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# Factors in Juvenile Court Dispositions: Case Study of a Rural Juvenile Court

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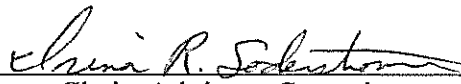
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FACTORS IN JUVENILE COURT DISPOSITIONS:  
CASE STUDY OF A RURAL JUVENILE COURT

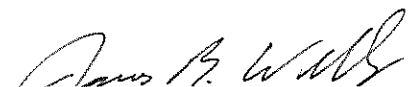
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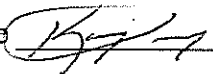
  
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FACTORS IN JUVENILE COURT DISPOSITIONS:  
CASE STUDY OF A RURAL JUVENILE COURT

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Submitted to the Faculty of the Graduate School of  
Eastern Kentucky University  
in partial fulfillment of the requirements  
for the degree of  
MASTER OF SCIENCE  
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## DEDICATION

This thesis is dedicated to my wife, Ziza Kirk and three daughters;  
Kierstin Kirk, Ethne Kirk and Cora Kirk  
for their unwavering support.

## ACKNOWLEDGMENTS

I would like to thank my major professor, Dr. Irina Soderstrom, for her guidance and patience. I would also like to thank the other committee members, Dr. Betsy Matthews and Dr. James Wells, for their comments and assistance over the past several years. I would like to express my thanks to my wife, Ziza, for her understanding and patience during those times when there was no light at the end of anything. She encouraged me and made me stick with it. I would like to thank my daughters; Kierstin, Ethne and Cora for putting up with daddy staying locked in the office several nights a week. Finally, I would like to thank my mom and dad, Sherwood and Marsha for instilling the values in me to keep pushing until I reach the end.

## ABSTRACT

The primary question of importance in this current study is what factors affect judges' dispositional rulings in a small rural Central Kentucky county. In order to evaluate these factors, this study involved a two stage process. The quantitative data were gathered from 120 Department of Juvenile Justice (DJJ) files dating back to 1999 that were processed through the study site small county court. The qualitative data were gathered through a series of structured interviews with court personnel. This current study provides descriptive statistics of the study cases that have been adjudicated delinquent with respect to their legal and extralegal characteristics, and their dispositional rulings. Additionally, this study examines the bivariate associations between legal and extralegal factors and judges' dispositional rulings. Finally, this study examines some prediction models that allow for estimating the odds that an adjudicated delinquent will receive various types of dispositional outcomes. By evaluating both quantitative and qualitative data, the consensus was reached that school performance and whether or not a juvenile had past probation were the main predictive factors in which the judges' based their decisions at the time of disposition on.



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## CHAPTER ONE

### STATEMENT OF THE PROBLEM

#### Introduction

Decisions made about the placement of juveniles in various dispositional options are incredibly important. Options range from informal and unobtrusive to formal and secure care. They are meant to be individualized to each juvenile in an attempt to balance appropriate treatment issues with protection of the community. These decisions can have lasting impacts on educational, mental health and environmental needs of juveniles and their families. It is important to understand how these decisions are made. In particular, what processes are used, what information is considered, and what factors influence these decisions.

Juvenile courts utilize different dispositional options once a juvenile has been adjudicated delinquent. Informal adjudication/adjustment is a dispositional option that includes court ordered restitution, community service or deferment of the charge. Probation to a juvenile justice agency is a dispositional option requiring formal supervision in a community setting. Commitment to a juvenile justice agency is a dispositional option where custody of a juvenile is given to the juvenile justice agency for placement in a non-secure or secure facility.

Juvenile courts consider several factors when deciding what dispositional options to use. These factors can be separated into two categories; legal and extralegal. Legal factors are assigned and kept on file by the court. These factors can include; type of offense, seriousness of offense, number of past offenses, prior probation...etc. Extralegal

factors are demographic information of offenders that can include gender, age, socio-economic status (SES), family status...etc.

There is a plethora of research on which factors, both legal and extralegal, influence dispositional rulings. The findings of past research are diverse. While some studies showed strong support for extralegal factors influencing dispositions, others found only minimum influence. Past research on legal factors has presented solid evidence of their influence on dispositional rulings.

#### Purpose of Current Study

The primary question of importance in this current study is which factors affect dispositional rulings in a small rural Central Kentucky county court. In order to evaluate these factors, this study involves a two stage process. Quantitative data must be collected and analyzed to look for trends in dispositional rulings, and then qualitative data (in the form of structured interviews) must be obtained to provide meaningful context to the quantitative findings. A brief association of quantitative and qualitative data outcomes will be discussed.

This study looks at extralegal factors including Socio-economic status (SES) and family status. There were three additional extralegal factors included in this study: 1) prior knowledge of the juvenile by court personnel; 2) influence of any court personnel who participate in the court process; and 3) school performance of the juvenile at the time of disposition. This study also focuses on legal factors such as type of offense, seriousness of offense, number of past criminal charges, and evidenced of prior diversion, and whether or not the juvenile was placed on probation or commitment in the past.

This researcher was unable to find any past research that looks at combinations of all variables listed in this study. Leiber and Mack (2003) emphasize the lack of research on the joint effects of extralegal and legal effects and discuss the need for further research on those joint effects. While this current study looks at school performance as an independent variable in predicting judicial dispositions, past research on this variable as it relates to dispositions is rather vague. In his review of past research on discretionary decision-making in juvenile justice, William Barton (1976) discusses Empey and Lubeck's (1971) results that found a youth who had bad school achievement or who had dropped out of school was more likely to have a court record than a youth who was doing well in school. Barton discusses how this finding doesn't indicate at what level school factors become relevant in the juvenile justice system.

This research contributes to the current body of knowledge by focusing on a single rural court. According to Hartmann, Minor, and Terry (1997) there is a need to focus on individual courts due to the diversity of juvenile courts. "To the degree that this is true, studies of particular courts in their unique contexts are warranted" (p. 330). This research also contributes by using blended methods to include both quantitative and qualitative research methods. While one qualitative study (Potter & Kakar, 2002) has looked at court practitioners' perspectives on what factors influence dispositional rulings, their methods included a questionnaire given only to a limited group of court participants. This study expands the number of court participants included in the study.

This study provides descriptive statistics of the study cases that have been adjudicated delinquent with respect to their legal and extralegal characteristics, and their dispositional rulings. Additionally, this study examines the bivariate associations between

legal and extralegal factors and judges' dispositional rulings. This study examines some prediction models that allow for estimating the odds that an adjudicated delinquent will receive various types of dispositional outcomes. Finally this study will give a brief synopsis of court participants' answers to the structured interviews.

## CHAPTER TWO

### REVIEW OF THE LITERATURE

The research on the factors influencing dispositional decision-making in juvenile justice is vast and varied. This section of the literature review is organized around the particular foci of existing studies. First, it examines the extant research on extralegal factors such as: race, gender, age, social class, and family status. Second, it examines research on legal factors such as: seriousness of offense, prior juvenile record and prior dispositions. Last, the chapter examines two studies that analyzed multiple factors using a variety of methods. Examining the literature in this way provides the reader with a sense of how studying legal and extra-legal factors separately can be misleading and lays the foundation for a more comprehensive approach to studying factors that influence juvenile dispositions.

#### Extralegal Factors

Past research on extralegal factors has been mixed. Some studies show strong support for extralegal factors influencing dispositions (Bishop & Fraizer, 1988; Carter 1979; Fagan, Slaughter, & Harstone, 1987; Fenwick, 1982; Leiber & Mack, 2003). Other researchers have found only slight effects of extralegal factors (Belknap, 1984; Bell & Lang, 1985; Cauffman, Piquero, Kimonis, Steinberg, Chassin, & Fagan, 2007; Cohen & Kluegel, 1978).

Bishop & Fraizer (1988) obtained records from cases referred to juvenile justice intake in Florida between January 1, 1979 and December 31, 1981. The study focused on decision making not only at the time of disposition, but also across several decision points within the juvenile justice model. Although the main focus of the researchers'

study was the effect of race on decision making, multivariate analyses were conducted involving a number of legal and extralegal variables. In their results, Bishop & Fraizer reported that sociodemographic characteristics did have a significant effect on dispositions. Their findings showed that minority offenders were disadvantaged throughout different points in the juvenile justice system.

Carter (1979) found that social class impacted decision-making which lead to subsequent court appearances. The lower the social class, the more chances a juvenile would be referred back to court. The researcher gathered data for this study from juvenile court records in a metropolitan area in the southeastern United States. Carter also found that previous court referrals and multiple petitions increased the chance of a harsher disposition.

Fagan, Slaughter, & Harstone (1987) reviewed racial disparities in decision making points within the entire juvenile justice process. Samples were drawn from each point in the decision making process. Controls were instituted for offense severity, other offense characteristics, and other extralegal factors in addition to race. The researchers found race disparities in every point of the decision making process which resulted in harsher sentences at the time of disposition for minorities.

Fenwick (1982) obtained data from official records and systematic observations of intake hearings located in a major eastern city. The researcher in this study used Multiple Classification Analysis (MCA) in order to control for influences of independent variables with other independent variables. This study found that family status was the sole determinant of the decision on whether or not a youth was detained prior to a juvenile hearing. Family status had a positive effect on the decision to detain a juvenile.



The lower the family status, the more likely a juvenile was going to be detained. Also, it was found that sex and age were not statistically significant factors in intake decisions.

Leiber & Mack (2003) studied the extent to which quantitative interactions between race, gender, and family status affected case processing and outcomes. The researchers drew their sample from juvenile court referrals over a twelve-year period, 1980 to 1991, from counties across the state of Iowa. These researchers also used multivariate analyses to determine the predictors of decision-making and case outcomes. The researchers found that dispositions for African-Americans were harsher than whites regardless of family status and dispositions for whites were conditioned by family status. The researchers also found support for family status having an impact on juvenile dispositions. The lower the family status, the more likely a harsher disposition would be given. Other researchers have come to similar conclusions (Danefer & Schutt, 1982; Bishop & Frazier, 1996; Molgaard, Spoth, & Redmond, 2000; Robbins & Szapocznik, 2000).

Bell & Lang (1985) gathered their data from observations of the processing of juvenile offenders conducted between February 8 and March 29, 1982, in nine sheriff stations and two juvenile justice centers in Los Angeles County. The researchers focused on a variety of factors including sex, age, race, demeanor, probation status, current referral offense(s) of the youth, and prior offense. The researchers found that statistical results strongly and clearly indicated that having a longer record of prior offenses increases severity of punishment. The researchers did not find a strong relationship between race and severity of punishment.

Belknap (1984) looked at the question of whether state wards with certain characteristics specifically legal and extralegal factors were related to placements of juveniles. Data collected from the study are from face sheets on the files of all juveniles committed as state wards in a large Midwestern state. The researcher found no statistically significant differences between the categories of sex and family status on placement. However, the research indicated that nonwhites were more likely to be placed in a more restrictive placement.

Cohen & Kluegel (1978) researched the impact of stereotypical and discriminatory variables on the severity of dispositions given to juveniles in two different courts, Denver and Memphis, which had differing philosophies regarding of juvenile justice. The researchers' study analyzed multivariate relationships among qualitative variables using Goodman's method of log linear analysis to investigate possible sources of bias in the severity of disposition for 6,894 male juveniles. It was found that neither race nor social class bias directly affected the dispositions in the two courts studied.

#### Legal Factors

Past research on legal factors shows strong support of their effects on the juvenile decision making processes (Arnold, 1971; Cauffman, Piquero, Kimonis, Steinberg, Chassin, & Fagan, 2007; Dannefer & Schutt, 1982; Hartmann, Minor, & Terry, 1997; Hoge, Andrews, & Leschied 1995; Poulos & Orchowsky, 1994; Tittle & Curran, 1988). As mentioned above, Bell & Lang (1985) obtained statistical results that indicated that having a longer record of prior offenses increases the severity of punishment.

Matarazo, Carrington, & Hiscott (2001) researched the effect of prior dispositions in youth court on current youth court dispositions. The study utilized the Canadian

Youth Court Survey for the years of 1993 and 1994. The data included all disposed cases (60,519) in 11 of the 12 Canadian provinces and territories. The researchers found that harsher dispositions were strongly influenced by prior dispositions.

Poulos & Orchowsky (1994) identified legal factors such as seriousness of the current offense, having a prior record, and having a commitment history to be major predictors of whether or not a court decides to transfer a juvenile to circuit court to be tried as an adult. Data for this study were gathered over a three year time period, which included 1,028 juveniles transferred to adult court. Of those 1,028 juveniles, 364 were randomly sampled for use in the study.

Hartmann, Minor, & Terry (1997) examined data on juveniles referred for the first time, to determine whether legal factors affected the decision to either divert offenders or process them through the court. The data set included all cases referred between January 1, and June 30, 1990 to a county court in a midsize Midwestern city. The researchers used both bivariate and multivariate analyses in assessing the collected data. The researchers' findings confirmed past studies showing there is a strong relationship between legal factors and court decisions. If a juvenile was referred for a lesser offense, then diversion was more likely. If referred for a second or third referral, court action was more likely.

Hoge, Andrews, & Leschied (1995) focused on offenders assigned to six different probation offices in a large city within Canada. The researchers looked at three different disposition rulings: 1) probation; 2) open custody; and 3) secure custody. Both open and secure custody involve placement, however, they are at different security levels. The researchers found that past legal factors, such as current and past criminal activity, played

a major factor in determining custody dispositions. The higher current and past criminal activity, the higher the security level given at the time of disposition. However, the researchers didn't find a link between severity of current offense and dispositions decisions.

Scarpitti & Stephenson (1971) gathered data over a three year period from 1,210 delinquents who had been adjudicated in the juvenile court. The researchers looked at the factors juvenile court judges considered in making their dispositions. Factors looked at included social background, delinquency history, and psychological characteristics. They found that the higher the delinquency history, the higher the degree of supervision and confinement that was imposed by the judges.

According to a review of past research conducted by William Barton (1976), Emerson (1969) found that offense seriousness was a major factor in dispositional outcomes. Barton cites a study conducted by Ariessohn (1972) in which judges ranked seriousness of offense the third most important factor in their dispositional decisions. Barton also discusses another study completed by Terry (1967) in which there was a positive relationship between seriousness of offense and severity of disposition. Barton also states that past studies completed by Terry (1967), Scarpitti & Stephenson (1971), and Emerson (1969) found that prior records were important in judges' dispositional rulings. Ariessohn's (1972) findings, according to Barton (1976), were that judges in his study ranked prior record as the second most important factor in their dispositional rulings.

Cauffman, Piquero, Kimonis, Steinberg, Chassin, & Fagan (2007) examined the extent to which legal and extralegal factors independently predicted dispositional

outcomes within two juvenile court jurisdictions. The sample studied consisted of 1,355 14- to 18-year-old male and female juvenile offenders adjudicated of a serious criminal offense. Their results suggested that legal factors had the strongest influence on dispositions. Specifically, prior court referrals, individuals with a longer list of priors, were more likely to be placed in secure confinement. They found individual and environmental factors were much less important than legal factors. No racial or social-economic differences were observed.

#### Other Research

Potter & Kakar (2002) looked at how both legal and extralegal factors affect people who make decisions about juvenile diversions. However, they focused on the juvenile court practitioners' perspectives. The researchers surveyed a sample population of court-designated workers and county attorneys (prosecutors) in Kentucky during 1998. A self-report survey was used. There were a total of 103 respondents. It was found that county attorneys and court-designated workers varied widely in their ideas about diversion. County attorneys tended to feel that legal factors would have more weight in diversion decisions while court-designated workers tended to have a more broad perspective. However both groups felt that legal factors had more of a significant effect on diversion decisions than did extralegal factors.

Niarhos & Routh (1992) looked at the effects of mental health assessments on juvenile dispositions. A random sample of 234 juveniles, who were adjudicated delinquent and were evaluated for mental health issues, were assessed. Variables obtained included demographic information, family composition and functioning, intellectual and social functioning, and treatment recommendations. It was found that the

number of prior arrests and the decision to detain a juvenile prior to disposition were the only two predictive variables for dispositions. Due to the large amount of variance remaining, it was determined by the researchers that mental health assessments have low validity and little influence on juvenile dispositions.

### Conclusion

The above literature reflects the wide range of findings from past research. Findings were very mixed with regards to extralegal factors and their impact on the decision making process. However, legal factors such as prior offenses, prior records, prior dispositions and seriousness of current offense were more consistently found to influence the decision making process. Both legal and extralegal factors have been shown to effect judges' dispositional decisions. However, the studies have used different methods in both data gathering and statistical evaluation. While most studies focused on quantitative data, and very few studies focused on qualitative data, this researcher was unable to find any studies which combined both forms of data.

## CHAPTER THREE

### METHODS

#### Subjects

Subjects for the quantitative analysis consisted of 120 Department of Juvenile Justice (DJJ) cases dating back to 1999 that were processed through the study site, a small Kentucky county court. These 120 subjects represent all juveniles who were adjudicated delinquent from 1999 to 2004. Thus, the quantitative portion of this study represents a cross-sectional analysis of a cohort of adjudicated juveniles from the study site.

Subjects for the qualitative analysis comprised a purposive sample of court personnel. These personnel included two district court judges, an assistant county attorney, a Department of Public Advocacy attorney, two private hire attorneys (one of whom was a former judge on the bench in the study site county), a court clerk, a social worker from the Cabinet for Health and Family Services, and a probation officer from the DJJ. All above mentioned personnel attend juvenile court on a weekly basis and were selected because of their unique knowledge of the court proceedings and their experience with, and knowledge of, the juveniles at focus in the qualitative portion of this study.

#### Quantitative Data Collection

Unobtrusive data collection methods were used to obtain the quantitative data. Data was gathered from individual case files that are maintained by the DJJ and permission was granted by the DJJ for access to these files. Furthermore, DJJ was assured that the anonymity and confidentiality of the data would be maintained.

Demographics (extralegal factors) were collected from the DJJ records, including: gender, age, socio-economic status (SES), school performance, and family status. As stated in Chapter One, due to the racial composition of the sample, race was not collected since all but two of the subjects were white. Legal factors were also collected from the DJJ records, including: type of offense, seriousness of offense, number of past public (criminal) charges, prior probation status, prior commitment to DJJ, and any indications of prior diversions (see Appendix A for data collection codebook).

The dependent variable is the judges' dispositional ruling. These data were also collected from the DJJ files. The dispositional variable was coded: 1 = judicial discretion, 2 = probation and 3 = commitment. Although judicial discretion varies widely, for the purposes of this current study, non-DJJ actions were grouped into this one category, and represented the least amount of action that could be taken by the court.

#### Qualitative Data Collection

Data for the qualitative portion of the study consisted of structured in-person interviews that were conducted by this researcher with juvenile court personnel on site in the juvenile court's pre-trial room over a two week period in 2004. All participants were interviewed separately. Answers were written down by this researcher as provided by the court personnel. All participants were notified their identity would remain anonymous and any given information would remain confidential. All data gathered were approved by the Eastern Kentucky University Institutional Review Board (see Appendix B).

The variables of prior knowledge of juvenile by court personnel, and influence of any court personnel who participate in the court process, were obtained through qualitative means. The impact of other variables such as race, gender, SES, family status,



school performance, and legal factors were obtained through qualitative methods. In order to obtain this data, a ten-question structured interview protocol was conducted with all court-related personnel in the study sample. The interview/protocol consisted of the following questions:

1. Do you think that race affects the judges' dispositional rulings? Explain.
2. Do you think that gender affects the judges' dispositional rulings? Explain.
3. Do you think that SES (socio-economic status) affects the judges' dispositional rulings? Explain.
4. Do you think that family status affects the judges' dispositional rulings? Explain.
5. Do you think that legal factors such as prior history, seriousness of offense, or type of offense affect the judges' dispositional rulings? Explain.
6. Which do you think is more influencing on the judges' dispositional rulings: demographics (extralegal factors) or legal factors? Explain.
7. Do you think that you have influence on the judges' dispositional rulings? Explain.
8. Do you think that prior knowledge of the juvenile (outside knowledge not relating to the court) affects the judges' dispositional rulings? Explain.
9. Do you think that school performance at the time of disposition affects the judges' dispositional rulings? Explain.
10. What do you think influences the judges' rulings at disposition the most? Explain.

A separate interview protocol was generated for interviewing the judges. The following questions were asked:

1. Do you think that race affects your dispositional rulings? Explain.
2. Do you think that gender affects your dispositional rulings? Explain.
3. Do you think that socio-economic (SES) affects your dispositional rulings? Explain.
4. Do you think that family status affects your dispositional rulings? Explain.
5. Do you think that legal factors such as prior history, seriousness of offense, or type of offense affect your dispositional rulings? Explain.
6. Which do you think is more influencing on your dispositional ruling: demographics (extralegal factors) or legal factors? Explain.
7. Are there any court personnel that affect your dispositional rulings? Explain.
8. Do you think that prior knowledge of the juvenile (outside knowledge not relating to the court) affects your dispositional rulings? Explain.
9. Do you think that the juvenile's school performance at the time of disposition affects your dispositional rulings? Explain.
10. What do you think influences your rulings at disposition the most? Explain.

## Data Analysis

The analysis of the quantitative data involved the computation of descriptive statistics (e.g., averages and percentages). Bivariate analyses were used to screen independent variables for use in the logistic regression models, and to check that there were no problems with multicollinearity. Multinomial logistic regression models were utilized in order to investigate which demographic, legal and extralegal variables were predictive of judges' dispositional rulings.

The analysis of the qualitative data involved using content analysis to synthesize interviews and identify common themes across interview responses. Some quantitative summaries of the qualitative data are provided in Chapter Four. Also, the qualitative data have been used to provide richness and context to the quantitative findings.

## Delimitations of the Study

The scope of this study is limited to the factors that affect judges' dispositional rulings in this one small study county. It is not intended that the findings be generalized to the juvenile court system as a whole. Due to the make-up of the sample, race was not entered into the quantitative data because of the total sample population; only two cases were not classified as white. However, race was assessed in the qualitative data in the form of a structured interview question. Also, the current study does not look at dispositional rulings for status offenders due to data collection being limited to that of public offenders. Nor does this study assess dispositional rulings for youthful offenders. (These are offenders who have been waived to circuit court and tried as adults due to the seriousness of their offenses.) Finally, this study does not systematically examine diversion processes prior to a juvenile being adjudicated because of the restriction of

data. (This researcher was unable to obtain access to diversion process data kept by the Court Designated Workers' Office due to confidentiality issues). While some diversion evidence will be explored, this will be limited and not a thorough account.

#### Limitations of the Study

The study site court chosen for this research did cause some limitations to the current research. Data problems consisted of a small sample size, five years of records only yielded a population of 120 subjects. Limitations regarding the statistical portion of the study include having a relatively low sample size for the logistic regression analysis, which results in low power for finding significant predictors. Also, there may be some issues concerning the base rate on the dependent variable since disproportionate numbers of subjects fell into each of the three disposition categories. Limitations to qualitative data included the inability to assess the honesty of court participants interviewed due to political and ethical issues.

## CHAPTER FOUR

### RESULTS

#### Quantitative Results

Descriptive information regarding the legal status of the subjects is presented in Table 1. The majority (56.0%) of the subjects were adjudicated of Class A misdemeanors, followed by Class D felonies (33.6%). The largest proportion (34.5%) were adjudicated of violent/person offenses, followed by drug offenses (33.6%). Small proportions (16.4% and 15.5% respectively) were adjudicated of minor and major property offenses.

Two legal factors, having a prior diversion and having past public charges, pertained to prior adjudications. Almost two-thirds of the sample (66.4%) had prior diversion, and that same percentage had no prior public charges (see Table 1).

The final legal factor, most current disposition, is the dependent variable in this study and is presented in Table 1. The majority of the subjects (60.3%) received probation, followed by receiving judicial discretion status (31.0%), followed by being committed to DJJ (8.6%).

Descriptive information pertaining to the extralegal characteristics of the sample is presented in Tables 2 and 3, which are split out into categorical and continuous measures. The vast majority of the sample (77.6%) was male (see Table 2). Ages ranged from 10-17, with an average age of 15.92 (SD=1.22). Race was not included in the tables since all but two of the subjects were white (see Table 3).

Table 1

Descriptive Information on Legal Factors (N=116)

Legal Factor	Frequency	Percentage
Type of Offense		
Class A Felony	2	1.7
Class B Felony	4	3.4
Class C Felony	5	4.3
Class D Felony	39	33.6
Class A Misdemeanor	65	56.0
Class B Misdemeanor	1	.9
Seriousness of Offense		
Violent/Person	40	34.5
Major Property	18	15.5
Minor Property	19	16.4
Drug	39	33.6
Prior Diversion		
Yes	39	33.6
No	77	66.4
Past Public Charges		
No Prior Charges	77	66.4
1 Prior Charge	21	18.1
2 or More Prior Charges	18	15.5

A wide variety of family status/living arrangements were discovered among the sample (see Table 2). The largest proportion (30.2%) of the sample came from single parent homes, followed by youth having a step-parent in the home (24.1%), followed by youth living with both biological parents (23.3%) and other living arrangements (22.4%).

The median income for these families was \$1150 per month, indicating that poverty status was predominant among sample (see Table 3). Finally, the majority of the sample (63.8%) was determined to have “bad” school performance (defined as having a “D” average or lower according to the pre-dispositional investigation report), as compared to only 36.2% having “good” school performance (defined as having a “C” average or higher on the pre-dispositional investigation report) (see Table 2).

Table 2

Descriptive Information on Categorical Extralegal Factors (N=116)

Extralegal Factor	Frequency	Percentage
<b>Gender</b>		
Male	90	77.6
Female	26	22.4
<b>Family Status</b>		
Both Biological Parents	27	23.3
Stepparent in Home	28	24.1
Single Parent Home	35	30.2
Other	26	22.4
<b>School Performance</b>		
Good	42	36.2
Bad	74	63.8

Table 3

## Descriptive Information on Continuous Extralegal Factors (N=116)

Extralegal Factor	Median	Mean	Standard Deviation	Range
Age	16	15.92	1.22	10-17
SES (Monthly Income)	\$1150.00	\$1293.85	\$791.10	\$234-\$4100

*Bivariate Analyses Results*

All of the legal and extralegal factors displayed in Tables 1-3 were assessed for being statistically significant related to categorical dependent variable, most current disposition (displayed in Table 1). All of the legal factors and the categorical extralegal factors were assessed for their relationship to the dependent variable by performing chi-square test for independence. Table 4 presents the variables that were found to be statistically significantly related to the dependent variable, and that were subsequently entered into the final multivariate analysis.

Two extralegal variables, family status and school performance, were significantly related to the most current disposition (see Table 4). The results for the family status variable indicated that while half of the youth receiving commitments to DJJ came from homes with a step-parent in them, the largest percentage (31.4%) of youth receiving probation came from “other” living arrangements, and the largest percentage (33.3%) of youth receiving judicial discretion came from homes where both biological parents resided.

Table 4

Statistically Significant Results of Chi-Square Cross-Tabulations Between Disposition and Categorical Legal and Extralegal Variables (N=116)

Legal & Extralegal Variable	% of Judicial Discretion	% of Probation	% of Commitment	$\chi^2$	df	p-value
Family Status				12.92	6	.044
Both Biological Parents	33.3	20.0	10.0			
Step Parent in Home	27.8	18.6	50.0			
Single Parent Home	30.6	30.0	30.0			
Other	8.3	31.4	10.0			
School Performance				51.31	2	.000
Good	83.3	17.1	0.0			
Bad	16.7	82.9	100.0			
Type of Offense				42.87	10	.000
Class A Felony	0.0	0.0	20.0			
Class B Felony	2.8	4.3	0.0			
Class C Felony	0.0	4.3	20.0			
Class D Felony	30.6	35.7	30.0			
Class A Misdemeanor	66.7	55.7	20.0			
Class B Misdemeanor	0.0	0.0	10.0			
Past Probation				16.51	2	.000
Yes	2.8	11.4	50.0			
No	97.2	88.6	50.0			
Past Public Charges				18.56	4	.001
No Prior Charges	75.0	65.7	40.0			
1 Prior Charge	19.4	20.0	0.0			
2 or More Prior Charges	5.6	14.3	60.0			



The second extralegal variable, school performance, resulted in the finding that all of the youth receiving commitments were determined to have bad school performances, while only 82.9% of youth receiving probation had bad school performances, and only 16% of youth receiving judicial discretion had bad school performances (see Table 4).

Three legal variables, type of offense, having a past probation, and having a past public charge, were found to be statistically related to the dependent variable. For type of offense, the largest percentage (30.0%) of youth receiving commitments had been adjudicated of a Class D felony, while the largest percentages of youth receiving probation (55.7%) and judicial discretion (55.7%) were adjudicated of Class A misdemeanors (see Table 4).

The results for the variable past probation indicated that exactly half of youth receiving commitments had records of past probation, while only 11.4% of youth receiving probation, and only 2.8% of youth receiving judicial discretion, had records of a past probation (see Table 4).

The results for the variable past public charges indicated that less than half (40%) of youth receiving commitments had no prior charges on record, while 65.7% of youth receiving probation had no prior charges, and 75.0% of youth receiving judicial discretion had no prior charges. In fact, 60.0% of committed youth had two or more prior charges, as compared to only 14.3% of probationers and 5.6% of judicial discretion youth (see Table 4).

There were two continuously measured extralegal variables (age and SES) that were submitted to one-way analysis of variance tests in order to determine if there were statistically significant differences in means across the three categories of the dependent variable (commitment, probation, judicial discretion). None of these results were

statistically significant, thus, they are not presented in text or tabular form. Nor were these two variables submitted to the final multivariate analysis.

*Multivariate Analysis Results*

All of the variables that were determined to be statistically significantly related to the dependent variable (most current disposition) were entered into a stepwise multinomial logistic regression analysis. The variables submitted to the analysis were family status, school performance, type of offense, past probation, and past public charges. The overall regression model was statistically significant ( $\chi^2_4 = 66.87, p = .000$ ) and accounted for 43.8% of the total variance in the dependent variable, disposition. The results of the analysis are presented in Table 5.

Table 5

Stepwise Multinomial Logistic Regression Results for Disposition Variable (N=116)

Probation vs. Judicial Discretion							
Predictor	Constant	B	SE	Wald	df	p-value	Odds Ratio
School Performance	-2.18	3.26	.56	33.60	1	.000	25.94
Commitment vs. Judicial Discretion							
Predictor	Constant	B	SE	Wald	df	p-value	Odds Ratio
Prior Probation	-2.34	2.18	.77	8.10	1	.004	8.83

Note: Cox and Snell Pseudo -  $R^2 = .438$

As presented in table 5, only one variable was entered into the stepwise prediction model for the comparison of a probation disposition versus a judicial discretion disposition. School performance (coded 0 = Good; 1 = Bad) yielded a regression

coefficient of 3.26 (SE = .56) and was determined to be a statistically significant predictor of the probation and judicial discretion dispositional outcomes (Wald = 33.60,  $p = .000$ ). The odds ratio of 25.94 can be interpreted to mean that juveniles with bad school performances are almost 26 times more likely to receive a disposition of probation, rather than diversion, than are juveniles with good performances.

Also as presented in table 5, only one variable was entered into the stepwise prediction model for the comparison of a probation disposition versus a commitment disposition. Having had a prior probation (coded 0 = Yes; 1 = No) yielded a regression coefficient of 2.18 (SE = .77) and was determined to be a statistically significant predictor of the probation and commitment dispositional outcomes (Wald = 8.10,  $p = .004$ ). The odds ratio of 8.83 can be interpreted to mean that juveniles who have had a prior probation are almost 9 times more likely to receive a disposition of commitment, rather than probation, than are juveniles who have not had a prior probation.

#### *Summary of Quantitative Data*

Two extralegal variables, family status and school performance, were found to be statistically significant. Only school performance was found to be a significant predictor of dispositional outcomes. Analysis shows that a juvenile who had bad school performance was twenty-six times more likely to receive a disposition of probation rather than a disposition of judicial discretion. Also found to be statistically significant were the legal factors: type of offense, past public charges and prior probation. Only prior probation was found to be a significant predictor of dispositional outcomes. A juvenile with a record of past probation was nine times more likely to receive a disposition of commitment rather than a disposition of probation.

## Qualitative Results Regarding Influence of Legal and Extralegal Factors

### *Race*

Out of the seven court participants interviewed, five felt race was a factor that affected the judges' dispositional rulings. When asked to explain, having a lack of resources and poverty were consistently given as the reasons participants answered the question affirmatively. However, the Department of Public Advocacy (DPA) attorney discussed unspecified research he felt demonstrated that a disproportionate number of African-Americans are being incarcerated. He stated this was proof that race, specifically African-American, does affect judges' dispositional rulings. One private-hire attorney stated he did not feel race was a factor, and he thought "any race" would get a "fair disposition" when in front of the two district judges. The county attorney interviewed did not believe that race had any effect on the judges' dispositional rulings.

Of the two district court judges' interviewed, both felt race was not a factor in their dispositional rulings. Ironically, both judges responded with the same answer when asked to explain: "I do not consider race when making any decisions throughout the juvenile court process." One of the judges did comment on the limited amount of minority cases that come through court, and how he had never put much thought into the subject.

### *Gender*

When asked about gender, the court participants were divided almost equally on the importance of the factor. Three of the seven participants stated it was not a factor, while the other four participants stated it was a factor. When asked to explain, one private-hire attorney stated that in his experience, he had never seen gender as an issue in

dispositional rulings, while the other private-hire attorney stated gender was a factor and girls get in less trouble (receive easier dispositions).

One of the district court judges interviewed stated that gender does affect his dispositional rulings. He indicated that his reasoning was that girls, in his experience, tended to come in his court on lesser offenses and he tends to go easier on them. When asked to consider a male and female in his court with the same offense, he stated that he still goes easier on girls because they, in his experience, tend not to be repeat offenders. This was the general rationale for the four participants who felt gender was a factor. The other district judge interviewed stated that gender is not a factor when considering disposition. She stated, "Both commit the crime and both should be punished the same for the crime." This also was the general rationale for the three who felt gender was not a factor.

### *SES*

All of the seven court participants agreed SES did have an effect on the judges' dispositional rulings. Most participants commented on how the lack of resources, especially money, contributed to the level of legal representation a juvenile received. The less money a juvenile's family had, the harsher the punishment becomes because of poor representation. Even the county attorney interviewed felt SES did have an impact on the judges' rulings due to "lackluster" representation. The one participant who gave a different answer was the DPA attorney. While he did feel SES affected judges' dispositional rulings, he indicated that it was due in part to the perception of poverty and criminal behavior. The assumption of people to link lower income people with higher instances of criminal behavior.

Both district judges interviewed stated that SES was not a factor in their dispositional rulings. One judge stated that everyone deserves a “fair shake” despite their current situation. The other judge stated that she doesn’t ask about income and appoints DPA unless the juvenile has already obtained representation.

### *Family Status*

The answers regarding the effect of family status on judges’ dispositional rulings were mixed. Only two of the seven participants interviewed stated that family status did affect judges’ dispositional rulings and gave very strong responses when asked to explain. The probation officer from DJJ responded, “If you know the right people, you can get away with murder in this court.” The same basic response was given from the CDW, “If you know the right people in this system, you can get by with anything.” All four attorneys, including the county attorney interviewed stated they had not observed family status as having any effect on the judges’ dispositional rulings.

Both district judges interviewed stated that family status did not affect their decisions at disposition. One district judge responded, “You can’t help who your daddy is.” The other district judge commented on how even though she sees an increasing amount of single parent households come through her court, she doesn’t consider this when making decisions on disposition.

### *Legal Factors*

All seven court participants indicated that legal factors do affect the judges’ decisions at disposition. In every response given when asked to explain, the participants stated that the more serious the crime, and the longer the prior record, then the harsher the punishment should be. Most respondents commented this is how juvenile court should work.

Both district judges also indicated that legal factors affect their decisions at disposition. One of the judges even commented, “Is there anything else more important to consider?”

#### *Extralegal factors vs. Legal Factors*

All participants responded the same when asked the question of whether extralegal or legal factors affect the judges’ dispositional rulings the most, stating that legal factors were considered more than extralegal factors by the judges. Even the CDW and DJJ probation officer, despite their comments on family status, stated that the judges in the study court consider seriousness of offense and prior history more than other factors. Furthermore, both district judges felt that legal factors were far more important than extralegal factors.

#### *Participant Influence*

In this study court, all participants indicated that they do have some influence over the judges’ dispositional rulings. Some participants, such as the probation officer from DJJ and the CDW commented that they hope to have an effect on the judges’ dispositional rulings because of reports they file in which they make recommendations for disposition. Both stated that the judges almost always follow their recommendations. All four attorneys indicated that if they didn’t have any influence on the judges, then they were not doing their jobs.

The district judges that were interviewed had differing opinions on this question. One judge stated that he almost always follows the recommendations of submitted reports or agreements between attorneys. The other judge stated that she only takes it into consideration when making dispositional decisions.

### *Prior Knowledge of Juvenile*

When participants were asked the question, “Do you think that prior knowledge of the juvenile (outside knowledge not relating to the court) affects the judges’ dispositional rulings?” all participants but one answered in the affirmative. According to one private-hire attorney, “the more prominent of a family, the less serious the disposition is.” Other participants were similar in responses. However, the county attorney that was interviewed did not feel that prior knowledge had any effect on the judges’ rulings. He stated, “I know that both judges would not show bias in that manner.”

As the county attorney had stated, both judges denied that prior knowledge of a juvenile had any effect on their decisions. One of the judges even stated, “I have lived in this county all my life and very rarely does a juvenile come into my court that I don’t know them or their family and in no way does this make me treat one different from the other”.

### *School Performance*

Every participant interviewed stated that school performance was a big factor in the judges’ dispositional rulings. The county attorney stated that both judges took school very seriously. The probation officer from DJJ stated, “I wouldn’t try to recommend anything but probation if the juvenile was failing or having problems at school because the judges would almost always probate if that was the case.” Both the DPA attorney and the private-hire attorneys agreed that it was next to impossible to have a juvenile get anything but probation if the juvenile’s school performance was poor.

Both judges’ agreed school performance was a major factor they considered in making decisions at disposition. One judge stated, “If there is no education, then there is



no future.” The other judge stated, “If they can’t be in school, then they can be in trouble.”

### *Participant Opinion*

Each participant was asked at the end of the interview what they felt were the most important factors affecting the judges’ decisions at disposition. One private-hire attorney stated, “Competency of legal counsel.” Another private-hire attorney stated, “It is the prior history of the juvenile.” The DPA attorney commented, “I feel that school performance and past legal history (legal factors) are very important, but I think it is a combination of all factors.” The county attorney replied, “Legal factors are the most important factor.” The probation officer from DJJ stated, “Legal factors, and SES...a lot.” The CDW responded, “School issues, SES, and legal factors.” The social worker from DCBS answered, “School performance is a biggie at least from my experience in this court.”

Of the two judges interviewed, one judge felt legal factors were the main issues he considered when making decisions at disposition. He stated, “I am mainly concerned with legal factors...this is what largely affects my decision.” The other judge remarked that it was a combination of factors. She stated, “I look at not only the past legal history, or the seriousness of the offense, but also at the situation in which the crime took place.”

### *Summary of Qualitative Data*

In summary, there were disagreements among participants interviewed on most factors; however, the majority of participants interviewed felt legal factors had the most affect on the judges’ dispositional rulings. While legal factors were dominant, the one extralegal factor consistent with the majority of participants interviewed was school

performance. Most felt that “bad” school performance was a guarantee for a juvenile to receive probation or commitment to DJJ.

Both districted judges agreed that legal factors were far more important than extralegal factors. However, the judges interviewed indicated that school performance, participant influence, and gender did affect their dispositional rulings. While the judges differed on gender, they did agree on participant influence and school performance with school performance having the greater influence of the two.

## CHAPTER FIVE

### SUMMARY AND CONCLUSION

#### Summary

It was the intention of this study to understand what factors affected judges' dispositional rulings in a small rural court. By evaluating both quantitative and qualitative data, it was determined that school performance, and whether or not a juvenile had past probation, were the main predictive factors on which the judges' based their decisions at the time of disposition in the small rural court studied.

The most interesting findings in this study are what factors are/are not found to be major predictors of the district court judges' dispositional rulings, compared to the overall perceptions of the court participants interviewed (see Table 6). Another interesting finding is the comparisons to previous research outcomes which will be discussed throughout this chapter.

The Principle Investigator (PI) has worked in the study site court for the past two years. Within that time, certain hypotheses were formed regarding the factors that affect judges' dispositional rulings. When developing this thesis, the PI thought it would yield certain findings based on personal experiences and observations. Thus, both quantitative and qualitative methods were incorporated to see if the hypothesized decision factors and court participants' observations and opinions would be in agreement.

#### *School Performance*

Quantitative analyses revealed that a juvenile who had bad school performance was twenty-six times more likely to receive a disposition of probation rather than a disposition of judicial discretion. The finding that bad school performance resulted in

Table 6

## Comparisons of Quantitative and Qualitative Data (N=116)

Factor	Statistically Significant in Quantitative Results & Analyses	Significant in Qualitative Analyses
<u>Extralegal Factors</u>		
Gender	No	No
Race	Not Included in Quantitative Analyses	No
Age	No	Not Included in Qualitative Analyses
Socioeconomic Status (SES)	No	Yes
School Performance	Yes	Yes
Family Status	Yes	No
Prior Knowledge of Juvenile	Not Included in Quantitative Analyses	Yes
Influence of Court Participants	Not Included in Quantitative Analyses	Yes
<u>Legal Factors</u>		
Prior Probation Status	Yes	Court participants interviewed were not asked about individual legal factors. However, they were asked about legal factors in general and all participants interviewed, including the judges felt legal factors were a significant factor affecting dispositional rulings. When asked which, legal or extralegal, factors affected dispositional rulings the most, all participants responded legal factors were the most important.
Prior Commitment to DJJ	No	
Any Indications of Prior Diversions	No	
Seriousness of Offense	No	
Type of Offense	Yes	
Seriousness of Offense	No	
Number of Past Public (Criminal) Charges	Yes	

harsher dispositions were also confirmed by all court participants interviewed, including both district judges.

Past research is limited on school performance and its affects on decision making within the juvenile justice system. Empey & Lubeck's (1971) results found a youth who had bad school achievement, or who had dropped out of school, was more likely to have a court record than a youth who was doing well in school. Christle, Jolivette & Nelson (2005) found in their research the majority of court-involved youth have experienced academic failure, school exclusion and dropout. While the authors' research was not focused on judges' dispositional rulings as the current study is, the current study provides additional support for their findings that school performance has a negative effect on the youth's outcome in juvenile court.

As a juvenile probation officer within this small rural court for the past two years, this was an expected outcome. School performance not only impacts dispositional decisions within this study court, but also whether or not a juvenile is released from probation. The district court judges will not release juveniles with bad school performance. The district court judges in this study consider anything below a "C" bad school performance.

Should school performance have such an effect in the dispositional decisions made by these district court judges? It is the opinion of this researcher that it should not. There are issues of special education and the inability of some juveniles to maintain a "C" average. A past study of special education and school achievement found children receiving special education services had lower reading and math achievement scores than other children (Reynolds & Wolfe, 1997).

There are links between school performance and poverty. According to Chapman (2003), “students in all socioeconomic groups may experience school difficulties, but living in an impoverished neighborhood is likely to increase the risk of school failure” (p. 5). The median income for juveniles’ families in this study was \$1150 per month, indicating poverty was predominant among these families.

### *Socioeconomic Status*

While school performance was a significant predictor of a more severe disposition within this study, Socioeconomic Status (SES) was not found to be a major predictor. The findings of this study contradict Bishop & Fraizer (1988), Carter (1979), Fenwick (1982), Leiber & Mack (2003) findings that SES has an impact on decision making. This study does concur with Cohen and Kluegel (1978) findings that SES bias directly affected the dispositions studied.

However, as shown above, there is a link between SES and school performance. The district court judges should take into account the SES of the juveniles’ families and the effect it has on school performance when making dispositional decisions, allowing for considerations of the population demographics in their decisions.

The factor of SES was assumed by the PI, and all court participants interviewed (excluding the two district judges, based on their answers that indicated that SES did not affect their dispositional rulings), to have a significant influence on the judges’ dispositional rulings. However, when compared to the quantitative findings, this was a misconception. SES was not found to be statistically significant with the dependent variable of judges’ dispositional rulings. Thus, one can assume there is a misconception among myself and the court participants with regards to SES.

### *Past Probation*

A juvenile with a record of past probation was nine times more likely to receive a disposition of commitment rather than a disposition of probation. All court participants interviewed agreed that legal factors, which include a prior record of probation, would result in harsher dispositions. Most participants interviewed felt that any legal factors would result in a harsher disposition.

Past research shows overwhelming support for a youth having a prior record and outcomes in the juvenile justice system. Carter (1979), Bell and Lang (1985), Matarazo, Carrington, and Hiscott (2001), Poulos and Orchowsky (1994), Hartmann, Minor, and Terry (1997), Hoge, Andrews, and Leschied (1995), Scarpitti and Stephenson (1971), Emerson (1969), Ariessohn (1972), Terry (1967) all concurred that a youth having a prior record played a factor in dispositional outcomes. This study corroborates these findings.

This researcher agrees prior probation should be considered more than other factors when these judges make their dispositional rulings. This seems to be in line with the juvenile justice idea of graduated sanctions. Graduated sanctions are an idea that for each new offense or violation committed by a juvenile, the harsher or more restrictive the punishment becomes for that new offense or violation. According to a recent report on juvenile justice initiatives published by the Office of Juvenile Justice and Delinquency and Prevention (1996), a graduated sanctions system ". . . hold[s] young people accountable for their actions every step of the way -- from the least to the most serious patterns of offending -- while maintaining public safety. It provides swift and sure punishment when a youngster first commits a crime followed by progressively tougher sanctions if he or she continues to offend" (p. 1).

### *Mixed Findings*

While family status was considered to be statistically significant, court participants' responses on family status were mixed. Family status was not found to be a major predictor for the dependent variable of judges' dispositional rulings. Also found to be statistically significant were the legal factors: type of offense, past public charges and prior probation. The variables: seriousness of offense, prior commitment to DJJ, and any indications of prior diversion were not found to be statistically significant in this study. All court participants interviewed, including the two district judges, felt that legal factors were of major importance in impacting judges' dispositional rulings. However, (aside from prior past probation) these factors were not found to be major predictors for the dependent variable of judges' dispositional rulings.

### *Solely Qualitative Factors*

The current study appears to coincide with the Potter and Kakar (2002) study, which found varying perspectives between court personnel. In their study, county attorneys and court-designated workers varied widely in their ideas about diversions. While the current study broadened court participants beyond the county attorneys and court-designated workers to include other court participants and personnel, opinions among all participants interviewed varied widely with respect to factors affecting judges' dispositional decisions.

Two factors that were not considered in the quantitative data are Participant Influence and Prior Knowledge of Juvenile. All court participants and one of the district judges agreed participant influence affected the dispositional decisions. In response, the district court judge who felt she was not influenced by court participants stated she does



consider their recommendations. In qualitative terms, the factor of Participant Influence seems to be very significant within this study site court.

All but one court participant (aside from the judges), the county attorney, felt prior knowledge of the juvenile (outside knowledge not relating to the court) affected the judges' dispositional rulings. Both judges denied prior knowledge of the juvenile affected their dispositional rulings. The answer from the county attorney and both judges is to be expected due to the negative stigma of the "good old boys club" mentality. Considering the amount of time the PI has spent in the study site court, his own experiences have taught him that prior knowledge of the juvenile does have a significant effect on the judges' dispositional rulings.

#### Conclusion

##### *Need for Further Research*

There are 116 district court judges in 60 different judicial districts (Kentucky Court of Justice, 2004). Juvenile dispositions vary widely as evident by juvenile caseloads across the state of Kentucky. This research provided an internal examination into one of these courts to see what factors affect Judges' dispositional rulings. Further research can build on the current study assessing other Courts in the Commonwealth to determine if there are stable factors that affect dispositional rulings across these judicial districts.

As demonstrated in the literature review, there is a lack of studies which combine both quantitative and qualitative findings while taking into account the individual dynamics of each court. A combining of the two in further research will give a better

understanding of not only statistics of each court, but individual personalities and views of the court participants.

### *Policy Implications*

The impact of this and future research on Kentucky's juvenile justice policies and Kentucky's differentiated court systems could significantly help close the gap between the standardization of those policies and the individualized courts. The current standardization of Kentucky's juvenile justice policies does not take into account the vast discrepancies in dispositional rulings and individualization of courts across the State. By conducting this and future research, Kentucky's juvenile justice policies can be changed to allow local offices flexibility in considering factors such as individual court dynamics and population demographics.

Depending on the outcomes of future research into individual courts, stable factors such as school performance and prior probation can be identified for money and specialized programs. The money and specialized programs could then be incorporated into Kentucky's juvenile justice policies. For example, if school performance was shown to be a common predictor across the State, district judges who deal with juvenile cases could be trained on the links of poverty with school performance and the extent at which special education students can function within the school setting. Better understanding of school related issues could lead to more equivalent dispositions across the State.

Based on the qualitative findings of the study court, participant influence plays a significant role in affecting judges' dispositional rulings. Opinions of the court participants questioned varied widely on what factors affected the judges' dispositional rulings. These differentiating opinions can be evident in the recommendations made to

the court, directly affecting dispositional rulings. Standardized training and education based on research of extrapolative factors leading to juvenile delinquency for all court participants would result in a more consistent understanding of juvenile delinquency factors. This understanding would bring about more consistent, edifying recommendations to the court. In return, judges' dispositional rulings would become more uniform across the State.

By trying to understand what factor affect judges' dispositional rulings; not only in the study court, but in courts across the State, policies can be developed both by Kentucky juvenile justice agencies and Kentucky court systems narrowing the gap between standardization of juvenile justice policy and the individualization of the courts.

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APPENDIX A:  
Data Collection/Codebook Form



**Data Collection/Codebook Form – Thesis**

Juvenile's ID #: \_\_\_\_\_

Coder's Initials: \_\_\_\_\_

**Demographics (extralegal factors)**

Race: \_\_\_\_\_  
(1=White, 2=Black, 3=Other)

Gender: \_\_\_\_\_  
(0=Male, 1=Female)

Age: \_\_\_\_\_  
(At Time of Disposition)

SES: \_\_\_\_\_  
(actual listed income)

Family Status: \_\_\_\_\_  
(1=Both Biological Parents)  
(2=Stepparent in Home)  
(3=Single Parent Home)  
(4=Other)

School Perf: \_\_\_\_\_  
(0=Good)  
(1=Bad)

**Legal History (legal factors)**

\*Type of Offense: \_\_\_\_\_  
(1=Class A Felony)  
(2=Class B Felony)  
(3=Class C Felony)  
(4=Class D Felony)  
(5=Class A Misdemeanor)  
(6=Class B Misdemeanor)

\*Seriousness of Offense: \_\_\_\_\_  
(1=Minor Property)  
(2=Major Property)  
(3=Violent)  
(4=Drug)

Number of Past Public (Criminal) Charges: \_\_\_\_\_

On Probation in the Past: \_\_\_\_\_  
(0=Yes, 1=No)

Committed in the Past: \_\_\_\_\_  
(0=Yes, 1=No)

Indications of Prior Diversion: \_\_\_\_\_  
(0=Yes, 1=No)

**Disposition (sentence)**

\*\*Disposition: \_\_\_\_\_  
(1=Alternative to DJJ)  
(2=Probation)  
(3=Commitment)

\*Most recent and most severe offense considered on type of offense and seriousness of offense

\*\*Most recent disposition

Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

APPENDIX B:  
Institutional Review Board Approval Letter



## EASTERN KENTUCKY UNIVERSITY

*Serving Kentuckians Since 1906*

Division of Sponsored Programs  
Institutional Review Board  
Million House  
521 Lancaster Avenue  
Richmond, KY 40475

Dr. Barbara A. Ramey, IRB Chair  
859-622-1531  
Gustav A. Benson, Acting Director DSP  
859-622-3636  
<http://www.sponsoredprograms.eku.edu/IRB>

### MEMO

TO: Mr. Kevin Kirk

FROM: Institutional Review Board  
c/o Division of Sponsored Programs

SUBJECT: Your application regarding study number 06-021 Titled "Discrepancies in Juvenile Court Dispositions: Case Study of a Rural Juvenile Court"

DATE: February 6, 2006

This is to confirm that your protocol for the application referenced above is now fully approved. The protocol is approved through 6/30/06. The consent form submitted with your application is approved.

You are granted permission to conduct your study as most recently described effective immediately. The study is subject to continuing review on or before 7/01/06, unless closed before that date.

Please note that any changes to the study as approved must be promptly reported and approved. Some changes may be approved by expedited review; others require full board review. Contact Gus Benson (859-622-3636; fax 859-622-6610; email: [gus.benson@eku.edu](mailto:gus.benson@eku.edu)) if you have any questions or require further information.

Sincerely,

Dr. Barbara Ramey  
IRB Chair

Cc: file  
B. Ramey



## VITA

Kevin Lee Kirk was born in Owensboro, Kentucky on November 3<sup>rd</sup>, 1974. He attended Fordsville Elementary School, Ohio County Middle School, and graduated from Ohio County High School in May, 1993. In the following August, he attended Owensboro Community and Technical College for one year. After completing service in the United States Air Force, he enrolled in Western Kentucky University, and in 2000 earned a Bachelor of Arts in Sociology. He is currently finishing up the requirements for a Masters of Science in Corrections and Juvenile Justice Studies at Eastern Kentucky University.

He is currently employed as a Juvenile Services Clinician with the Kentucky Department of Juvenile Justice. He has worked previously as a Social Service Worker for the Kentucky Cabinet for Families and Children and also as a Mental Health Associate for Rivendell Behavioral Health Services.