--
Severity of Crime	.11 (.01)	.40 (.09)	--	.01 (.00)	--	--
Type of Crime						
Property	-.51 (-.05)	-.79 (-.07)	--	-.14 (-.02)	--	--
Person	-.33 (-.04)	-.71 (-.07)	--	.05 (.01)	--	--
Drugs	-2.12* (-.12)	-2.43* (-.13)	--	-8.34 (-.14)	--	--
-2 Log Likelihood	461.40	258.20	--	130.84	--	--

Note: Regression coefficient, probability ( ), no results for African American, Asian and Other, too few cases
** p < .01, *p < .05

TABLE 4.16. Logistic Regression Results for Fairbanks- Adjudication Adjudicated Differentiated by Race/Ethnicity

Variables	*Full Model (1)*	*White (2)*	*Minority (3)*
Race	-.07		
	(-.01)		
Age	.00	.17	.26*
	(.00)	(.02)	(.03)
Gender	-.43	-1.57*	-.93
	(-.11)	(-.11)	(-.08)
Prior Referral	1.77**	1.43*	1.05**
	(.35)	(.26)	(.18)
No. of Charges	.41**	.36*	1.09**
	(.06)	(.05)	(.19)
Severity of Crime	.25	.40	-.19
	(.03)	(.06)	(-.05)
Type of Crime			
Property	-.16	-.79	-.31
	(-.04)	(-.07)	(-.03)
Person	.56	-.71	.02
	(.08)	(-.18)	(.00)
Drugs	-1.68**	-2.43*	-3.02*
	(-.11)	(-.13)	(-.13)
-2 Log Likelihood	362.54	258.20	191.36

Note: Regression coefficient, probability ( )
** p < .01, *p < .05

The estimation of models with race operationalized as white vs. minority produced similar results. Gender, while a significant predictor for whites (column 2), is no longer a statistically significant determinant for minorities (column 3). Tests for interactions effects, however, did not produce a significant association.

Summary

In Fairbanks, the following findings were found:

- Legal factors explained much of the decision making outcomes.
- Race and in particular, African American youth and in combination with prior referral, impacted decision making but only at intake for decisions involving dismissal. African American youth and African Americans with a prior referral were more likely than other youth to be dismissed at intake once all things were taken into account.
- In Fairbanks, race effects were not as evident as they were found to be in Anchorage.
- As in Anchorage, gender, was discovered to predict decision making three of the five decision making outcomes.
    - Females were more likely to participate in informal adjustments relative to similarly situated males.
    - Females were also found to be less likely to be petitioned at intake and adjudicated delinquent relative to their male counterpart.

In the next Chapter, the overall findings are summarized and discussed.

Chapter Five

Summary and Recommendations

In this Chapter, a summary of the results is presented and comparisons will then focus on how these coincide with those discovered by Craciun (2004) and previous research conducted in Alaska and nation-wide. The discussion concludes with recommendations for future research and policy.

Summary of Quantitative Findings

Table 5.1. provides a summary of the results from the present research (left hand side of table) and those reported by Craciun (2004) (right hand side of table). Again, because the present study was not a replication of the Craciun research, the results may differ. **What is important when examining the table is to look for not only individual results but trends or commonalities in the results from the two studies.** Also, keep in mind that the present research is purely quantitative while the Craciun project used both quantitative and qualitative research methodologies. For the purpose of this Chapter, only the quantitative findings will be reported (see Craciun, 2004; also Chapter Two of this report).

The results from both the present study and Craciun (2004) parallel those from research across the country (Bishop, 2005; Leiber and Fox, 2005; Tracy, 2002), in that in both Anchorage and Fairbanks, legal factors in the form of such criteria as crime seriousness and prior referral explain decision making and these are often the strongest predictors. Still, race and gender seem to also influence decision making even after relevant legal criteria and extralegal factors (i.e., age) are considered. The Craciun study

Table 5.1. Summary of Quantitative Results Differentiated by Present Study and Craciun and Decision Making Stage.

Decision Making Stage	Present Research	Craciun
Decision Making Involving Detention	Not Studied	
Anchorage		Legal and extralegal factors predictive; Minority youth – more like to have detention screening request; Non-felony cases, Alaskan Natives to be detained; Alaskan Natives who have a previous adjudication detained; Alaskan Natives who commit public order offense less likely to be detained.
Fairbanks		Legal and extralegal factors predictive; Whites involved in probation violations less likely than others to have a detention screening request; Whites less likely to be detained than other youth.
Intake Release		
Anchorage	Legal and extralegal factors predictive; African Americans released	Differentiated by felony and nonfelony cases; too few cases to arrive at firm conclusions
Fairbanks	Legal and extralegal factors predictive; African Americans released; African Americans with prior referral released	Differentiated by felony and nonfelony cases; too few cases to arrive at firm conclusions

Table 5.1. continued

Decision Making Stage	Present Study	Craciun
Intake Informal Adjustment		
Anchorage	Legal and extralegal factors predictive; All minority youth less likely than whites to participate in diversion; Females more likely to receive diversion	Legal and extralegal factors predictive; Whites with felony likely to receive diversion; African Americans with nonfelony less likely to receive diversion; African American males with felony less likely to receive diversion; African Americans (nonfelony) with detention screening request more likely to receive diversion; Males (felony) less likely to receive diversion
Fairbanks	Legal and extralegal factors predictive; Statistically significant race findings not reported; Females more likely to receive diversion	Legal and extralegal factors predictive; Native Americans involved in a felony more likely to receive diversion; Females more likely to receive diversion; Those detained (felony) less likely to receive diversion
Intake Petition		
Anchorage	Legal and extralegal factors predictive; Native Americans, Asians, and other minority youth more likely to be petitioned; Females less likely to be petitioned	Legal and extralegal factors predictive; Those in detention, petitioned; African Americans through detention likely to get petitioned; African Americans (felony) older less likely to be petitioned; American Natives, Asians, Whites less likely petitioned (felony); Native Americans property offense (felony) less likely petitioned; Asians property (felony) petitioned

Table 5.1. continued

Decision Making Stage	Present Study	Craciun
Intake Petition		
Fairbanks	Legal and extralegal factors predictive; Statistically significant race findings not reported; Females less likely to be petitioned	Legal and extralegal factors predictive; Those in detention, petitioned; African Americans likely to be petitioned through detention; Alaskan Native and whites with no Prior referral less likely to be petitioned
Formal Court Proceedings – Dismissal		
Anchorage	Legal and extralegal factors predictive; Statistically significant race findings not reported	Legal and extralegal factors predictive; Statistically significant race findings not reported
Fairbanks	Legal and extralegal factors predictive; Statistically significant race finding not reported	Legal and extralegal factors predictive; Statistically significant race findings not reported
Formal Court Proceedings – Adjudicated		
Anchorage	Legal and extralegal factors predictive; Alaskan Native, Asian, and other minorities likely to be adjudicated; Females less likely adjudicated	Legal and extralegal factors predictive; Statistically significant race findings not reported
Fairbanks	Legal and extralegal factors predictive; Statistically significant race findings not reported; Females less likely adjudicated	Legal and extralegal factors predictive; Statistically significant race findings not reported

reported a greater number of conditioning effects on when race mattered than the present study and examined the detention process which was not examined in the present research. Detention decision making was discovered to impact later decisions in both Anchorage and Fairbanks and this association was reported to indirectly result in African Americans being processed further into the system since they (African Americans) were more likely than whites and others to be involved in detention decisions. This finding is in line with other research that has found similar indirect relationships between race, detention, and receiving more severe outcomes in the proceedings (e.g., Leiber and Fox, 2005).

The findings of race appear to be more evident in Anchorage than Fairbanks. In addition, varied race results occur more for decisions involving intake than formal court proceedings. These results are more or less reported by both the current study and Craciun (2004). While one may get lost in all the particular race joint relationships with other independent variables with decision making, the central themes running through the findings from both studies are that:

1. **Detention is working to the disadvantage of minority youth** because once all factors are considered, these youth are more likely to be involved in these proceedings and the relationship that detention has on decision making at other stages. These findings apply to both Anchorage and Fairbanks. Thus, although detention seems to be a procedure that is race neutral, the detention process appears to be somewhat racially tainted. For information on the development and use of programs and other alternatives to reduce reliance on secure detention, see the OJJDP Juvenile Justice Bulletin by Austin and

colleagues (2005).

2. **Of the minority youth, African Americans appear to be more likely to be released at intake in both Anchorage and Fairbanks**. Why this is occurring was not studied. Although speculative, this finding could be the result of the police and other agencies of over referring African American youth not in need of juvenile court intervention. This finding and statement is consistent with the findings and views echoed in the Craciun (2004) report concerning the disproportionate number of minority youth referred to juvenile court relative to whites.
3. Decisions involving the use of informal adjustments at intake appear to be impacted by race and gender even after relevant legal factors are taken into account. That is, **minorities and males who are similar to their counterparts are less likely to participate in an informal adjustment.** The race findings are more evident in Anchorage than Fairbanks. The gender differential exists in both jurisdictions. Gender effects were also found at petition and adjudication in Anchorage and Fairbanks.

Previous study has well documented that minority youth are less likely to be involved in informal adjustments than similarly situated whites (e.g., Bell and Lang, 1985; Bishop, 2005; Leiber, 1994; Leiber and Stairs, 1999; Leiber, 2003). A number of explanations have been offered to explain this consistent occurrence and these range from minority youth and their families being less cooperative (including the failure to admit guilt) to minority youth and families unable to attend the intake meeting to

biased perceptions on the part of juvenile court personnel or intake officers that minority youth are not suitable for participation in rehabilitative efforts.

The impact of gender on involvement in an informal adjustment has not been examined in detail by prior research (Leiber and Mack, 2003). However, recall that Rosay (2003) is his study discovered that females in Alaska were more likely to receive this outcome than males. No explanations were provided to better understand this occurrence.

Research in general has shown mixed findings concerning the effects of gender on case outcomes (e.g., Belknap, 2001; Chesney-Lind and Shelden, 1998). Some research has discovered that females receive more severe outcomes than males, especially in regard to status offenses (e.g., Chesney Lind, 1988). These findings have typically been explained from a traditional sex-role perspective that suggests juvenile justice officials treat females more harshly than males in an attempt to enforce stereotypical notions of proper female behavior and to protect the sexuality of young women. The results from the present study appear to confirm the second perspective offered to explain gender differentials in case outcomes. This second perspective, the chivalry perspective, suggests that male decision-makers may treat females more leniently because they have been taught by society to protect females, or they may have stereotypical beliefs that make it difficult for them to imagine that females engage in delinquent behavior (e.g., Bishop and Frazier, 1996; Johnson and Scheuble, 1991). These same beliefs may also foster perceptions that females may be more rehabilitative than

males and therefore, provided with the opportunity to participate more often in informal adjustments.

4. **Native Americans, Asians, and youth classified as "other" minority and males are more likely than whites and African Americans and females to be petitioned in Anchorage. In Fairbanks, African Americans are more likely to be petitioned through detention.** Again, an explanation for why females are less likely to be petitioned than similarly situated males may rest with the chivalry perspective (see number 3 above). An explanation for the race indirect relationship through detention with petition has been discussed (see number 1 above).
5. **No statistically significant race effects were reported in either jurisdiction for decisions involving formal court proceedings and dismissal.**
6. **Results from the Cracuin study showed no evidence of race effects for formal court proceedings related to adjudication decisions. In the present study, Native Americans, Asians, and those youth classified as "other" minority as well as females were less likely to be adjudicated delinquent than legally similar whites and African Americans and males.** Prior research has suggested that a filtering process may be at work at adjudication, not unlike at petition, where minorities' cases may be weaker on the whole relative to whites (e.g., Leiber and Jameson, 1995; Johnson and Secret, 1990). Judges may be enacting a "correction" at adjudication because an adjudicatory outcome of delinquent rests more on proof of the offense rather than on the characteristics of the youth (Bishop, 2005). The female

relationship with a lenient outcome has already been addressed (see number 3).

Recommendations

The following recommendations are based on the findings reported in Chapter Four and summarized and interpreted above. The ordering of the recommendations does not reflect a priority or importance. In addition, the State of Alaska should attempt to consider more than one of the recommendations to reduce DMC in Anchorage and Fairbanks. In Chapter Two, a listing of the recommendations listed by Craciun was provided and some of those will be again covered since many are applicable in light of the commonalities in the results from that research and the present study. The recommendations apply to both Anchorage and Fairbanks. The overall effects of race, however, seemed to be more pronounced in Anchorage than Fairbanks.

Recommendation 1: ***Development, Continued Use of Crime Prevention Programs***

A constant throughout the two studies is that legal criteria accounted for much of the overrepresentation in the juvenile justice system. Consequently, this suggests that minority youth may be involved in the system because of their involvement in crime and/or the kinds of crime that they are charged with. Therefore, to reduce the disproportionate number of minority youth coming into contact with the system, community based resources and programs need to be established and/or continued to be funded that focus on delinquency prevention. As noted by Craciun, these programs should include more activities for youth in rural areas and direction and advice should be solicited from

tribal leaders for cultural relevance. In urban areas, it is important to establish outreach efforts to both parents and youth to connect them with activities that already exist. Most important is that minority youth have access to or the opportunity to participate in these programs.

Recommendation 2: ***Focus on detention screening requests and detention decisions with movement toward the adoption of structured detention decision making***

Justification for this recommendation stems from previous research by Craciun (2004) and Schafer and Curtis (1994) and the results from the Identification Matrices discussed in Chapter Two. These findings indicate that minority youth are overrepresented in detention screening requests and detention decisions and that race may be operating indirectly through detention at stages throughout the juvenile justice system. Recall that the data examined by Craciun was from mid 2002 through December 2003 (Chapter Two) and efforts may have been taken by the state of Alaska since then to address detention decision making. If so, inquiry is still needed to assess the extent that change in the number of youth, in the number of minority youth, and the kind of factors leading to detention has occurred since the efforts have been implemented. If efforts to address detention have not been undertaken, it is imperative to develop and implement solutions to encourage the use of less secure detention alternatives and in general, for some youth to avoid

detention altogether. The police, detention personnel, juvenile court decision-makers, prosecutors, and the community need to be made aware that the development and utilization of less secure alternatives and nondetention in general through the use of detention screening instruments, does not necessarily mean increased threats to public safety or the implementation of race quotas (e.g., Hoytt et al., 2002).

Recommendation 3: ***Consideration of Increased Structured Decision Making at Intake***

The results from the present study, Craciun (2004) and Rosay (2003) all point to both race and gender differences occurring at this stage even after taking into consideration relevant legal factors. Differences in case outcomes involving release, informal adjustment, and petition were found for various minority youth. The most notable finding was that minority youth were less likely than whites to participate in informal adjustments. Alternatively, females were more likely than males to be involved with informal adjustments. As previously discussed, a number of explanations have been offered to explain this consistent occurrence and these range from minority youth and their families being less cooperative (including the failure to admit guilt) to minority youth and families unable to attend the intake meeting to biased perceptions on the part of juvenile court personnel or

intake officers. For females, the chivalry perspective suggests that decision-makers may treat females more leniently because they perceive females to be more rehabilitative than males and therefore, are more often provided with the opportunity to participate in informal adjustments. One solution to address these findings is to reduce discretion through the adoption of structured intake criteria.

Recommendation 4: ***Increase Staff Diversity and Require Decision-Makers to Participate in Race and Gender Cultural Sensitivity Training***

Both race and gender were discovered to be consistent factors that influenced decision making involving detention issues, intake, and whether to adjudicate delinquent. Previous study has also, to varying degrees, found similar evidence of race and gender differences (e.g. Rosay, 2003). Thus, these findings should not be dismissed as a byproduct of how this study was conducted or that the findings represent occurrences by chance. In addition to the diversification of personnel and the possible engagement of volunteers from the community to act as an advocate or youth ombudsman, race and gender cultural sensitivity training may help in attaining greater equality in decision making involving youth irrespective of race/ethnicity and gender.

Recommendation 5: ***Explore Mechanisms to Reduce the Number of Youth Referred to Juvenile Court***

Although not a focus of the present study, results from the Identification Matrices and from the Craciun (2004) report reveal that a disproportionate number of minority youth are referred to juvenile court. In fact, this occurrence was a major concern of the Craciun study and they recommended the implementation of a Youth Ombudsman Office and Youth Champion Program to decrease DMC. Efforts should also be made to collaborate with local police, community members, and representatives from the juvenile court to discuss, plan, and implement strategies such as the those highlighted by Craciun to examine why this occurs and what can be done to prevent and divert some youth away from contact with the juvenile justice system.

Recommendation 6: ***Conduct Additional Research on DMC***

The data relied upon in the present study was reanalyzed from Craciun who had coded data from JOMIS and collected some additional data from case files. The data was from the period of mid 2002 through December of 2003. Discussions with the State of Alaska have revealed that many of the concerns pertaining to data issues have since been resolved or addressed (see Craciun, 2004). One major shortcoming at the time was the

inability to examine who was taken out of the home and placed in a secure facility. Future research needs to examine how often out of home placements occur and who is subject to this judicial disposition outcome. National research has shown that minority youth, especially African Americans, are disproportionately placed relative to their white counterparts (e.g., Pope and Leiber, 2005; Hamparian and Leiber, 1997). The need for additional research also stems from the efforts by the State of Alaska and localities to implement some of the stated recommendations since the period of time examined in the present study. Additional studies should examine if these interventions have attained the intended goals and effectively reduced DMC. Last, further research should be conducted to examine in particular or in greater detail one or more of the points where race and gender differences were evident: case referrals, detention decisions, and intake decisions. More thorough research should produce greater insights into what role race and gender have in decision making and what can be done to change that role(s).

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Appendix 1. Zero Order Results - Anchorage

Variable	*1*	*2*	*3*	*4*	*5*	*6*	*7*	*8*	*9*	*10*	*11*	*12*	*13*	*14*	*15*	*16*	*17*
1. African American	1.00																
2. Native American	-.18**	1.00															
3. Asian	-.12**	-.15**	1.00														
4. Other	-.15**	-.19**	-.13**	1.00													
5. Age	-.01	.04**	-.08**	-.07*	1.00												
6. Gender	.04**	.07**	.01	-.02	-.04*	1.00											
7. Prior Record	.04**	.07**	.01	.01	.04*	-.16**	1.00										
8. No. Charges	.01	-.01	.03	.01	.07**	-.13**	.10**	1.00									
9. Crime Severity	.02	-.06**	.02	-.03	.07**	-.03	-.11	.14**	1.00								
10. Property	.02	-.06**	.05**	-.02	-.13**	.12**	-.12	.01	.27**	1.00							
11. Person	.01	.05*	-.03	.02	.01	-.02	.01	.10**	.04*	-.43**	1.00						
12. Drugs	-.06**	.01	-.06**	-.01	.07**	-.04*	.01	-.02	.25**	-.32**	-.11**	1.00					
13. Intake Dismissal	.08**	.01	-.04*	-.02	.01	-.03	.03	.09**	.08**	-.01	.04*	-.01					

Appendix 1. Continued

Variable	*1*	*2*	*3*	*4*	*5*	*6*	*7*	*8*	*9*	*10*	*11*	*12*	*13*	*14*	*15*	*16*	*17*
15. Intake Petition	.01	.04*	.03	.02	.13**	-.16**	.30**	.27**	-.03	-.09**	-.01	-.06**	-				
16. Adjudication Dismissal	.03	.02	.03	.01	.04*	-.07**	.13**	.17**	-.07	-.08**	-.01	-.04*	-	-	-	-	
17. Adjudication Adjudicated	.01	.05**	.03	.03	.16**	.36**	.36**	.23**	-.13**	-.14**	-.05**	-.08**	-	-	-	-	-

**p < .01, *p < .05

Appendix 2. Zero Order Results - Fairbanks

Variable	*1*	*2*	*3*	*4*	*5*	*6*	*7*	*8*	*9*	*10*	*11*	*12*	*13*	*14*	*15*	*16*	*17*
1. African American	1.00																
2. Native American	-.02	1.00															
3. Asian	-.18**	-.02	1.00														
4. Other	-.05	-.14**	-.02	1.00													
5. Age	-.02	-.06	-.06	.05	1.00												
6. Gender	-.05	.05	.08*	-.01	-.01	1.00											
7. Prior Record	.01	.08*	.01	.08*	.18**	-.11**	1.00										
8. No. Charges	.04	-.05	-.01	-.04	.06	-.09*	.11**	1.00									
9. Crime Severity	-.02	-.05	.02	-.11**	.11**	-.04	-.16**	.14**	1.00								
10. Property	.02	.02	-.01	-.05	-.09*	-.03	-.03	.07*	.19**	1.00							
11. Person	.05	-.03	.05	-.01	-.08*	.03	-.03	.14**	.03	-.36**	1.00						
12. Drugs	.02	-.07*	-.01	-.05	.08*	-.06	-.09*	-.08*	.34**	-.34**	-.26**	1.00					
13. Intake Dismissal	.07*	-.01	-.04	-.03	-.06	-.03	.03	-.02	.06	-.02	.10**	-.07*	1.00				

Appendix 2. Continued

Variable	*1*	*2*	*3*	*4*	*5*	*6*	*7*	*8*	*9*	*10*	*11*	*12*	*13*	*14*	*15*	*16*	*17*
14. Intake Adjustment	.01	-.06	.05	-.06	-.18**	.15**	-.33**	-.24**	.17**	.10**	-.11**	.23**	-	-	-	-	-
15. Intake Petition	.01	.01	-.05	.06	.13**	-.15**	.38**	.26**	-.11**	-.05	.10**	-.17**	-	-	-	-	-
16. Adjudication Dismissal	-.06	.05	-.03	.01	.04	-.07	.22**	.25**	.01	.01	.12**	-.12**	-	-	-	-	-
17. Adjudication Adjudicated	-.01	.01	-.04	.06	.15**	-.16**	.25**	.30**	.07*	.01	.03	-.15**	-	-	-	-	-

**p < .01, *p < .05