

Assessment of Disproportionate Minority Contact in South Dakota

**Presented To: Department of Corrections
State of South Dakota**

**Gary R. Leonardson, Ph.D.
Roland Loudenburg, M.P.H.
Mountain Plains Research and Evaluation
Dillon, MT
Spencer, SD**

June 24, 2005

Table of Contents	Page
I. EXECUTIVE SUMMARY.....	3
II. INTRODUCTION.....	6
III. REVIEW OF LITERATURE.....	7
IV. GENERAL DMC CONSIDERATIONS.....	13
V. GENERALIZED STATISTICAL MODEL FOR ASSESSING DMC.....	14
VI. RESULTS–QUALITATIVE ASSESSMENT.....	16
VII. RESULTS–QUANTITATIVE ASSESSMENT.....	30
VIII. DECISION POINTS.....	33
1. Decision Point: Arrest.....	33
2. Decision Point: Intake Officer Decision.....	41
3. Decision Point: Detention.....	41
4. Decision Point: Temporary Custody Hearing.....	48
5. Decision Point: State’s Attorney Action.....	48
6. Decision Point: Adjudication of Adolescents.....	48
7. Decision Point: Dispositions.....	51
8. Decision Point: Initial Placement by DOC.....	64
9. Decision Point: Out-of-State Placement in Secure/Non-Secure Facilities.....	65
10. Decision Point: Placement Following Revocation of Aftercare by DOC.....	66
IX. DISCUSSION OF RESULTS.....	71
X. RECOMMENDATIONS ON DMC INTERVENTION PROCESSES.....	72
XI. OVERALL DATA RECOMMENDATIONS.....	73
XII. PREVENTION PROGRAM EXAMPLES.....	79
XIII. APPENDIX A: REFERENCES.....	82
XIV. APPENDIX B-DISPOSITION ALL CASES STATEWIDE DATA.....	90
XV. APPENDIX C. DISPOSITION ALL CASES STATEWIDE DATA-MOST SEVERE OFFENSE.....	97
XVI. APPENDIX D-YLS.....	104

Assessment of Disproportionate Minority Contact (DMC) In South Dakota

I. Executive Summary

DMC has been documented in research over the past three decades. In many studies, racial disparities have been found within various stages of the juvenile justice system. The results of the most recent research differ from the previous DMC reviews in that a greater proportion of the recent studies showed inconclusive results. Research that is more recent has used multiple factors with more sophisticated research and statistical techniques, while earlier studies mainly focused on ethnicity.

Factors, besides the differential handling of minority youth, which have been found to be related to confinement or other decisions in the juvenile justice system are: gender, geography, age, prior criminal history, family factors, peers, experiences in school, differential offending of minority youth, differential opportunities for prevention and treatment, substance abuse, and related factors. An effective and comprehensive DMC assessment must consider multiple factors and use varied research methods.

Both qualitative and quantitative methods were used in the current analyses of DMC in South Dakota. Focus group methodology was the qualitative procedure employed, and various univariate and multivariate statistical procedures were used for the quantitative analyses of the available data.

Quantitative Findings

- Native Americans are more likely to be arrested.
- Native Americans are more likely to be detained after arrested.
- No difference by race was found in adjudicated/not adjudicated.
- Native Americans are more likely to be adjudicated to DOC.
- No difference by race was found in detention time for those adjudicated.
- No difference by race was found in incarceration time for those adjudicated.
- No difference by race was found in probation time for those adjudicated.
- No difference by race was found in community service time for those adjudicated.
- No difference by race was found in fine amount for those adjudicated.
- No difference by race was found in restitution amount for those adjudicated.
- No difference by race was found in driver's license suspension time for those adjudicated.
- No difference by race was found in placement in secure or non-secure facilities after commitment to DOC.
- No difference by race was found in out-of-state placements of DOC clients in secure facilities.
- No difference by race was found in any out-of-state placements of DOC clients.
- No difference by race was found in secure placements of DOC clients after revocation.

Qualitative Findings

Focus groups are effective because they tap into common human interactions and tendencies. Attitudes and perceptions about common or complex concepts are developed in part by interactions with other people.

In order to gain understanding of attitudes and perceptions, focus group methodology has been employed by many researchers. This methodology is a popular qualitative assessment technique that provides information that is difficult to assess through analysis of data sets or formal questionnaires, and it has been used to assess reasons for DMC.

Focus groups were conducted at four locations across the state with 92 participants in 12 groups. One-half of the 12 focus groups were with youth in the juvenile justice system (e.g., probation, DOC commitments, etc.). Three focus groups were conducted with criminal justice practitioners such as judges, police department and sheriff's office personnel, Court Service Officers (CSO) and Juvenile Corrections Agents (JCA). Additionally, three groups of parents who have adolescents in the system and providers of youth services were part of the focus group procedure.

While most people tended to view multiple reasons for DMC (e.g., economics, racial and ethnic biases, family structure, gangs, substance abuse, loss of identity, etc.), some held that racial prejudice by practitioners (i.e., law enforcement, judges, etc.) was the prime reason. Others felt that the social system in general was biased, limiting the opportunities for minorities in the areas of employment, education, economic development and related areas. However, minority youth in the focus groups appeared to see less racial/ethnic bias in the juvenile justice system than did participants in the parent/provider groups.

The reasons given for DMC in South Dakota include:

- Prejudice or biased treatment of minorities.
- Close scrutiny of law enforcement and store owners/staff of minority adolescents.
- Differences in laws, mores, and cultural values between reservation and non-reservation areas.
- Cultural differences concerning the importance of formal education between whites and other groups.
- Greater numbers of single parent families, resulting in lack of structure in minority families.
- Truancy and dropout rates are believed to be higher in minorities.
- Substance abuse is viewed as higher among minority adolescents.
- Excessive gang membership by minority juveniles.
- Poverty and unemployment was thought to be higher in minority groups.

Solutions to DMC and/or Delinquency in General:

- Cultural sensitivity/diversity training for persons in the juvenile justice system.
- Hire more minority staff members throughout the juvenile justice system.
- Mentoring programs which match responsible adults with adolescents in need.
- Tribal truancy courts.

- Better communication between leaders of reservation communities and nearby or magnate non-reservations communities.
- Teach traditional Native American culture to urban Indians.
- Teach parenting skills, including making parents responsible for the actions of their children.
- More and better services in the areas of advocacy, counseling, parenting, education, intervention, treatment, and related areas.
- Use the strengths of Native American and other minority cultures in dealing with problems of delinquency.

Intervention Programs found to be Helpful in Ameliorating DMC or Delinquency in General

- Mentoring programs
- Dropout prevention programs
- Home visitation programs
- After school recreation programs
- Gang resistance training programs

II. Introduction

Nationwide, minority juveniles are over-represented in the juvenile justice system. This overrepresentation is likely related to many complex factors that will require significant effort to understand and correct (Juvenile Justice Bulletin, 1999). Based on national data in 1999, minorities comprised about 32 percent of the youth population in the United States yet they constituted 68 percent of the juvenile population in secure detention facilities and 68 percent of those in secure institutional environments, such as training schools or prison-like correctional facilities (Juvenile Justice Bulletin, 1999; Tennessee Commission on Children and Youth, 2003).

In the 1988 amendments to the Juvenile Justice and Delinquency Prevention (JJDP) Act of 1974 (Pub. L. No. 93-415, 42 U.S.C. 5601 *et seq.*), Congress required that States participating in the Formula Grants Program determine if DMC exists and demonstrate efforts to reduce it. As stated in the Act, the States must "address efforts to reduce the proportion of juveniles detained or confined in secure detention facilities, secure correctional facilities, jails, and lockups who are members of minority groups if such proportion exceeds the proportion such groups represent in the general population." For the purposes of the JJDP Act, the Office of Juvenile Justice and Delinquency Prevention (OJJDP) defined minority populations as African Americans, American Indians, Asians, Pacific Islanders, and Hispanics (OJJDP Regulations, 28 CFR Part 31). In the 1992 changes to the JJDP Act, DMC was mandated as a core requirement, with future funding tied to State compliance with the regulations of the Act (Pope, Lovell & Hsia, 2002). The Juvenile Justice and Delinquency Prevention Act of 2002 expanded the requirements of addressing minority overrepresentation to include all who come in 'contact' with the juvenile justice system, and not just those who are 'confined.'

Two extensive reviews of research of DMC have documented differences in detention rates by race. The results of the most recent review differ from the previous DMC review in that a greater proportion of the recent studies showed inconclusive results. In the most recent study (Pope, Lovell & Hsia, 2002), it was found that most (53%) of the studies considered more than one point of contact. Some studies showed an escalation of effects as minority youth move through the system, while other studies show no differences by race at various decision points. Nonetheless, the preponderance of the DMC research over the past three decades documents evidence of racial disparities at some stages within the juvenile justice system (Pope, Lovell & Hsia, 2002).

In considering the historical research on DMC, the findings support the existence of disparities and potential biases in the juvenile justice system. The complex and multitudinous reasons for DMC need further assessment and must be determined at local levels. Important contributing factors must be determined for local conditions. Factors related to DMC may include inherent system inconsistencies, differential sentencing by judges, social conditions (such as poverty, family situation, or underemployment), past juvenile justice history, and related factors that may place youth at risk (Pope, Lovell & Hsia, 2002).

III. Review of Literature

Potential Risk and Protective Factors Related to Juvenile Delinquency

Criminal justice researchers have linked risk factors to crime, along with noting multiplicative effects if several risk factors are present (Hawkins et al., 1998; Lipsey and Derzon, 1998). In recent years, researchers and practitioners have adopted an approach from the public health arena to help understand causes of delinquency and crime and work towards prevention (Farrington, 2000; Moore, 1995). In an attempt to prevent cancer and heart disease, medical field personnel developed sets of risk factors for each disease and then targeted specific risk factors associated with these conditions. After conducting risk assessments, doctors are able to suggest ways that patients can reduce risk factors. Likewise, individuals and communities have certain risk factors that are predictive of criminal or other anti-social behaviors. A risk assessment may assist law enforcement, schools, and social agencies in determining types of intervention and programs that decrease risk factors related to offending. Below are some risk and protective factors that have been associated with crime rates.

Background of Juvenile Offenders

Research sponsored by OJJDP indicated that children exposed to various risk factors in their families, at school, among their peers, and in their communities are at risk for committing serious crimes (Catalano, Loeber, & Mckinney, 1999). Others (Wasserman, Miller & Cothorn, 2000) found that the best predictors of antisocial adolescent behavior are conduct problems and related disorders. Most offenders of serious offenses have a history of negative childhood behaviors such as physical aggression, conduct disorders, disruptive dispositions, and oppositional and defiant behaviors.

Demographic Factors

Besides the well-documented differences by race, other demographic factors have been found to be related to juvenile delinquency rates. Researchers have found mixed results regarding discrimination against female offenders in the juvenile justice system. Some researchers have found that juvenile courts treat females more harshly than their male counterparts (Vito & Wilson, 1985; Tennessee Commission on Children and Youth, 2003).

It has been found (OJJDP December 1999 Bulletin) that there are substantial variations in the juvenile justice system across rural and urban areas. The “justice by geography” concept introduced in this Bulletin noted that there are marked differences in sentences, based on the jurisdictions processing the cases. Juveniles in urban areas were more likely to receive more severe sanctions at various stages of processing than were juveniles in rural areas (OJJDP December 1999 Bulletin; Tennessee Commission on Children and Youth, 2003).

Because older youth will likely have longer ‘rap sheets,’ they are more prone to receive harsher penalties than are younger juveniles. Additionally, in some states, children over 16 can be tried as adults for crimes such as first and second degree murder, rape, robbery, aggravated assault, kidnapping, and similar offenses, resulting in incarceration or other severe sanctions (Tennessee Commission on Children and Youth, 2003).

Prior Criminal History

Because of mandatory sentencing laws or other sentencing conventions, those with greater numbers of arrests or other contacts with the criminal justice systems will likely receive more severe sanctions and sentences. Cottle et al. (2001) conducted a meta-analysis to identify the risk factors most related to re-offending. Certain criminal history variables (i.e., younger age at first arrest, younger age at first commitment) were most strongly associated with subsequent criminal activity. Of the 30 variables examined, the researchers found that offense history was the strongest predictor of re-offending.

Family Situations/Factors

Single parent homes have been found to be predictive of juvenile delinquency. Children living in homes with only one parent or in which marital relationships have been impacted by divorce or separation are more likely to experience emotional and behavior problems, including delinquency, than are children from more stable two-parent families (Wells and Rankin, 1991; Thornberry, et al., 1999). Similar findings were reported by others (McCord, Widom and Cowell, 2001) who have linked being raised in a single-parent family with increased crime.

Levels of supervision are believed to be important predictors of risky behaviors for juveniles. As reported by OJJDP (OJJDP, December 1999 Bulletin; Tennessee Commission on Children and Youth, 2003) drug and alcohol use is more prevalent in single-parent households and households in which both parents work. Low levels of supervision create situations in which there is less parental control over activities of children, including the selection and frequency of contact with friends. The research suggests that two-parent families are more effective not so much because they are able to intervene in illegal acts, but because they are better able to control the environment and activities of the children, including contact with gangs and other undesirable situations.

Other family factors linked to juvenile violence include: poor attachment, family violence, lack of parental educational support and involvement, an absence of productive role models, neglect or abuse, parental attitudes favorable toward crime and substance abuse, and a family history of criminal behavior and substance abuse (Corvo, 1997; Howell, 1995). Additionally, violent youth often experience high family conflict, inconsistent/lack of discipline, and/or insufficient parental monitoring at some time during their childhood (Gorski & Pilotto, 1993).

Family Conflict/Abuse

As reported by the National Center for Education Statistics (1994), children are often the unintended victims of spousal abuse. The risk of child abuse is significantly higher when partner assault is reported. In the same study, it was reported that nearly half of the men who abuse their female partners also abuse their children. Children who experience physical abuse and neglect are at risk for delinquency and violence (Smith and Thornberry, 1995; Widom, 1989).

Family Rules

It has been found that adolescents with a strong attachment to parents are less involved in delinquent behaviors (Regoli and Hewitt, 2000). Studies have also shown that parental monitoring

and discipline practices are important aspects of family processes that are protective of delinquent behaviors (Peiser and Heaven, 1996).

Schools

Attitudes toward school, experiences in school, and involvement in school are predictors of juvenile delinquency. Schools can also generate risk factors that can potentially indicate violent behavior in youth. These risk factors include, but are not limited to, poor success in school, lack of commitment to school, and dropping out of school (NNFR, 2001; SAMHSA, 1999). School problems and dropping out of school appear to be correlated with current and later involvement in delinquent behavior, drug use, violence, and teen pregnancy. Academic problems include: grade repetition, low bonding to school, and lack of commitment to school (Cairns and Cairns, 1994; Maguin and Loeber, 1996).

Peers

Research has generally found that juveniles who get into trouble have delinquent friends and often they commit their delinquent acts together. Peer factors that contribute to violent behavior in youth include peer rejection and friends who display violent behaviors (NNFR, 2001; SAMHSA, 1999).

Substance Use

There is a link between substance abuse and delinquency. Arrest, adjudication, and intervention by the juvenile justice system are eventual consequences for many youth engaged in alcohol and other drug use. There is not a direct causal relationship between substance abuse and delinquent behavior, nor does delinquency cause alcohol and other drug use. However, the two behaviors are strongly correlated and often bring about school and family problems, involvement with negative peer groups, a lack of neighborhood social controls, and physical or sexual abuse (Hawkins et al., 1987; Wilson and Howell, 1993). Beyond that, however, there is strong evidence of an association between alcohol and other drug use and delinquent behavior of juveniles. Substance abuse is associated with both violent and income-generating crimes by youth. This often increases fear among community residence and the demand for juvenile and criminal justice services, thus increasing the burden on these resources. Gangs, drug trafficking, prostitution, and the growing numbers of youth homicides and other violent crimes are among the social and criminal justice problems often linked to adolescent substance abuse (OJJDP Bulletin, 1998). Nationally, eighty percent of state prisoners report a history of drug and alcohol use. In fact, more than half (55 percent) of state prisoners report using drugs or alcohol during the commission of the crime that resulted in their incarceration (Mumola, 1999).

Ease of Obtaining Alcohol and Drugs

The ease of obtaining and the availability of drugs and alcohol provide individuals with opportunities to engage in illegal and problem behaviors (Goldstein, 1989; Roncek and Maier, 1991). Communities characterized by high rates of drug and alcohol use are at risk of having problems with vandalism and other crimes (Bourgois, 1995; Fagan, 1993, Fagan and Chin, 1990, Fagan and Wilkinson, 1998).

Individual Factors/Characteristics

Some problems or conditions (risk factors) for juvenile delinquent behavior at the individual level include: Attention Deficit Hyperactivity Disorder, impulsivity and restlessness, depression, attachment disorder, and traumatic life events that impact the way people deal with peers, teachers, law enforcement, parents, and others. These situations often lead to serious social and behavioral problems (Farrington, 1989; Thornberry, 1998). Other mental health problems include: oppositional and defiant disorder, conduct disorder and related disorders that are often correlated with antisocial behavior (Loeber and Hay, 1996, Williams, et al., 1997). Additionally, several studies have linked prenatal and perinatal complication with subsequent delinquent and/or criminal behavior (Kandel et al., 1989; Kandel and Mednick, 1991; Raine, Brennan, and Mednick, 1994). Kandel and Mednick (1991) found that 80 percent of violent offenders rated high in birth delivery complications, compared with 47 percent of non-offenders. Low verbal IQ and delayed language development have both been linked to delinquency, even after controlling for race and social class (Moffitt, Lynam, and Silva, 1994; Sequin et al., 1995).

Community Stability

Length of time at current location, home ownership, voting percentage, and neighborhood attachment were community protective factors that have been associated with lower crime rates (Leonardson, 2005). Baum and Kingston (1984) suggest that families staying in their homes longer come to identify with their homes and neighborhoods more strongly thereby creating neighborhood and community stability. Homeownership has been found to increase community maintenance, decrease crime rates, and increase educational attainment (Rohe and Stewart, 1996). On the other hand, neighborhood disorganization has been linked to increased crime. In disorganized situations there is little bonding with neighbors or community people and very little informal monitoring or mentoring takes place (Zill, 1993).

Economic Factors

Research has found structural disadvantages in communities are associated with delinquency and crime. These factors include poverty, poor housing, high rates of residential mobility, and parental or community unemployment. Children who grow up in neighborhoods characterized by these problems are more likely to develop early behavior and adjustment problems (Bursik and Webb, 1982; Farrington, 1989; Hill et al., 1999; Loeber and Dishon, 1983; Werner & Smith, 1992).

Socioeconomic status has been found to account for differences in juvenile crime rates (Hawkins, et al., 2000; Tennessee Commission on Children and Youth, 2003). The economically disadvantaged tend to have higher rates of crime.

Gang

Gang membership increases the risk of delinquency, specifically violence. Members of gangs are more likely to come from communities with high rates of poverty, crime, and violence. Gang members are more likely to experience school failure and show decreased levels of commitment to school and academics. Gang membership is associated with a family history of gang membership, crime, and/or violence, poor family management practices, high levels of family conflict, and family poverty. Gang members themselves are more likely to have had early and persistent

antisocial behavior, favorable attitudes toward antisocial behavior, and peers in gangs. Thus, gang membership represents the effect of a variety of developmental and community risk factors (Battin et al., 1998; Hill et al., 1999).

Religion

In a recent study conducted in Montana, attendance at church and/or close friends' attendance at church were associated with lower crime rates (Leonardson, 2005). Other studies have reported varied results concerning the impact of 'religiosity' on juvenile delinquency and crime. Two meta-analyses of the various studies relating crime and religion found consistent results. The results of the first meta-analysis showed that religious beliefs and behaviors exert a moderately deterrent effect on criminal behavior (Baier and Wright, 2001). The other meta-analysis showed similar, yet more promising results with a strong majority (75%) of the studies revealing that religious measures consistently had a beneficial effect of inhibiting or reducing delinquency (Larson and Johnson, 2000). Only one of the 40 studies found that religiosity had a positive correlation on delinquency, whereby religiosity was associated with increases in delinquency. This lone study, however, was one of the four studies that utilized religiosity as a control variable. The remaining studies found that the effect of religion was either not significant or inconclusive depending on its interaction with other variables (Baier and Wright, 2001).

Participation in Extra-Curricular Activities

Published studies have found that participation in extra-curricular activities can be a protective factor for youth against risky behaviors such as substance abuse and sexual activity (Savage and Holcomb, 1999; Shilts, 1991). Additional studies suggest that other risky behaviors may be correlated with youth violence (Resnick et al., 1997; Jessor, Corbin, and Costa, 1998).

Related DMC Literature Findings-Native Americans

It has been found nationally that arrests of American Indians under age 18 for alcohol-related violations are twice the national average. In 1997, just less than one-half of American Indian offenders under the care of Federal, State and local correctional authorities were confined in prisons and jails. By comparison, less than one-third of all correctional populations were confined in prison or jails. Also, American Indians were about 0.9 percent of the population in 1997, but comprised about 1.0 percent of all offenders on parole or probation, 2.5 percent of those detained in local jails (but not convicted), and 3.0 percent of the convicted offenders in jail. Additionally, OJJDP reported that American Indian youth constitute 2 to 3 percent of juveniles arrested for larceny-theft and liquor law violations (Bureau of Justice Statistics, 1999).

Between 1992 and 1995, American Indians were the only group with higher than national average rates that experienced increased rates of abuse or neglect of children under age 15. The overall rate of abuse for American Indian children was nearly twice the national average as reported by the Bureau of Justice Statistics (BJS). Rates of violent victimization in every age group were higher among American Indians than any other group (Bureau of Justice Statistics, 1999).

In a study conducted in 1998 with the CAPS-JPIS data set in Montana, it was found that American Indian and 'Other' (all other minorities, including Hispanics) races had higher re-arrest rates for any offense than did whites for every year between 1993 and 1998, and for each comparison

(within calendar year, within one year, within two years) time frame. Since 1993, about 62 percent of 'Other' races and American Indians arrested in any year were re-arrested within two years, as compared to about 52 percent of the whites. Overall, American Indians and the 'Other' racial group consistently had higher re-arrest rates than did whites (Leonardson, 1998).

In a study of re-arrest rates among Aboriginal offenders in Canada, it was found that 65.9 percent of the Aboriginal offenders were re-arrested within three years of completing community supervision, as compared to 47.8 percent of non-Aboriginal offenders. It was also noted in the study that Aboriginal people comprised 3 percent of the Canadian population, but represented 12 percent of the provincial/territorial admissions to probation in 1996-1997 (Bonta, LaPrairie, & Wallace-Capretta, 1997).

IV. General DMC Considerations

The assessment of DMC in South Dakota is pursuant to a federal mandate to assess the causes of disproportionate contact of minority youth in the juvenile justice system. It may be helpful to discuss exactly what is meant by the "disproportionate contact of minority youth." The following definitions from publications issued by the Office of Juvenile Justice Delinquency Prevention may be helpful:

Overrepresentation refers to a situation in which a larger proportion of a particular group is present at various stages within the juvenile justice system (such as intake, detention, adjudication, and disposition) than would be expected based on their proportion in the general population.

Disparity means that the probability of receiving a particular outcome and being detained in a short-term facility versus not being detained differs for different groups. Disparity may in turn lead to overrepresentation.

Discrimination occurs if and when juvenile justice system decision makers treat one group of juveniles differently from another group of juveniles based wholly, or in part, on their gender, racial, and/or ethnic status. OJJDP emphasizes the fact that "neither overrepresentation nor disparity necessarily implies discrimination," because disparity and overrepresentation can result from factors other than discrimination. Behavioral and legal factors are two such intervening and superceding factors mentioned by OJJDP.

Differential Offending means that minority youths are disproportionately involved in crime.

Differential Opportunities for Prevention and Treatment refers to the evidence that non-minorities have easier access to prevention and treatment programs than minorities, making non-minorities less vulnerable to risk factors associated with juvenile delinquency.

Differential Handling of Minority Youths means that all other factors being equal, minorities may be more likely to enter and remain in the juvenile justice system than non-minority youths.

V. Generalized Statistical Model for Assessing DMC

The causes of DMC have been found to be similar to many other complex social conditions or situations in that there are multiple reasons and causal factors. This doesn't mean the existence of racial discrimination is minimized or devalued, but that other factors are often involved. In looking at the behavior patterns of groups of people, there is generally not one reason that explains complex behaviors, but rather there are many individual and interrelated factors that explain or potentially explain the rationale for human behavior. In considering a large number of persons entering the juvenile justice system, there may be multiple reasons for explaining decisions concerning arrested/not arrested, detained/not detained, secure placement/non-secure placement, etc. The equation below is illustrative of generalized regression statistical procedures used for determining factors related to decisions made on groups of people. This statistical model helped to shape the analysis of the information available for the assessment of DMC.

DMC (decisions at point 'A' in juvenile justice system is potentially a function of) =
 race/ethnicity/prejudice + gender + age + severity of current offense + prior number of arrests and other past criminal history + socio-economic factors + educational circumstances and performance + family situation + peer relationships + attitude/behavior of juvenile + substance abuse + personality disorders + community resources + legal representation + personal deportment at hearings or at time of arrest + environmental conditions of neighborhood/community + local methods and conventions of handling juvenile justice situations.

The overall logic model for DMC is presented below. This provides an overview of the factors or potential factors related to DMC. Once the local, statewide, and jurisdictional factors related to DMC have been determined, the logic model can be used to guide the programs and activities that will assist in ameliorating, modifying, or eliminating situations leading to DMC.

Logic Model of Potential Factors Related to Contact with the Juvenile Justice System (JJS¹)

Factors Related (or Potentially Related) to DMC	Domain	Theoretical Link to DMC	Potential Measures/ Methods/ Data Sources
Racial bias	Prejudice	Minorities may be treated differentially in JJS; Societal situations (i.e., economic, employment) may be embedded	Focus Groups, Data analyses
Severity of most recent charge	Criminal History	More severe charges result in greater restrictions	YLS ² , UJS ³ , DOC ⁴
Cumulative crimes, number of times on probation, pre-hearing detention	Criminal History	Greater contact with the system results in greater restrictions	YLS, UJS, DOC
Gender	Demographic	Gender status may be indicative of differential treatment	UJS, DOC
Age	Demographic	Age groupings may be treated differentially in the JJS	UJS, DOC
Family situations	Family	Family situations may lead to more restrictive sanctions	YLS, Focus Groups
Delinquent friends	Peer	Poor environmental conditions may result in reduced options for placement	YLS, Focus Groups
Achievement or disciplinary problems at school	School	School situations are predictors of potential problems in the JJS	YLS, Focus Groups
Substance abuse problems	Substance Abuse	Substance abuse highly linked to program placement and success	YLS TACE ⁵ , MAST ⁶ , ASI ⁷ , Focus Groups
Individual characteristics	Behavior	Personal behavior may be important in placement decisions	YLS
Judicial methodologies	Legal	Some judges may have propensities for less/more restrictive placements	Analysis of circuit decisions, Focus groups, Review cases
<ol style="list-style-type: none"> 1. Juvenile Justice System 2. Youth Level of Service/Case Management Inventory 3. Unified Judicial System 4. Department of Corrections 5. Alcohol Screening Instrument 6. Alcohol Screening Instrument 7. Addiction Severity Index 			

VI. Results–Qualitative Assessment

Introduction-Focus Groups

Focus groups are effective because they tap into common human interactions and tendencies. Attitudes and perceptions about common or complex concepts are developed in part by our interactions with other people. We are a product of our environment and are often influenced by people around us. Focus groups take advantage of naturally occurring social interactions and conversations, replete with varying opinions and opportunities for self-expression. People often need to listen to dialogue and opinions about a topic before they formulate their own views or crystallize their thinking on a topic, especially if it is an emotional, complex topic like DMC (Krueger, 1988).

Focus group methodology is a popular qualitative assessment technique that provides information that is difficult to assess through analysis of data sets or formal questionnaires. Participants are selected because they have certain characteristics in common that relate to the topic of interest. Group discussions are conducted several times with similar types of questions to identify trends and patterns in perceptions. The discussions are built around specific questions presented in a relaxed, comfortable setting so that participants can share their ideas and perceptions. Information from groups is often more reliable than summarized information from individuals (Krueger, 1988).

Focus groups have been used to explore the breadth and depth of DMC and other juvenile or criminal justice issues (Pope et al., 2002; Leiber, 2002). It is important to use varied social science methodologies when examining complex situations like DMC, since both qualitative and quantitative information provide a rich resource to explore reasons for and provide potential solutions to the situations encountered.

Methodology-Focus Groups

The South Dakota Department of Corrections (DOC) facilitated the arrangements and accommodations of the focus group participants. Local or regional DOC administrative personnel made contact with parents, providers, juvenile justice practitioners, and youth. It was the intent of these arrangements to obtain a relatively proportional representation of participants, based on age, geographic location, gender, and race/ethnicity. Besides demographic characteristics, participants were selected based on their ability to function well in group settings and their availability and willingness to participate.

Questions for the focus groups were derived from questions used in other juvenile justice focus groups, ideas of the researchers, pilot test sessions, and ideas and final review of questions from DOC. The questions were designed to go from general to specific based on the flow of the conversation. Additionally, participants completed an anonymous questionnaire before the commencement of the focus groups. In the questionnaire, the participants were asked demographic questions, including self-identification of race/ethnicity, along with general questions about their perceptions of DMC in South Dakota.

Reasons for conducting two pilot study sessions included: testing the questions, examining the flow of the questions, assessing the structure needed, testing the audio equipment, and other related

areas. One pilot group consisted of adult providers of services to individuals on parole or probation, along with criminal justice practitioners. The other group was an existing group of male and female adolescents who have had contact with the juvenile justice system. The pilot study provided insight into asking questions to juveniles, and solidified the decision to separate youth by gender in the focus groups. The juvenile group was unique because of existing group dynamics.

Once the pilot groups were completed and appropriate questions and design adjustments made, the study focus groups were conducted. For the adult focus groups, the information and conversation flowed very well, although in some situations the moderator was directive and refocused the discussion. On occasion, the moderator invited discussion from less active participants. The youth groups were less spontaneous, requiring more direct questioning of individuals.

An informed consent form was used to introduce the participants to the intent of the project and to assure them that their comments would be anonymous. This form was considered to be an 'implied' consent form because the participants did not sign their names. The completion and return of the questionnaire implied their consent to participate, as per instructions on the Implied Consent Form.

The focus groups were conducted in locations convenient for the participants. The rooms were comfortable and light refreshments were available. The focus group moderator and researcher arrived early to make certain the room atmosphere was comfortable and that there was sufficient time for 'small talk' before the formal questioning commenced. After going over the informed consent form and completing a brief demographic questionnaire, the moderator explained the purpose of the focus group and the group ground rules. The participants were then asked to introduce themselves. There were several warm up questions before the main research questions were asked. The relaxed group environment provided an opportunity for individuals to divulge responses to emotional and sensitive topics (i.e., personal experiences with the juvenile justice system, traumatic family experiences, feelings about racial or ethnic biases, etc.). After the formal focus group sessions concluded, time was allowed for additional conversation. There were no hostile exchanges between participants, although body language indicated some disagreement or concerns about certain comments...especially in the case of perceived over generalizations (i.e., "everyone in the system is biased").

The first questions asked were general in nature, allowing for a broad range of information. The adult participants were spontaneous and needed very little prodding or probing to obtain comments. On the other hand, some of the youth groups needed more direct questioning. Older youth were usually the most willing to offer opinions. Some of the younger youth were reluctant to make comments, unless the questions were specifically addressed to them. The responses to such were often brief.

The interviews were recorded on tape and transcriptions of the proceedings were made for evaluating the comments. Additionally, notes were taken of the comments made during the discussions, along with observations of body language and informal contact between members of the groups. Analyses of the notes were utilized to supplement the recordings. Between the notes and transcripts (49 pages of notes and 288 single spaced typed pages of transcripts) sufficient information was available for qualitative analysis of the focus groups.

Focus Group Sessions

Focus groups were conducted in Custer, Rapid City, Sioux Falls, and Sisseton. One-half of the 12 focus groups were with youth in the juvenile justice system (e.g., probation, DOC commitments, etc.). There were three focus groups with criminal justice practitioners such as judges, police department and sheriff's office personnel, Juvenile Corrections Agents (JCA), Probation Officers (PO), and representatives from state's attorney offices. Three focus groups were conducted with parents of youth in the system and providers of services to youth in the system. The focus groups were conducted during July and August of 2004, and ranged in size from 6 to 12 participants.

Overall, there were 92 participants in the 12 focus groups. Males comprised 54.3 percent of participants and females consisted of 45.7%. The focus group participants were slightly more than half (51.1%) white and 48.9% ethnic minority. In 2002, 30.9 percent of the adolescents arrested in South Dakota were minority, and 43.1 percent of those confined were minority. The rate of minority participants in the focus groups was more than commensurate with the juvenile justice population in the system. The State's minority population is 10.5 percent for all ages and 16.3 percent for those ages 10-17 (Puzzanchera, et al., 2004). In considering the youth only, 62.8 percent of the focus group participants indicated minority status as one of the racial/ethnic choices.

Sample Size

The number of persons (92) and the number of groups (twelve) in the focus groups in South Dakota was more than adequate to meet the minimum standards of participants needed for the *discovery* of key perceptions. The key point for a qualitative sample is that it must be large enough to assure that most or all of the perceptions that might be important are heard (DePaula, 2000).

Both DePaula (2000), and Griffin and Hauser (1993) indicate that 30 respondents is a reasonable qualitative sample for revealing the full range (or nearly full range) of potentially important concepts, ideas, or perceptions. As with typical learning curves, there has been found to be diminishing returns in the sense that fewer new (non-duplicate) concepts are uncovered with each additional person or group. This is consistent with the probability table below developed for focus groups or other qualitative groups. The probability tables shows (bold print on line 5) that perceptions of all but a few ideas or perceptions are likely to be found with a sample of 30 (DePaula, 2000).

The bold print in the table below indicates that if 10 percent (Incidence of .10) of the population held a view, a sample of 30 participants would only miss that concept or view 4.2 percent (.042) of the time. With 100 respondents, a view held by 10 percent of the population would be missed only once in 1000 focus group procedures.

Probability of missing a subgroup concept in a random sample								
Population Incidence*	Number of Respondents							
	10	20	30	40	50	60	100	200
=====	=====	=====	=====	=====	=====	=====	=====	=====
.50	.001	<.001	<.001	<.001	<.001	<.001	<.001	<.001
.33	.018	<.001	<.001	<.001	<.001	<.001	<.001	<.001
.25	.056	.003	<.001	<.001	<.001	<.001	<.001	<.001
.20	.107	.012	.001	<.001	<.001	<.001	<.001	<.001
.10	.349	.122	.042	.015	.005	.002	<.001	<.001
.05	.599	.358	.215	.129	.077	.046	.006	<.001
.01	.904	.818	.740	.669	.605	.547	.366	.134

**Population incidence refers to a belief/concept held by a particular segment of society.*

Others have indicated a need for larger samples of participants. In a discussion of focus group validation, Sophisticated Market Research (2004) indicates that a set of 4 to 8 focus groups comprising a total of 50-80 respondents is sufficient to provide a reasonable degree of confidence that the full range of the ideas and perceptions have been articulated.

Purpose of the Focus Group Study

The specific aims of the focus groups were to assess participants' perceptions of four main topics:

1. Is there racial/ethnic bias in the juvenile justice system in South Dakota?
2. If so, at what point in the system is there disproportionate minority contact?
3. What factors contribute to disproportionate minority contact?
4. What are the solutions to disproportionate minority contact?

Findings of Focus Group Procedure

Major Impressions from the Focus Groups

Before an assessment of specific comments made in the focus groups is presented, an overview of the major overall impressions by the focus group moderator and researcher are discussed below.

Impression 1: There were diverse opinions of the racial/ethnic nature of DMC. There were many opinions expressed about why there is DMC in the South Dakota juvenile justice system. While most people tended to view multiple reasons for DMC (e.g., economics, racial and ethnic biases, family structure, loss of identity, etc.), some held that racial prejudice by practitioners (i.e., law enforcement, judges, probation officers, etc.) was the prime reason. Some felt that the social system in general was biased, limiting the opportunities for minorities in the areas of employment, education, economic development and related areas.

Impression 2: Minority youth appeared to see less racial/ethnic bias in the juvenile justice system than did parents. The minority youth in the focus groups appeared to see less racial/ethnic bias in the juvenile justice system than did participants in the parent/provider groups. Overall most of the minority youth participants thought that the system was fair, but most minority parents felt there was racial bias in the system and society in general. It is also important to note, as stated in the methodology section, that some of the youth were less

forthcoming with their responses. It is not clear if this inhibition accounted for some of the differences found between the youth and parent/provider groups.

Impression 3: Criminal justice practitioners appeared to be committed to making correct ethical decisions and doing a professional job. The concern and professionalism of the criminal justice practitioners was evident from their comments, conviction, and the passion they displayed in addressing difficult issues during the focus groups.

Impression 4: The youth groups started out speaking negatively about the youth juvenile justice programs and staff, but became more positive towards the end of the discussion. Often, the minority and non-minority youth talked about derogatory aspects of the juvenile justice system early in the discussion. Some appeared to be indicating that they were not that “bad” and should not be in the system. Near the end of the discussions, group members tended to focus on the more positive aspects of the system and had more balanced opinions of their circumstances. It was quite possible that the younger participants needed to build some trust and rapport with the moderator and researcher before they felt comfortable about candidly discussing their conditions or concerns. Before trust was developed, the youth tended to compartmentalize their comments into sources of irritation (i.e., “I shouldn’t really be in the system”, etc.). This same phenomenon appeared to happen with adults who had strong feelings on DMC or other topics of interest. First, they wanted to establish ‘their territory’ and ‘make their statement,’ then they were able to explore other views and opinions. Maybe some minority participants, because of a history of oppression, felt that the only way to be heard was to aggressively express opinions.

In a similar vein, some people with extreme positions (“minorities are treated better” or “cops just follow around Indians and wait for them to make a mistake”) seemed to moderate their opinions as time went on suggesting that constructive dialog about racial issues may help to improve relations and/or enhance the understanding of differences between various cultures.

Impression 5: Some youth extol the virtues of the system while others loath it. Some of the older youth who had been in the system for a longer period of time indicated appreciation for the good done for them by the juvenile justice system, including praise for the courts, CSO’s, JCA’s, and DOC. The praise and appreciation appeared sincere and was unsolicited. On the other hand, other older youth indicated they did not belong in the system and/or that the system was not beneficial to them. The younger youth displayed mixed feelings about the utility of the systems and usually expressed these with short responses.

Impression 6: Positive self-fulfilling prophecy. Youth who were enjoying success in the system tended to have a positive outlook on the future, accepted responsibility for their actions, believed that they could use the system to better themselves, had a general positive outlook, had overcome obstacles, and believed that they could overcome other difficulties.

Impression 7: Negative self-fulfilling prophecy. Some youth (both white and ethnic minorities), and some parents (mainly Native American), displayed a sense of hopelessness with comments such as, the system is against me, people put me down, there is no way to change things, life is bad, things are hopeless, I shouldn’t be in the system, and the system is just waiting for me (or my children) to fail.

Impression 8: The problems of delinquency and DMC can be positively addressed. Most of the participants believe that the factors related to delinquency in general, and DMC in particular, are characteristics that are amenable to change. The likelihood of modifying these factors gives credence to the selection of and implementation of prevention, intervention, and treatment programs that will decrease risk factors and enhance protective factors.

Strengths of the System

After explaining the purposes of the focus groups and having people introduce themselves, a general question about the strengths and weaknesses of the juvenile justice system was asked. From this general question, more specific lines of questioning were pursued.

The main strengths of the system include: good people working in the system, good programs, focus on early intervention, cooperation of the juvenile justice practitioners, the coordination of programs, and the camaraderie of employees in the system.

Weaknesses of the System

The main weaknesses of the system include: the lack of concern shown by some parents, the lack of money and programs to meet the needs of the youth and their families, and racial/ethnic biases in the system.

Reasons for Delinquency in General

Often comments from focus group members centered on the reasons for delinquency in general, and not necessarily specific to DMC.

Reason for Delinquency: Truancy – Truancy is viewed as a major problem why youth get into trouble. Programs are needed that make school an enjoyable and meaningful experience.

Reason for Delinquency: Inadequate Family Life/Structure – There was need expressed for comprehensive programs (i.e., parenting classes, counseling, treatment, etc.) for the parents, as well as the children. It was felt that children are not likely to change if the parents are not being responsible for the actions and deportment of their children.

Reason for Delinquency: Mental Health – Unresolved mental health issues were mentioned as a reason for contact with the juvenile justice system.

Reason for Delinquency: Lack of Resources in the Community/System Overload – Scarce resources (education, prevention, intervention, treatment, etc.) were reasons for delinquency.

Reason for Delinquency: Family History with the System – A major situation that the youth mentioned quite frequently was they were watched closely and ‘picked on’ because some family members had previous contact with the juvenile justice system.

Reason for Delinquency: People on Probation/DOC Placement are Closely Watched – People in the system are watched very closely just like persons from families with previous criminal history.

Reason for Delinquency: Changing Societal Values/Lax Conditions/Little Discipline – Lack of discipline, children running their families, disrespect for adults and/or authority figures, and lack of personal control were expressed as reasons for delinquency.

Reason for Delinquency: FAS/Learning Problems – It was mentioned that many adolescents are, or may be, in the system as the result of mental health, physical health, neurological, and related conditions due to substance abuse of mothers during pregnancies.

Reasons for Delinquency: Understanding the System's Jargon and Legalese – For some, the legal system is replete with language and terminology that few outside the system understand, resulting in more arrests and detentions.

Reasons for Delinquency: Substance Abuse – One of the major problems mentioned frequently was substance abuse.

Reasons for Disproportionate Minority Contact

The comments below relate specifically to reasons given by focus group members for DMC. Since Native Americans are the main minority in South Dakota, many of the comments were directed at reasons for DMC among Native Americans.

Reason for DMC: Prejudice/Biased Treatment of Minorities – While some people believe that there is equity in the juvenile justice system in the State, others in the focus groups felt very strongly that prejudiced treatment of minorities is the main reason for DMC

Bias Treatment: Law Enforcement Focus on Minorities – There were many views expressed by the participants on the extent of biased or prejudicial treatment of minority persons in the juvenile justice system. Some believe that the law enforcement personnel, store owners/staff, and others have a fixation for watching minority youth more closely than they do the dominant culture youth.

Biased Treatment: Pervasive Racism in All Systems – Some minority persons (especially adult Native Americans) believe that the problem of racism is deeply implanted in all fabrics of society.

Biased Treatment: Fatalism-Racism is Here to Stay – One very compelling aspect of the comments on racism is the hopelessness felt by some individuals.

Biased Treatment: Prejudice -Flip Side – Some white parents and youth and other youth minorities believe that Native Americans get preferential treatment in the system, because white staff members are afraid of being called racist and Native American personnel in law enforcement or corrections treat Natives better than they do other racial groups.

Reason for DMC: Different Laws, Mores, and Cultural Values between Reservation and Non-Reservation Areas – One of the prominent reasons offered for DMC related to differences between the laws and customs on the reservations and the laws and mores outside the reservations. What might be acceptable behavior on the reservation may not be appropriate in outside areas and vice versa.

Reason for DMC: Inconsistent Family Life/Structure – There are several themes about the relationship between DMC and family life and structure. Focus group members indicated that minority families are too often single parent families. Many, especially white focus group members, believe that the apparent lack of discipline among minority parents leads to delinquent behavior. The family situation is believed to be exacerbated by poverty and substance abuse problems.

Reason for DMC: Difficult to Adopt Native American Children – Several people indicated that some of the problems of delinquency could be ameliorated, if stable non-Native families could more easily adopt Native American children. Some non-Native American respondents have tried to adopt Native children, but are unable because of the Indian Child Welfare Act.

Reason for DMC: Truancy and Dropout Rates – According to statements in the focus groups, truancy and dropping out of school are two of the prime reasons for delinquency in general, and among Native Americans in particular.

Reason for DMC: Substance Abuse – One of the contributors to DMC or delinquency is substance use. It was indicated in the discussions that there was a disproportionately high rate of substance use/abuse among Native Americans.

Reason for DMC: Environment-Loss of Culture/Identity – Several participants commented on the loss of culture and the ensuing struggle for identity among Native American youth. It was felt that persons without a solid identity are more likely to have problems with the laws of the land and authority figures like law enforcement officers.

Reason for DMC: Education Differences – Some participants in the focus groups believe that there is not enough emphasis in some minority families on the importance of formal dominant cultural education. Additionally, it was indicated in group discussions that more educational resources are needed to keep students in school and out of the juvenile justice system.

Reason for DMC: Gangs – Some expressed the belief that excessive gang membership by minority juveniles is a reason why there is DMC.

Reason for DMC: Negative Media Portrayal of Minorities – It was felt that the media's negative portrayal of minorities may perpetuate the cycle of poverty and crime among some minorities.

Reason for DMC: Legacy of Boarding Schools Among Native Americans – The impact of boarding schools on Native American culture may never be completely known, but many people attribute current social problems to family and cultural disenfranchisement suffered as the consequences of boarding school.

Reason for DMC: Law Enforcement is Reactive to Complaints – It was indicated by law enforcement members of the focus groups that their job duties are often dictated by complaints. Police and other law enforcement personnel are dispatched to handle complaints. It was suggested by some law enforcement that the complaints they receive often involve minority persons and it is their responsibility to respond to all calls.

Reason for DMC: Poverty/Poor Economics/Jobs – One of the major reasons offered for DMC is the economic situation of some minorities and the relationship between crime and poverty.

Reason for DMC: Native Americans More Forthright – A reason mentioned for DMC for Native Americans is that they tend to be more forthright in admitting guilt to offenses than are their dominant culture peers.

Where in the System is there Bias?

It was difficult to get an accurate assessment from focus groups on decision points or places along the system continuum from arrest through DOC placement in which there is, or may be, racial/ethnic bias, because participants tended to make sweeping statements about bias throughout the system, while others denied any systematic prejudice in the system. Few explicit examples or opinions were offered, but some people made generalizations about the whole justice system and society being biased. The most frequently mentioned biased decision point was at the time of arrest. It was felt strongly by some that the arrest/not arrest decision point is where the most bias exists.

Based on the focus group responses, the youth and parents who believe that there is bias in the system, indicated that the persons most likely to be unfair or biased were law enforcement, state's attorney, and judges. Some youth being monitored closely while on probation indicated that their CSO's were unfair. Some youth and parents from both the minority and dominant culture indicated unfair treatment at each stage in the juvenile justice system. Most expressed favorable opinions about CSO's and JCA's.

Solutions to Reduce Delinquency and/or DMC

The solutions presented in this section are based on comments made by participants during the focus group sessions.

Solution: Cultural Sensitivity/Diversity Training – One of the major solutions for reducing DMC, indicated by focus group members, was to provide cultural sensitivity/diversity training to all practitioners, parents, and youth involved in the juvenile justice system. From the focus groups it is clear that there are misunderstandings between persons from various backgrounds, cultures, and points of view.

Solution: Hold Adults Accountable – Members of the focus groups suggested holding adults, especially parents, more responsible for the actions of their children or other youth under their control or responsibility.

Solution: Spiritual Aspects Need to be Part of the Solution – Another area believed to be helpful was the spiritual part, particularly in reference to holistic social and juvenile justice programs that consider the emotional, physical, social, and spiritual aspect of individuals.

Solution: Break the Cycle of Negativity – There were discussions concerning the need to break the cycle of negativity or lack of action or achievement. The feeling was expressed that

if no one in the family has received training beyond high school, someone in the family needs to be given the skills or opportunities needed to be successful.

Solution: Mentoring Programs – A mentoring program was one of the most frequently mentioned avenues for improving the delinquency rate and/or the DMC rate in South Dakota.

Solution: Tribal Truancy Courts – It was felt that there was a great need for Tribal truancy courts to monitor and report school attendance of Native American children who go back and forth between reservation and non-reservation areas.

Solution: Better Communication between Leaders in Reservation Communities and Non-Reservation Communities – A need was indicated for better communication between people from the communities outside the reservations and persons within the reservations. These meetings could foster close relationships, as concerned people work together to solve issues of joint interest.

Solution: Teach Native American Culture to Urban Indians – A number of persons mentioned that urban Indians were having difficulty because of their lack of knowledge about traditional Native culture, leading to a loss of identity. An education module concerning traditional Native culture was recommended for persons living in the urban areas.

Solution: Early Intervention – One solution mentioned was to initiate effective early intervention programs in the schools and in the communities.

Solution: Teach Parenting Skills – Many comments were made concerning the need to teach parenting skills to parents and guardians of children that are at risk for entering or remaining in the juvenile justice system.

Solution: Hire More Minority Staff Members – One solution that would encompass several suggestions would be to recruit, hire, train, and retain more minorities to work in the juvenile justice system and related areas.

Solution: Teach Families How to be Supportive – Teaching families members to be supportive towards one another was a concept mentioned frequently by youth as a necessary step to reduce delinquency in general.

Solution: More Wholesome Community Activities – Good after school programs and other community programs were believed to be helpful in channeling the energy of youth, and subsequently reducing juvenile delinquency.

Solution: Youth Advocate – It was recommended that a youth advocate for minority children would be helpful in assisting youth and their parents and guardians to navigate the system and understand the options available.

Solution: More Services – A need for additional services (i.e., advocacy, counseling, parenting, education, etc.) for those in the system was articulated.

Solution: Bring People Together/Engender Commonalties – A focus on similarities and unifying attributes was indicated as a likely help for people from different racial/ethnic groups to gain a broader understanding and appreciation of different backgrounds.

Solution: Treat Everyone Equal-Arrest More Whites/Fewer Minorities – There are strongly held views that minorities are being targeted for arrests, even though whites are committing the same number of offenses.

Solution: Tap into Native American Cultural to Seek Solutions – Using the strengths of the Native culture was believed to be a viable solution to DMC. One important aspect of the Native American culture includes the practice of restorative justice and family meetings. These concepts would help to bring to fruition many of the other solutions mentioned above. Family meetings were utilized traditionally when confronting a family member who had done wrong.

Summary Questionnaire Results

A questionnaire was used to obtain supplemental information on DMC. The questionnaire offered the opportunity for individuals to respond to the questions with anonymity and self-identification of race/ethnicity and other demographic factors. The questionnaires were not analyzed until the conclusion of the final focus group. Unless the persons identified their racial background in the focus groups, it was not possible for the researchers to identify the race/ethnicity of all focus group participants. The heart of this report is the focus group comments with only minor utilization of questionnaire results.

Participants completed demographic information about themselves. A total of 62 individuals completed questions directly related to DMC. The criminal justice practitioners were not asked the DMC questions, because the DMC questions directly addressed areas of potential bias within the system, and it was felt that these questions might place the practitioners in a defensive mode and hinder or alter their responses during the focus groups.

Most (53.2%) agreed that minority youth are more likely to be arrested than are white youth for the same offense or situation. The groups most likely to believe that minority youth are arrested more than whites included white providers, Hispanic youth, and Native American parents and youth. White parents and white youth were the least likely to believe that minority youth are arrested more than white youth.

Thirty-seven percent of all respondents indicated that white youth get easier sentences for the same offense than minority youth. The groups most likely to believe that white youth get easier sentences included: white providers, Hispanic youth and Native American parents. White parents, white youth, and black youth were the least likely to believe that white youth get easier sentences for the same crimes.

Most (61.7%) of the questionnaire respondents believed that white youth and minority youth are treated the same in the juvenile justice system in South Dakota. The groups most likely to believe that racial/ethnic groups are treated equally included: white youth, black youth, and Hispanic youth. Native American parents were the only group with a majority believing that white youth are treated better than minority youth in the juvenile justice system.

There were no significant differences in responses to the DMC questions by gender or size of community. Also, no overall differences were found by location. In the focus groups there were some differences noted by location for the adults. In Rapid City and Sisseton there was more discussion on white and Native American differences and relationships. In Sioux Falls the racial/ethnic discussions centered more on multicultural groups other than Native Americans per se. Minority providers and parents in Sisseton and Rapid City indicated relevant cultural help was available because of nearby reservations and/or local Native American oriented groups or organizations. In Sioux Falls, the parents focused less on white/Native American situations and more on total disenfranchisement within the system.

Based on questionnaire results, Native American parents and white providers saw the most bias in the system, and white youth and white parents perceived the least amount of bias in the juvenile justice system in South Dakota. Some participants perceived that minorities were treated better in the system than were whites.

Discussion of Focus Groups

Limitations of Study

While the general procedures of the focus group study went very well, there are several areas of limitations or potential problems.

1. It is often best to have people that are unfamiliar with each other as participants in focus group research. This was not possible given the nature of the topic and the persons targeted. South Dakota has a small and interactive population base. The youth in various juvenile justice programs have opportunities for familiarity and interactions. The juvenile justice practitioners in the State have dealings one with another. It would be very difficult and costly to include only juvenile justice practitioners who are total strangers. We do not believe that familiarity between participants resulted in skewed information.
2. In one case, the room available for youth was not secluded from staff members. This could have influenced or inhibited the comments of the participants. However, it is believed that the responses of the youth participants were not significantly altered by the presence of staff members, because some of the most negative comments about the system came from this group.
3. Because of the familiarity of people around the state with the scheduled focus groups, some members may have had insider knowledge about the process and came 'loaded' with specific points of view or to check out the procedures. Only one case of 'insider' information was suspected, but no deleterious effects to the group process were noted.
4. In a group process, participants with strong opinions may dominate the conversation and intimidate others who have differing points of view. It is believed that the atmosphere in the sessions was conducive to a free exchange of ideas and opinions. It did appear that the responses to the questionnaires were more moderate and mainline than were the comments by people in focus group sessions.
5. Another potential limitation of the study was the ethnic makeup of the researcher and focus group moderator. Since both were from the dominant culture, they recognized some

limitations in fully comprehending the views and opinions of those from other cultures. Despite encouragement and openness to divergent views, the researchers were aware that their invisible ties to their own culture and experiences may have inhibited them from viewing the realities of participants from other backgrounds. Consequently, two well-credentialed consultants, female and male, from similar ethnic backgrounds to many of the participants, read this document and offered critical insights in interpreting the focus group data. Both consultants concurred with the viability of the methods used and basic interpretation of the data. The questionnaire was used to balance the potential subjective interpretations of the researchers with standard questions.

6. Qualitative research methods, like focus groups, solicit a wide range of beliefs, ideas, and concepts. It is not easy (and in some cases impossible) to ascertain if all the perceptions or beliefs are real or have merit. One can only record and pass on the information as given. Focus group information is a rich resource of very personal views and opinions regarding a particular issue. This information is based on the perceptions of the individual participants. These perceptions tap into a number of unique and similar ways that people perceive the issues at hand. One of the benefits and limitations of this kind of qualitative information is that it is based on personal perceptions that are influenced by various circumstances, such as personal experiences, family belief systems, and unforeseen cultural influences. In order to acquire an equally compelling set of objective information, the DMC project included quantitative data gathered as part of the Implied Consent Form. Also, detention, DOC, and court data were analyzed as part of the comprehensive DMC assessment and report.

Summary of Focus Group Procedures

1. The focus groups were conducted in a congenial, professional atmosphere, conducive to the free flow of information.
2. No serious situations or unusual circumstances were noted that would invalidate the comments made in any of the twelve sessions.
3. Personal notes and transcriptions were completed for the focus group sessions.
4. The sample size was such that diverse views on DMC and related topics were offered.
5. Some people felt strongly that there was specific racial/ethnic bias in the system; however, other people believed that DMC can be explained by multiple issues including racial/ethnic bias, family, social, economic, substance abuse, school, and related situations.
6. It was not the purpose of the focus groups to provide detailed information on programs and activities that may be useful in ameliorating DMC. However, the solutions offered by focus group participants should be very useful in targeting specific programs and activities for addressing pertinent DMC and delinquency issues. Based on the extensive amount of solution information gathered, any interested group could use the results presented in this report as a source of ideas for programs and activities to improve DMC in South Dakota.

Summary of Focus Group Findings

There were many opinions expressed concerning disproportionate minority contact in the South Dakota juvenile justice system. Many participants perceived that there are multiple reasons (e.g., economics, racial and ethnic biases, family problems, substance abuse, loss of identity, etc.) for DMC. One of the major reasons that emerged for DMC related to family situations, such as poor parenting, lack of discipline, lack of concern, family history of contact with the juvenile justice system, and other related areas.

Some minority parents believed that direct racial bias by criminal justice practitioners and/or racial bias in all areas of society was the prime reason for DMC. Such strongly held views cannot be ignored. Native American and other minority groups need to be involved in improving the system and eliminating bias.

Other reasons for both delinquency in general, and DMC in particular, included: lack of resources in the communities and/or schools; poor economics, unemployment and poverty; truancy and school drop out; loss of cultural identity; substance abuse; emotional problems; learning disabilities; low educational priority; and gang activity.

The focus group participants had many suggestions to address delinquency and/or DMC. Many of these solutions related to the family, parenting, and accountability issues. Other solutions that emerged included: cultural sensitivity and diversity training; job opportunities; truancy prevention; school programs; holistic approaches to youth programs; breaking the cycles of poverty and hopelessness; substance abuse services; mentoring and role model programs; better communication between the tribes and non-reservation communities; cultural training for urban Native Americans; early intervention; employment of minority staff to work in juvenile programs, schools, and social services programs; more structured activities for youth; and youth advocates.

Many of the reasons for DMC and subsequent solutions concern situations that are amenable to change or improvement through culturally sensitive dialog, education, prevention, intervention, and treatment.

VII. Results–Quantitative Assessment

Basic Statistical Analysis Procedures and Definitions

Statistical Significance – Statistical significance relates to the degree to which a research finding is meaningful or important. For the purposes of this study, the probability level of the statistical significance is the traditional level of equal to (or less than) .05. This means that the probability is equal to or less than 5 out of 100 that the difference is due to chance. Probability values greater than .05 are considered to be the non-significant.

Chi Square Statistical Procedure – The chi-square statistical procedure is a test statistic that is used for categorical data in order to determine if statistical significance exists between the observed and expected frequencies. For example, the chi-square statistical technique can be used to test the differences between the two categorical variables of ethnicity and gender.

Logistic Regression – Regression deals with predicting an outcome variable (dependent variable) by considering one or more predictors (independent variables). Simple linear regression assumes a function of the form: $y = c_0 + c_1 * x_1 + c_2 * x_2 + \dots$

Logistic regression is a variation of ordinary regression, used when the observed outcome is restricted to two values (e.g., adjudicated/not adjudicated), which represents the occurrence or non-occurrence of some outcome event, (coded as 1 or 0, respectively). It produces a formula that predicts the probability of the occurrence as a function of the independent variables (e.g., age, gender, race, etc.).

Correlation – A Pearson correlation procedure was used to assess the relationships between factors. Correlation is defined as a statistical relationship between two or more variables such that systematic changes in the value of one variable are accompanied by systematic changes in the other. For the correlation relationships mentioned in the multivariate analyses, a partial correlation coefficient procedure was used. A partial correlation procedure refers to the relationship between two variables (e.g., fine amount and age) after removing the influence of other factors (severity, gender, sex, etc.).

Analysis of Covariance – The analysis of covariance procedure is a general method for drawing conclusions about differences in population means on one or more categorical factors (e.g., race, gender) after controlling for other independent variables (i.e., severity of offense, age, etc.) that are related to the dependent measure (probation time).

Variable Definitions

Age – The age of the individual was determined by calculating the time between date of birth and the relevant event.

Gender – Gender was coded ‘1’ for males and ‘0’ for females.

Race – Whites and Native Americans were the racial categories used in the analysis.

Court Circuit – Information was available for all 7 circuits.

Pre-Hearing Detention – Pre-hearing detention was dichotomized as ‘1’ for yes and ‘0’ for no.

Severity of Offenses-Scoring – In assessing the disposition information on the next series of analyses, a severity index of offenses was developed based on the following criteria. Values ranged from 5 to 90 with lower points representing ‘minor’ violations and higher values signifying serious offenses.

Points Assigned to Severity Score	General Classification	Examples of Offenses
5	Seat Belt	Seat belts, parking violations, operate motorcycle without proper eye protection, etc.
10	Misdemeanor 2	Possession of alcohol by minor, petty theft < \$100, careless driving, curfew violation, disorderly conduct, fail to maintain financial responsibility, etc.
12	Probation Violation	Probation violations
15	Misdemeanor 1	DUI, possession of marijuana, simple assault, vandalism \$100-\$500, attempt to elude police, driving with revoked license, failure to stop, petty theft > \$100, etc.
20	Felony 6	Burglary 4 th degree, possession of more than 2 ounces of marijuana, assault, falsely reporting bomb-1 st offense, distributing one ounce or less of marijuana, etc.
25	Felony 5	Forgery, accessory to a felony, receiving stolen vehicle, etc.
30	Felony 4	Burglary 3 rd degree, vandalism > \$500, grand theft > \$500, etc.
35	Felony 3	Aggravated assault, burglary 2 nd degree, rape, 3 rd degree, sexual content-child under 16, etc.
60	Felony 2	Burglary 1 st degree, rape 1 st degree, robbery 1 st degree, etc.
90	Felony 1	Arson 1 st degree, kidnapping, manslaughter, rape 1 st degree-child < 10, homicide, etc.

Youth Level of Service (YLS) Scores – YLS information was available for decision points concerning DOC commitments.

Groups Used in the Data Analysis

Based on recommendations from OJJDP and/or their consultants, the quantitative analyses considered differences between Native American and white juveniles in three settings: Statewide, Pennington County, and Minnehaha County. In order to obtain the statistical power needed (e.g., .80) to detect means differences, we need about 30 cases per cell (Cohen, 1988). In considering the factors of race and circuit, we need about 420 (14 x 30) cases for the 14 cells of information. A sample size of that magnitude is problematic in counties other than Pennington and Minnehaha in South Dakota.

Decision Points Used in the Data Analysis

Of the ten decision points considered in the analysis, data were available on seven of them, as summarized below:

Decision Point	Type of Information Available
1. Arrest	Summary information by race and types of offenses was available.
2. Intake Officer Decision	No computerized information was available.
3. Detention	Individual information by race, gender, location, detention time, and offense was available.
4. Temporary Custody Hearing	No computerized information was available
5. State's Attorney Action	No computerized information was available
6. Adjudication	Information was available by race, gender, circuit, severity of offense, age, and related factors.
7. Dispositions	Information on seven dispositional areas was available by race, gender, circuit, severity of offense, age and related factors.
8. Initial Placement by DOC	Information was available for demographic and YLS factors.
9. Out-of-State Placement by DOC	Information was available for demographic and YLS factors.
10. Placement Following Revocation of Aftercare by DOC	Information was available for demographic and YLS factors.

Data analysis was conducted and presented by decision point, as discussed below. Some of the detailed data analysis (e.g., all incidences in the UJS data set and by most severe offense) was placed in the appendices.

VIII. Decision Points

1. Decision Point: Arrest Statewide Arrests Information-2002

Arrest information for adolescents is not currently available statewide by individuals or by incident, but only by summarized data. In looking at statewide arrest data for 2002, it can be noted that whites had (proportionally) more status offenses, while Native Americans had more delinquent offenses and offenses against persons.

Statewide Arrest Information for 2002			
Category	White	Native American	Total
Total Status Offenses	1887 (34.0%)	701 (31.5%)	2653 (33.0%)
Total Delinquent Offenses	3666 (66.0%)	1524 (68.5%)	5379 (67.0%)
Total Offenses Against Persons*	338 (6.1%)	188 (8.4%)	553 (6.9%)
Total Incidents	5553	2225	8032

% = % of the Column Total (status plus delinquent = 100%)

Native American's were over-represented in the proportion of arrests, considering they represented 14.1 percent of the population but had 27.7 percent of all arrests, 28.2 percent of delinquent offenses and 34.0 percent of offenses against persons.

Statewide Population and Arrest Information for 2002 for Persons Ages 10-17			
Category	White	Native American	Total
Number of Persons: Ages 10-17	78,236	13,223	93,466
Proportion of Persons by Race: Ages 10-17	83.7%	14.1%	
Proportion of All Offenses	69.1%	27.7%	
Proportion of Status Offenses	71.1%	26.4%	
Proportion of Delinquent Offenses	68.2%	28.3%	
Proportion of Offenses Against Persons*	61.1%	34.0%	
Total Incidents	5,553	2,225	8,032

*Crimes against Persons

- | | | |
|--|----------------------------|-----------------|
| 1. Murder & non-negligent manslaughter | 4. Robbery | 7. Sex offenses |
| 2. Manslaughter by negligence | 5. Aggravated assault | |
| 3. Forcible rape | 6. Other assaults (simple) | |

Minnehaha County-2002

As previously indicated, Minnehaha and Pennington are the only counties that will be examined separately. In Minnehaha County, Native Americans had proportionally more status offenses and offenses against persons than did whites who had more delinquent offenses. Native Americans comprised 3.1 percent of the population, but had 17.8 percent of all arrests in 2002 in Minnehaha County.

Minnehaha County Arrest Information for 2002			
Category	White	Native American	Total
Total Status Offenses	363 (25.4%)	129 (37.7%)	523 (27.3%)
Total Delinquent Offenses	1066 (74.6%)	213 (62.3%)	1396 (72.7%)
Total Offenses Against Persons*	93 (6.5%)	39 (11.4%)	153 (8.0%)
Total Incidents	1429	342	1919

% = % of the Column Total (status plus delinquent = 100%)

Minnehaha County Population and Arrest Information for 2002 for Persons Ages 10-17			
Category	White	Native American	Total
Number of Persons: Ages 10-17	16,082	543	17,448
Proportion of Persons by Race: Ages 10-17	92.2%	3.1%	
Proportion of All Offenses	74.5%	17.8%	
Proportion of Status Offenses	69.4%	24.7%	
Proportion of Delinquent Offenses	76.4%	15.3%	
Proportion of Offenses Against Persons*	60.8%	25.5%	
Total Incidents	1429	342	1919

*Crimes against Persons

- | | | |
|--|----------------------------|-----------------|
| 1. Murder & non-negligent manslaughter | 4. Robbery | 7. Sex offenses |
| 2. Manslaughter by negligence | 5. Aggravated assault | |
| 3. Forcible rape | 6. Other assaults (simple) | |

Pennington County-2002

In considering arrests in Pennington County, Native Americans had proportionally about the same ratio of status offenses, delinquent offenses, and offenses against persons as did whites in 2002. Native Americans ages 10-17 comprised 12.1 percent of the population (OJJDP, 2003), but had 44.2 percent of all arrests in 2002 in Pennington County.

Pennington County Arrest Information for 2002			
Category	White	Native American	Total
Total Status Offenses	335 (25.0%)	283 (25.3%)	634 (25.0%)
Total Delinquent Offenses	1006 (75.0%)	835 (74.7%)	1898 (75.0%)
Total Offenses Against Persons*	104 (7.8%)	88 (7.9%)	196 (7.7%)
Total Incidents	1341	1118	2532

% = % of the Column Total (status plus delinquent = 100%)

Pennington County Population and Population Information for 2002 for Persons Ages 10-17			
Category	White	Native American	Total
Number of Persons: Ages 10-17	9,194	1,311	10,869
Proportion of Persons by Race: Ages 10-17	84.6%	12.1%	
Proportion of All Offenses	53.0%	44.2%	
Proportion of Status Offenses	52.8%	44.6%	
Proportion of Delinquent Offenses	53.0%	44.0%	
Proportion of Offenses Against Persons*	53.1%	44.9%	
Total Incidents	1341	1118	2532

*Crimes against Persons

- | | | |
|--|----------------------------|-----------------|
| 1. Murder & non-negligent manslaughter | 4. Robbery | 7. Sex offenses |
| 2. Manslaughter by negligence | 5. Aggravated assault | |
| 3. Forcible rape | 6. Other assaults (simple) | |

Statewide Arrests-2003

Arrest information for adolescents is not currently available statewide by individuals or by incidence-based, but only by summarized data. In looking at statewide arrest data for 2003, it can be noted that whites had (proportionally) more status offenses, while Native Americans had more delinquent offenses and offenses against persons. Statewide Native Americans comprised 14.1 percent of the 10-17 years old adolescents, but had 29.4 percent of the reported arrests.

Statewide Arrest Information for 2003			
Category	White	Native American	Total
Total Status Offenses	1,875 (32.6%)	764 (30.3%)	2,726 (31.8%)
Total Delinquent Offenses	3,869 (67.4%)	1,757 (69.7%)	5,844 (68.2%)
Total Offenses Against Persons*	316 (5.5%)	207 (8.2%)	553 (6.4%)
Total Incidents	5,744	2,521	8,570

% = % of the Column Total (status plus delinquent = 100%)

Statewide Population and Arrest Information for 2003 for Persons Ages 10-17			
Category	White	Native American	Total
Number of Persons: Ages 10-17	78,236	13,223	93,466
Proportion of Persons by Race: Ages 10-17	83.7%	14.1%	
Proportion of All Offenses	67.0%	29.4%	
Proportion of Status Offenses	68.8%	28.0%	
Proportion of Delinquent Offenses	66.2%	30.1%	
Proportion of Offenses Against Persons*	57.1%	37.4%	
Total Incidents	5,744	2,521	8,570

*Crimes against Persons

- | | | |
|--|----------------------------|-----------------|
| 1. Murder & non-negligent manslaughter | 4. Robbery | 7. Sex offenses |
| 2. Manslaughter by negligence | 5. Aggravated assault | |
| 3. Forcible rape | 6. Other assaults (simple) | |

Minnehaha County 2003

Consistent with the 2002 information, Minnehaha County Native Americans had proportionally more status offenses and offenses against persons than did whites who had more delinquent offenses. Native Americans comprised 3.1 percent of the population (OJJDP, 2003), but had 14.2 percent of all arrests in 2003 in Minnehaha County. Based on school enrollment figures provided by the South Dakota Department of Education, the number of Native American students in school for those age levels in Minnehaha County was 648 or about 19 percent higher than the 543 reported by OJJDP. This would increase the percent of Native Americans to 3.9 percent.

Minnehaha County Arrest Information for 2003			
Category	White	Native American	Total
Total Status Offenses	573 (33.4%)	131 (42.3%)	758 (34.6%)
Total Delinquent Offenses	1143 (66.6%)	179 (57.7%)	1432 (65.4%)
Total Offenses Against Persons*	80 (4.7%)	33 (10.6%)	132 (6.0%)
Total Incidents	1716	310	2190

% = % of the Column Total (status plus delinquent = 100%)

Minnehaha County Population and Arrest Information for 2003 for Persons Ages 10-17			
Category	White	Native American	Total
Number of Persons: Ages 10-17	16,082	543	17,448
Proportion of Persons by Race: Ages 10-17	92.2%	3.1%	
Proportion of All Offenses	78.4%	14.2%	
Proportion of Status Offenses	75.6%	17.3%	
Proportion of Delinquent Offenses	79.8%	12.5%	
Proportion of Offenses Against Persons*	60.6%	25.0%	
Total Incidents	1716	310	2190

*Crimes against Persons

- | | | |
|--|----------------------------|-----------------|
| 1. Murder & non-negligent manslaughter | 4. Robbery | 7. Sex offenses |
| 2. Manslaughter by negligence | 5. Aggravated assault | |
| 3. Forcible rape | 6. Other assaults (simple) | |

Pennington County-2003

In considering arrests in Pennington County, Native Americans had proportionally more status offenses, less delinquent offenses, but more offenses against persons than did whites in 2003. Native Americans ages 10-17 comprised 12.1 percent of the population (OJJDP, 2003), but had 46.0 percent of all arrests in 2003 in Pennington County. According to information provided by the South Dakota Department of Education, the number of Native American students in school for those age levels in Pennington County was 1,624 or about 24 percent higher than the 1,311 reported by OJJDP. This would increase the percent of Native Americans to 15.0 percent.

Pennington County Arrest Information for 2003			
Category	White	Native American	Total
Total Status Offenses	272 (19.2%)	295 (23.0%)	583 (25.0%)
Total Delinquent Offenses	1145 (80.8%)	985 (77.0%)	2202 (75.0%)
Total Offenses Against Persons*	95 (6.7%)	91 (7.1%)	195 (7.0%)
Total Incidents	1417	1280	2785

% = % of the Column Total (status plus delinquent = 100%)

Pennington County Population and Arrest Information for 2003 for Persons Ages 10-17			
Category	White	Native American	Total
Number of Persons: Ages 10-17	9,194	1,311	10,869
Proportion of Persons by Race: Ages 10-17	84.6%	12.1%	
Proportion of All Offenses	50.9%	46.0%	
Proportion of Status Offenses	46.7%	50.6%	
Proportion of Delinquent Offenses	52.0%	44.7%	
Proportion of Offenses Against Persons*	48.7%	46.7%	
Total Incidents	1417	1280	2785

*Crimes against Persons

- | | | |
|--|----------------------------|-----------------|
| 1. Murder & non-negligent manslaughter | 4. Robbery | 7. Sex offenses |
| 2. Manslaughter by negligence | 5. Aggravated assault | |
| 3. Forcible rape | 6. Other assaults (simple) | |

Statewide 2002-Type of Offenses-Top Five Categories

In considering types of reported offenses in 2002, there were some differences noted by race/ethnicity with more liquor law offenses reported for whites (24%) than for Native Americans (19%) and more 'All Other Offenses' for Native Americans. Marijuana was one of the 'top five' categories for whites, but not for Native Americans and simple assault was a 'top five' for Native Americans, but not for whites.

Statewide-2002		
White	Native American	Total
5553 Incidents	2225 Incidents	8032 Incidents
24% Liquor Laws	24% All Other Offenses (Except Traffic)	22% Liquor Laws
21% All Other Offenses (Except Traffic)	19% Liquor Laws	21% All Other Offenses (Except Traffic)
15% Larceny	17% Larceny	15% Larceny
7% Possession of Marijuana	7% Other Assaults (Simple)	7% Runaway
7% Runaway	7% Runaway	6% Other Assaults (Simple)

Minnehaha 2002-Type of Offenses-Top Five Categories

In Minnehaha County in 2002, larceny and possession of marijuana happened more frequently for whites than for Native Americans; and liquor law violations, runaway, disorderly conduct, and simple assault offenses were more prevalent for Native Americans than for whites.

Minnehaha-2002		
White	Native American	Total
1429 Incidents	342 Incidents	1919 Incidents
23% Larceny	19% Liquor Laws	21% Larceny
13% Liquor Laws	19% Runaway	14% Liquor Laws
13% Possession of Marijuana	15% Disorderly Conduct	13% Runaway
12% All Other Offenses (Except Traffic)	13% Larceny	12% Disorderly Conduct
12% Runaway	10% Other Assaults (Simple)	11% All Other Offenses (Except Traffic)

Pennington 2002-Type of Offenses-Top Five Categories

Arrest rates by categories of offenses were similar by ethnicity. Native Americans were reported to have committed slightly more larceny and simple assault offenses than did whites.

Pennington-2002		
White	Native American	Total
1341 Incidents	1118 Incidents	2532 Incidents
35% All Other Offenses (Except Traffic)	35% All Other Offenses (Except Traffic)	35% All Other Offenses (Except Traffic)
20% Liquor Laws	19% Liquor Laws	19% Liquor Laws
14% Larceny	17% Larceny	15% Larceny
6% Disorderly Conduct	7% Other Assaults (Simple)	6% Other Assaults (Simple)
5% Other Assaults (Simple)	4% Disorderly Conduct	5% Disorderly Conduct

Statewide 2003-Type of Offenses-Top Five Categories

Consistent with the information available for types of offenses reported in 2002, whites had more liquor law incidences than Native Americans and whites had fewer 'All Other Offenses' than did Native Americans.

Statewide-2003		
White	Native American	Total
5744 incidents	2521 incidents	8570 incidents
23% Liquor Laws	25% All Other Offenses (Except Traffic)	22% All Other Offenses (Except Traffic)
21% All Other Offenses (Except Traffic)	17% Liquor Laws	21% Liquor Laws
14% Larceny	14% Larceny	14% Larceny
9% Possession of Marijuana	8% Runaway	7% Possession of Marijuana
7% Runaway	6% Other Assaults (Simple)	7% Runaway

Minnehaha 2003-Type of Offenses-Top Five Categories

In Minnehaha County in 2003, possession of marijuana was more frequently indicated for whites than for Native Americans; and runaway and disorderly conduct offenses were more common for Native Americans than for whites.

Minnehaha-2003		
White	Native American	Total
1716 Incidents	310 Incidents	2190 Incidents
20% Liquor Laws	24% Runaway	20% Liquor Laws
16% Larceny	19% Liquor Laws	16% Larceny
16% Possession Marijuana	16% Larceny	14% Runaway
12% Runaway	10% Disorderly Conduct	13% Possession Marijuana
12% All Other Offenses (Except Traffic)	10% All Other Offenses (Except Traffic)	12% All Other Offenses (Except Traffic)

Pennington 2003-Type of Offenses-Top Five Categories

Arrest rates by categories of offenses were similar by ethnicity for reported offenses in 2003. Native Americans were reported to have committed fewer larceny and 'all other offenses' offenses and somewhat more disorderly conduct offenses than did whites. Each group had the same 'top five' offenses.

Pennington-2003		
White	Native American	Total
1417 Incidents	1280 Incidents	2785 Incidents
40% All Other Offenses (Except Traffic)	38% All Other Offenses (Except Traffic)	39% All Other Offenses (Except Traffic)
18% Larceny	16% Larceny	17% Larceny
14% Liquor Laws	14% Liquor Laws	14% Liquor Laws
6% Other Assaults (Simple)	6% Disorderly Conduct	6% Other Assaults (Simple)
4% Disorderly Conduct	5% Other Assaults (Simple)	5% Disorderly Conduct

2. Decision Point: Intake Officer Decision

Information was not available for the analysis of this decision point.

3. Decision Point: Detention Summary by Detention Data Sets

The table below presents the summary detention information for the three detention data sets, which are: Minnehaha County JDC, Pennington County JDC, and all other jails and JDC's. In this analysis, only one entry per person was used. Statewide, Native Americans comprised nearly one-third of the total detention population for 2002. Information on Hispanics was not an option for the Pennington County JDC.

Ethnicity – 2002 One Case Per Person

Race/Ethnicity Category	All Others Besides Minnehaha and Pennington	Minnehaha County JDC	Pennington County JDC	Total All Detentions
Asian	0 (0.0%)	9 (1.4%)	8 (0.9%)	17 (0.9%)
Black	5 (1.2%)	46 (7.3%)	17 (2.0%)	68 (3.6%)
Hispanic	3 (0.7%)	28 (4.4%)	NA	31 (1.6%)
Native American	105 (26.0%)	139 (22.1%)	369 (42.7%)	613 (32.3%)
White	288 (71.3%)	398 (63.2%)	468 (54.2%)	1154 (60.8%)
Other/Unknown	3 (0.7%)	10 (1.6%)	2 (0.2%)	15 (0.8%)
Total	404	630	864	1898

Main Detention Data Set (All Jails and JDC's – Minus Minnehaha County JDC and Pennington County JDC)

The assessment of the 'main' detention data set is outlined below. The three data sets (main, Pennington, and Minnehaha) are examined separately because of differing variables and ID designations. The 'main' detention data set includes all JDC's and other jail facilities with the exception of the JDC's in Pennington County and Minnehaha County. Because it was difficult to assess individual or incidence cases, the information presented below is based on the occurrences or 'incidences' in the data set and the last occurrence in the data set, if more than one.

It can be noted that Native Americans comprised 29.4 percent of all cases and 26.0 percent of the single event 'episodes' in 2002.

Main Detention Data Set Ethnicity – 2002 One Case Per Person

Category	Frequency	Percent
Black	5	1.2
Hispanic	3	.7
Native American	105	26.0
White	288	71.3
Unknown	3	.7
Total	404	

Main Detention Data Set
Ethnicity – 2002 All Possible Cases

Category	Frequency	Percent
Black	11	1.1
Hispanic	9	.9
Native American	284	29.4
White	659	68.1
Unknown	4	.4
Total	967	

In looking at detention information by ethnicity and gender, it was found that Native Americans comprised nearly 35 percent (42/119) of the detained females, and about 22 (63/285) percent of detained males.

Main Detention Data Set
Ethnicity – 2002 One Case Per Person

Category	Frequency		Percent	
	Females	Males	Females	Males
Black	1	4	20.0	80.0
Hispanic	2	1	66.7	33.3
Native American	42	63	40.0	60.0
White	73	215	25.4	74.6
Unknown	1	2	33.3	66.7
Total	119	285	29.4	70.6

Main Detention Data Set
Ethnicity – 2002 All Possible Cases

Category	Frequency		Percent	
	Females	Males	Females	Males
Black	2	9	18.2	81.9
Hispanic	7	2	77.8	22.2
Native American	100	184	35.2	64.8
White	173	486	26.3	73.7
Unknown	2	2	50.0	50.0
Total	284	683	29.4	70.6

Days in Detention

In examining the number of days spent in detention of those who stayed at least some time in the detention centers, it was found that Native Americans averaged more days than did whites. Native Americans had significantly ($p < .001$) greater severity of offenses, explaining some of the differences in days in detention by race. To further assess these differences in days and make greater sense out of the results, one would need to know other reasons for incarceration, distances from county of residence, past criminal history, family situations, resources in home community, etc.

**Main Detention Data Set
Days in Detention – One Case Per Person - 2002**

Gender Groups	Mean Number of Days	Standard Deviation	Probability
Females	21.7	56.5	.12
Males	12.9	29.5	
Ethnic Groups			
Native Americans	24.1	46.2	.03*
Whites	11.7	26.6	

*Significant

Unequal variance = Satterthwaite correction for both above

**Main Detention Data Set
Days in Detention – All Possible Cases - 2002**

Gender Groups	Mean Number of Days	Standard Deviation	Probability
Females	17.8	46.6	.25
Males	14.2	35.6	
Ethnic Groups			
Native Americans	20.3	46.3	.001*
Whites	11.5	27.8	

*Significant

Minnehaha County Detention Information for 2002

The results for Minnehaha County are presented by number of individuals (630 distinct individuals) and incidences (855 distinct incidences by the 630 persons for an average of 1.36 per individual). Native Americans comprised 22.1 percent of the persons and 21.3 percent of the incidences, while whites accounted for 63.2 percent of the individuals and 63.6 percent of the incidences.

**Minnehaha County JDC
Ethnicity – 2002 One Case Per Person**

Category	Frequency	Percent
Asian	9	1.4
Black	46	7.3
Hispanic	28	4.4
Native American	139	22.1
White	398	63.2
Other	10	1.6
Total	630	

Minnehaha County JDC
Ethnicity – 2002 All Possible Cases

Category	Frequency	Percent
Asian	16	1.9
Black	68	8.0
Hispanic	36	4.2
Native American	182	21.3
White	540	63.2
Other	13	1.5
Total	855	

In examining gender, it can be seen that males outnumber females by nearly a two to one margin. There were notable exceptions for Asians and Native Americans in which there were nearly an equal proportion of males and females.

Minnehaha County JDC
Ethnicity by Gender – 2002 One Case Per Person

Category	Frequency		Percent	
	Females	Males	Females	Males
Asian	4	5	44.4	55.6
Black	13	33	28.3	71.7
Hispanic	9	19	32.1	67.9
Native American	65	74	46.8	53.2
White	143	255	35.9	64.1
Other	2	8	20.0	80.0
Total	236	394	37.5	62.5

Minnehaha County JDC
Ethnicity by Gender – 2002 All Possible Cases

Category	Frequency		Percent	
	Females	Males	Females	Males
Asian	8	8	50.0	50.0
Black	20	48	29.4	70.6
Hispanic	10	26	27.8	72.2
Native American	91	91	50.0	50.0
White	198	342	36.7	63.3
Other	2	11	15.4	84.6
Total	329	526	38.5	61.5

There were no significant differences by gender or ethnicity in the amount of time in detention either by last occurrence or by incidences. The severity of the offenses committed by white (mean = 13.2) adolescents were significantly ($p = .01$) greater than those of Native Americans (12.4).

Days in Detention (Time Out minus Time In)

2002-Minnehaha County JDC One Case Per Person

Gender Groups	Mean Number of Days	Standard Deviation	Probability
Females	19.9	30.9	.60
Males	18.6	26.5	
Ethnic Groups			
Native Americans	17.1	23.6	.34
Whites	19.8	27.3	

Days in Detention (Time Out minus Time In)**2002-Minnehaha County JDC All Possible Cases**

Gender Groups	Mean Number of Days	Standard Deviation	Probability
Females	18.3	28.7	.81
Males	17.8	24.9	
Ethnic Groups			
Native Americans	16.6	25.3	.47
Whites	18.2	27.0	

Actual days sentenced was another factor considered in the analysis. There were no significant differences in days sentenced as a sanction by gender or ethnicity. The offenses committed by whites (mean = 13.5) were significantly ($p = .01$) more severe than those committed by Native Americans (12.2).

Days Sentenced**2002-Minnehaha County JDC One Case Per Person**

Gender Groups	Mean Number of Days Sentenced	Standard Deviation	Probability
Females	4.27	15.3	.42
Males	5.73	25.0	
Ethnic Groups			
Native Americans	2.94	17.4	.11
Whites	6.58	24.9	

Days Sentenced**2002-Minnehaha County JDC All Possible Cases**

Gender Groups	Mean Number of Days Sentenced	Standard Deviation	Probability
Females	4.27	15.1	.23
Males	6.05	24.0	
Ethnic Groups			
Native Americans	3.05	17.6	.11
Whites	5.93	22.1	

Pennington County Detention Information for 2002

The results for Pennington County are presented by number of individuals (864 distinct individuals) and incidences (2347). This is not a true incident, but rather the number of offenses charged in the law enforcement contact. The days of detention are listed the same for each offense. For example, a person could be stopped by law enforcement and arrested for theft, unauthorized use of vehicle, and runaway. These will be listed as three offenses in the detention data set with 8 days listed for each offense. Native Americans comprised 42.7 percent of the persons and 50.1 percent of the entries in the data set, while whites account for 54.2 percent of the individuals and 46.9 percent of the 'incidences' or entries.

**Pennington County JDC
Ethnicity – 2002 One Case Per Person**

Category	Frequency	Percent
Asian	8	.9
Black	17	2.0
Native American	369	42.7
White	468	54.2
Other	2	.2
Total	864	

**Pennington County JDC
Ethnicity – 2002 All Cases**

Category	Frequency	Percent
Asian	28	1.2
Black	39	1.7
Native American	1177	50.1
White	1100	46.9
Other	3	.1
Total	2347	

In examining gender, it can be seen that males outnumber females by nearly a two to one margin. In looking at individuals, there are higher proportions of females for Blacks and Native Americans.

**Pennington County JDC
Ethnicity by Gender – 2002 One Case Per Person**

Category	Frequency		Percent	
	Females	Males	Females	Males
Asian	2	6	25.0	75.0
Black	7	10	41.2	58.8
Native American	160	209	43.4	56.6
White	149	319	31.8	68.2
Other	1	1	50.0	50.0
Total	319	545	36.9	63.1

**Pennington County JDC
Ethnicity by Gender – 2002 All Possible Cases**

Category	Frequency		Percent	
	Females	Males	Females	Males
Asian	13	15	46.4	53.6
Black	11	28	28.2	71.8
Native American	437	740	37.1	62.9
White	361	739	32.8	67.2
Other	1	2	33.3	66.7
Total	823	1524	35.1	64.9

In general there was little difference by gender or ethnicity in the amount of time in detention either by individuals' last occurrence or by incidences. Males (33.6) did receive significantly more days than females (26.5), based on one contact per person.

Males committed significantly ($p=.001$) more severe offenses than did females, but there were no differences by race in the severity of offenses.

Pennington County JDC

Days in Detention (of those with greater than zero days)

2002- One Case Per Person

Gender Groups	Mean Number of Days	Standard Deviation	Probability
Females	26.5	26.1	.001*
Males	33.6	36.3	
Ethnic Groups			
Native Americans	30.3	36.8	.23
Whites	32.7	29.0	

*Significant

Pennington County JDC

Days in Detention (of those with greater than zero days)

2002- All Possible Cases

Gender Groups	Mean Number of Days	Standard Deviation	Probability
Females	27.3	25.8	.28
Males	30.7	33.2	
Ethnic Groups			
Native Americans	28.9	33.9	.61
Whites	30.5	28.3	

4. Decision Point: Temporary Custody Hearing

Information was not available for the analysis of this decision point.

5. Decision Point: State's Attorney Action

Information was not available for the analysis of this decision point.

6. Decision Point: Adjudication of Adolescents

Procedure: All Cases in Data Set and Individual Cases

It was assumed that if a person was in the sentencing file, he/she would have been formally adjudicated. To make certain that the 'paper' work and the data entry was completed, persons with disposition dates in 2005 were excluded from the analysis. In examining the percent of Native American adolescents between the demographic file and the combined demographic and sentencing file, it can be noted from the tables below that Native Americans comprised 16 percent of the demographic data set and 17.9 percent of the combined demographic and sentencing file, while whites constituted 81 percent of the demographic file and 78.8 percent of the combined demographic and sentencing file. Several data problems exist: 1) of the 10,078 persons in the sentencing file, 2441 could not be matched by UJSID number with persons in the demographic file, reducing the number of persons to 7667. Of the 7667, race was missing on 1757 or 22.9 percent of the cases. However, in considering significant differences in disposition values between those with race designated and those with race missing, there were only minor differences between the two groups (race designated/not designated).

Race was marginally statistically significant ($p = .05$) when considered in the two variable assessment of race and adjudicated/not adjudicated. However, when race was considered in a multivariate statistical analysis procedure (logistic regression) it was not a significant factor in determining adjudication status. From the table below, it can be noted that a relatively consistent percent of whites/Native Americans between the sentence file and the demographic file.

Race	Percent by Race in Demographic the File	Percent Combined Demographic and Sentence File: Multiple Entries Per Person	Percent Combined Demographic and Sentence File: Single Entry per Person
Native American	16.0% 1881	17.9% 2441	20.1% 1186
White	81.0% 9553	78.8% 10761	76.3% 4509

Source: UJS

In the adjudication analyses, juveniles had been 'convicted' of delinquency, CHINS, or both CHINS and delinquency types of offenses. In the logistic regression procedure, race was not significantly related to adjudication status. In fact, race did not meet the cutoff values needed for inclusion in the final regression equation. However, the other factors listed in the table below were statistically significantly related. Higher Wald values are indicative of the importance of those factors in predicting adjudication. The number of times on probation and pre-hearing detention were the best variables in assessing adjudication status.

Adjudicated: Statistical Procedure = Logistic Regression

Factor	Wald	Probability	Comments
Race	-	-	Race was not selected in the backward conditional method
Gender	8.2	.004*	Females more likely to be adjudicated
Circuit	119.7	.001*	Circuit 1 had higher percent; Circuit 6 lower percent adjudicated

Pre-Hearing Detention	696.4	.001*	Pre-hearing detention = greater likelihood of being adjudicated
Severity of Offense	57.9	.001*	More severe the offense = greater the likelihood of being adjudicated
Age	91.4	.001*	Younger more likely to be adjudicated
Number of Times in Probation File	3448.7	.001*	More times on probation = greater likelihood of being adjudicated

*Significant
R-Square = .56

Source: UJS

7. Decision Point: Dispositions
Disposition Information for UJS Data-Summary of Results
Summary of Statewide Results

To increase the validity of the results, three methods were used in the analyses of the dispositional information: 1) using all eligible entries allowing for multiple cases per person; 2) using all eligible entries allowing for multiple cases per person for the last four years; 3) and, selecting one case per person with the most severe offense used as the selection criterion (for those with more than one entry in the system).

In examining the state-wide disposition results, it can be noted that overall there was only one (incarceration time) difference by race. For Method 2, Native Americans (37 days) were found to have significantly higher detention time than whites (30 days). The most important factors in determining time or amounts were: severity of offense, circuit, pre-hearing detention, and age.

Summary of Disposition Results-Statewide

Disposition	Method 1: Multiple Cases All	Method 2: Multiple Cases-2001- 2004	Method 3: Most Severe Offense	Overall Results
Detention Time	Race: p = .39	Race: p = .15	Race: p = .34	Not significant
Incarceration Time	Race: p = .06	Race: p = .04* Interaction	Race: p = .73	Not significant
Probation Time	Race: p = .57	Race: p = .50	Race: p = .26	Not significant
Community Service Time	Race: p = .93	Race: p = .72	Race: p = .73	Not significant
Fine Amount	Race: p = .51	Race: p = .23	Race: p = .11	Not significant
Restitution Amount	Race: p = .06	Race: p = .85	Race: p = .16	Not significant
Drivers License Suspended	Race: p = .57	Race: p = .49	Race: p = .11	Not significant

*Statistically significant

Detention time was converted to days.

Incarceration time was converted to days.

Probation time is months.

Community service time is hours.

Fine amount is dollars.

Restitution amount is dollars.

Drivers license suspended time was converted to days.

Summary of Disposition Results-Minnehaha County

In considering persons from Minnehaha County, the only difference by race was for detention. Native American adolescents received more detention time (overall mean = 52.7) than did white youth (overall mean=33.3) for each of the three methods use. In considering all analyses, the most important factors in sentencing were: severity of offense, pre-hearing detention, and age.

Summary of Disposition Results-Minnehaha County

Disposition	Method 1: Multiple Cases All	Method 2: Multiple Cases-2001- 2004	Method 3: Most Severe Offense	Overall Results
Detention Time	Race: p = .04* NA=48, W=35	Race: p = .05* NA=47 W=34	Race: p = .01* NA=63, W=31	Native Americans received greater time
Incarceration Time	Race: p = .17	Race: p = .09	Race: p = .99	Not significant
Probation Time	Race: p = .22	Race: p = .21	Race: p = .11	Not significant
Community Service Time	Race: p = .53	Race: p = .57	Race: p = .77	Not significant
Fine Amount	Race: p = .77	Race: p = .81	Race: p = .52	Not significant
Restitution Amount	Race: p = .99	Race: p = .99	Race: p = .99	Not significant
Drivers License Suspended	Race: p = .75	Race: p = .80	Race: p = .89	Not significant

*Statistically significant

Detention time was converted to days.

Incarceration time was converted to days.

Probation time is months.

Community service time is hours.

Fine amount is dollars.

Restitution amount is dollars.

Drivers license suspended time was converted to days.

Summary of Disposition Results-Pennington County

There were no statistically significant results for race/ethnicity by disposition type for adolescents from Pennington County. The most important factors in sentencing were: severity of offense, pre-hearing detention, and age.

Summary of Disposition Results-Pennington County

Disposition	Method 1: Multiple Cases All	Method 2: Multiple Cases-2001- 2004	Method 3: Most Severe Offense	Overall Results
Detention Time	Race: p = .33	Race: p = .78	Race: p = .19	Not significant
Incarceration Time	Race: p = .35	Race: p = .73	Race: p = .10	Not significant
Probation Time	Race: p = .32	Race: p = .36	Race: p = .26	Not significant
Community Service Time	Race: p = .44	Race: p = .57	Race: p = .61	Not significant
Fine Amount	Race: p = .51	Race: p = .22	Race: p = .23	Not significant
Restitution Amount	Race: p = .95	Race: p = .79	Race: p = .27	Not significant
Drivers License Suspended	Race: p = .31	Race: p = .20	Race: p = .64	Not significant

Detention time was converted to days.

Incarceration time was converted to days.

Probation time is months.

Community service time is hours.

Fine amount is dollars.

Restitution amount is dollars.

Drivers license suspended time was converted to days.

**Dispositional Option: Detention Time from Court Sentencing Information
Procedure: All Cases 2001-2004-Statewide Data**

In the section of the disposition analyses, all cases from 2001 through 2004 were used in the data analysis. The same statistical procedures were used for all persons in the data set and for the most severe offense. In order to improve the continuity of this report, these (all persons in data set, and most severe offense) analyses are placed in the Appendices B and C, respectively.

Detention Time

In considering juveniles with detention time as an adjudication, there were some significant factors, although race was not a statistically significant factor ($p=.32$). The variables statistically significant were: gender, circuit, pre-hearing detention, severity of offense, age, and the interactions between race and circuit and race and severity.

Detention Time-Days

Factor	F Value	Probability	Comments
Race	.98	.32	Not Significant
Gender	5.65	.02*	Significant
Circuit	23.38	.001*	5 Higher; 1, 3 & 4 lower
Pre-Hearing Detention	14.76	.001*	Pre-hearing detention = greater detention time
Race* Gender	3.11	.08	Not Significant
Race* Circuit	17.12	.001*	Native Americans = higher in some (5, 6) and whites = higher in some (3, 4)
Race* Severity	18.97	.001*	Native Americans higher at some levels and whites higher in other levels
Severity of Offense	29.65	.001*	More severe the offense = greater the time
Age	4.36	.04*	Older = greater amount of time

*Significant Males = 44.9days, Females = 25.8 days

Source: UJS

Statistical Procedures: Regression, Analysis of Covariance Using Type III Sum of Squares

N= 1308

R-Square = .13

Mean = 39.2 days

**Dispositional Option: Incarceration Time from Court Sentencing Information
Procedure: All Cases 2001-2004-Statewide Data**

Incarceration Time

Race, pre-hearing detention, the interaction between race and severity, and age were statistically significant factors. Native American youth received more incarceration time (37.1 days) than did white adolescents (29.7 days).

Incarceration Time-Days

Factor	F Value	Probability	Comments
Race	4.22	.04*	Native Americans sentenced to more days than whites#
Gender	.16	.69	Not Significant
Circuit	2.08	.06	Not Significant
Pre-Hearing Detention	8.11	.01*	Pre-hearing detention = greater incarceration
Race*Gender	.05	.83	Not Significant
Race*Circuit	.75	.59	Not Significant
Race*Severity	4.83	.03*	NA more time at lower severity levels, whites more time at higher levels
Severity of Offense	.04	.84	Not Significant
Age	4.45	.04*	Older = greater incarceration time

*Significant

#NA=37.1, White=29.7

Source: UJS

Statistical Procedures: Regression, Analysis of Covariance Using Type III Sum of Squares

N= 214

R-Square = .18

Mean = 32.2 days

**Dispositional Option: Probation Time from Court Sentencing Information
Procedure: All Cases 2001-2004-Statewide Data**

Probation

All of the independent variables were significantly related to probation with the exception of race, gender, and the interactions between race and gender and race and circuit and race and severity of offense.

Probation Time-Months

Factor	F Value	Probability	Comments
Race	.46	.50	Not Significant
Gender	2.39	.12	Not Significant
Circuit	34.45	.001*	6 higher; 1 & 2 lower
Pre-Hearing Detention	48.16	.001*	Pre-hearing detention = greater probation
Race*Gender	.43	.51	Not Significant
Race*Circuit	1.77	.10	Not Significant
Race*Severity	.33	.57	Not Significant
Severity of Offense	32.15	.001*	More severe the offense = greater the probation time
Age	53.00	.001*	Younger = greater probation time

*Significant

Source: UJS

Statistical Procedures: Regression, Analysis of Covariance Using Type III Sum of Squares

N= 4105

R-Square = .12

Mean = 8.8 months

**Dispositional Option: Community Service Time from Court Sentencing Information
Procedure: All Cases 2001-2004-Statewide Data**

Community Service

Circuit, pre-hearing detention, severity of offense, and age were significantly associated with community service hours.

Community Service-Hours

Factor	F Value	Probability	Comments
Race	.13	.72	Not Significant
Gender	.87	.35	Not Significant
Circuit	5.57	.001*	5 higher; 1 lower
Pre-Hearing Detention	7.69	.006*	Pre-hearing detention = greater probation
Race*Gender	1.17	.28	Not Significant
Race*Circuit	1.25	.28	Not Significant
Race*Severity	1.52	.22	Not Significant
Severity of Offense	14.26	.001*	More severe the offense = greater the community service
Age	15.36	.001*	Older = greater amount of community service time

*Significant

Source: UJS

Statistical Procedures: Regression, Analysis of Covariance Using Type III Sum of Squares

N= 1800

R-Square = .10

Mean = 36.7 hours

**Dispositional Option: Fine Amount from Court Sentencing Information
Procedure: All Cases 2001-2004-Statewide Data**

Fine

Circuit, severity of offense, and age were significantly related to fine amount.

Fine-Dollars

Factor	F Value	Probability	Comments
Race	1.45	.23	Not Significant
Gender	.25	.62	Not Significant
Circuit	3.23	.004*	1 & 6 higher; 2 & 7 lower
Pre-Hearing Detention	.47	.50	Not Significant
Race*Gender	.39	.53	Not Significant
Race*Circuit	1.25	.28	Not Significant
Severity of Offense	129.77	.001*	More severe the offense = greater the fine
Age	38.68	.001*	Older = greater amount of fine

*Significant

Source: UJS

Statistical Procedures: Regression, Analysis of Covariance Using Type III Sum of Squares

N= 1382

R-Square = .25

Mean = \$80.20

**Dispositional Option: Restitution Amount from Court Sentencing Information
Procedure: All Cases 2001-2004-Statewide Data**

Restitution

Gender, severity of offense, and age were statistically significant variables. Males received a significantly higher restitution sentence (\$803) than did females (\$422).

Restitution-Dollars

Factor	F Value	Probability	Comments
Race	.04	.85	Not Significant
Gender	3.79	.05*	Males higher
Circuit	.90	.49	Not Significant
Pre-Hearing Detention	.44	.51	Not Significant
Race*Gender	.75	.39	Not Significant
Race*Circuit	1.44	.21	Not Significant
Race*Severity	1.42	.23	Not Significant
Severity of Offense	10.95	.001*	More severe the offense = greater the restitution
Age	5.35	.02	Older = higher amount of restitution

*Significant Males = 803, Females =422

Source: UJS

Statistical Procedures: Regression, Analysis of Covariance Using Type III Sum of Squares

N= 413

R-Square = .13

Mean = \$737.76

Dispositional Option: Drivers License Suspension Time from Court Sentencing Information Procedure: All Cases 2001-2004-Statewide Data

Drivers License Suspension Time

Gender, circuit, and pre-hearing detention were significantly related to drive's license suspension time. Males received a significantly higher amount (95 days) of suspension time than did females (74 days).

Drivers License Suspension Time -Days

Factor	F Value	Probability	Comments
Race	.48	.49	Not Significant
Gender	9.08	.003*	Males higher#
Circuit	6.96	.001*	Significant
Pre-Hearing Detention	8.38	.004*	Significant
Race*Gender	1.08	.30	Not Significant
Race*Circuit	1.28	.27	Not Significant
Race*Severity	1.91	.17	Not Significant
Severity of Offense	.07	.80	Not Significant
Age	.05	.82	Not Significant

*Significant

#Males = 95, Females = 74

Source: UJS

Statistical Procedures: Regression, Analysis of Covariance Using Type III Sum of Squares

N= 1381

R-Square = .15

Mean = 86.9 days

Dispositional Option: DOC Commitment from Court Adjudication

Because there were several ways to determine DOC commitments after adjudication and since each method was unique, three separate analyses were conducted using two methodologies each. The three DOC commitment designations were: 1) DOC commitment designated from UJS sentencing data; 2) matched by names between DOC and UJS data set; 3) and, a 'positive' DOC commitment by both 1 and 2 above. The two analyses methodologies for the three designations were: all persons in the data set, allowing for multiple records per persons; and, the last record by individuals (if more than one record), allowing for one incident per person. These multiple analyses were necessary, because the data sets have varying units of analysis. Sometimes multiple entries are made for the same incidents. While it is possible to track an individual with multiple entries in a 'folder file' data system, it is not feasible with thousands of cases to write computer code that applies to each individual.

At any rate, the three DOC commitment designations and two methodologies all point to the same results: Native Americans were more likely to be committed to DOC than were whites. The average Relative Risk for the six analyses was 1.9, meaning that Native American adolescents

were about twice as likely to be committed to DOC as were white adolescents. YLS information was not available for this statistical analysis, because only clients sentenced to DOC had YLS scores. See Appendix D for a discussion of the YLS.

**Dispositional Option: DOC Commitment from UJS
Procedure: DOC Placement from UJS Data Set**

Based on DOC commitment from the UJS ‘sentencing’ data set, Native Americans were about two times more likely to be placed than whites. In conducting a logistic regression procedure, it was noted that race was still a significant factor after controlling for severity of offense, age, circuit, pre-hearing detention, gender, probation, and interaction factors. In the multivariate analysis race was significant, but not as important as severity of offense, circuit, pre-hearing detention, and probation in determining commitment.

UJS Declared Commitment

Ethnicity/Race	Percent Placed: DOC-Multiple Entries Possible	Percent Placed: DOC-Single Entry per Person	Probability
Native American	13.4%	19.9%	.001*
White	6.5%	9.5%	

*Each significant at the .001 level.

N=8402, 4637, R-Square = .32

Source: UJS

Statistical procedure: Regression, Analysis of Covariance with Type III Sums of Squares, Chi Square

Dispositional Option: DOC Commitment from UJS
Procedure: Match of UJS and DOC Names

In considering DOC commitments based on matches of names between UJS and DOC data sets, Native Americans were about 1.5 times more likely to be committed than whites. When various factors were considered in a logistic regression procedure, it was found that race was still a significant variable after controlling for severity of offense, age, circuit, pre-hearing detention, gender, and interaction factors. Race was significant, but not as important as severity of offense, gender, pre-hearing detention, and circuit in determining DOC commitment.

DOC Match with UJS Data Set

Ethnicity/Race	Percent Placed: DOC-Multiple Entries Possible	Percent Placed: DOC-Single Entry per Person	Probability
Native American	8.0%	7.8%	.001*
White	5.3%	5.0%	

*Each significant at the .001 level.

N=12893, 4637

R-Square = .06

Source: UJS, DOC

Statistical procedure: Regression, Analysis of Covariance with Type III Sums of Squares, Chi Square

Dispositional Option: DOC Commitment from UJS
Procedure: Both UJS Declared and Match of UJS and DOC Names

The final DOC assessment was based on: matches of names between UJS and DOC data and, DOC commitment declared in the UJS data set. As with the other analyses, Native Americans were about twice as likely as were whites to be committed to DOC. When factors were considered in a logistic regression procedure, it was found that race was a significant factor after controlling for severity of offense, age, circuit, pre-hearing detention, gender, and interaction factors. Race was significant, but not as important as circuit and probation in determining DOC commitment.

DOC Match with UJS Data Set

Ethnicity/Race	Percent Placed: DOC-Multiple Entries Possible	Percent Placed: DOC-Single Entry per Person	Probability
Native American	4.3%	6.5%	.001*
White	2.1%	3.2%	

*Each significant at the .001 level.

N=7543, 4152

R-Square = .18

Statistical procedure: Regression, Analysis of Covariance with Type III Sums of Squares, Chi Square

Commitment to DOC by Circuit

In examining the rate of sentencing Native Americans to DOC by circuit, it is noted in the table below that Circuits 1 and 2 had high rates of Native Americans committed to DOC. The average RRI rate for each circuit is based on six individual rates from the two procedures (incident, person) with the three methods of determining sentencing to DOC.

Commitment to DOC

Circuit	Average RRI
1	2.9
2	3.6
3	1.0
4	0.9
5	2.1
6	1.8
7	1.9

8. Decision Point: Initial Placement by DOC Race Comparison: White and Native American

A logistic regression procedure was used to determine the best factors in predicting placement in secure/non-secure facilities at initial placement by DOC. Five significant factors were found in the backward conditional regression procedure. The factors in order of significance were: interaction between race and gender, disruptive behavior on school property, age, delinquent acquaintances, and prior number of convictions. Race was not a statistically significant factor. The race/gender interaction factor indicates that females were more likely than males to be placed in secure facilities and that Native Americans had a higher percent of females placed than did whites.

Factors Predictive of Placement in Secure Facility

Variables Selected by Logistic Regression	Wald Value	Probability
Delinquent Acquaintances from YLS*	8.3	.012
Disruptive behavior on school property from YLS*	12.8	.001
Prior number of convictions from YLS*	1.8	.027
Age	9.8	.001
Interaction between race and sex	14.6	.001

*Youth Level of Service

Source: DOC

Statistical procedure: Logistic regression

Basic Interpretation of Findings in Table Above

- Those with delinquent acquaintances were more likely to be placed in secure facilities.
- Those with a history of disruptive behavior on school property were more likely to be placed in secure facilities.
- Those with three or more prior convictions were more likely to be placed in secure facilities.
- Those who were older were more likely to be placed in secure facilities.
- The interaction between gender and race was significant in that females and Native Americans were slightly more likely to be placed in secure facilities than were males and whites.

**9. Decision Point: Out-of-State Placement in Secure/Non-Secure Facilities
Juveniles Assigned to DOC
Procedure: All Persons with Out-of-State Placements**

There was no statistically significant difference by ethnicity in the placement of juveniles assigned to DOC in secure out-of-state facilities. Because the univariate statistical procedure (Chi Square) was not significant, multivariate statistical procedures were not employed.

Secure Facility

Ethnicity/Race	Percent Placed in Secure Out-of-State Facility	Chi Square Value	Probability
Native American	8.0%	.013	.91
White	7.7%		

Not Significant

Source: DOC

Statistical procedure: Chi Square

**Decision Point: Any Out-of-State Placement
Juveniles Assigned to DOC
Procedure: Multiple Placements by Individuals Possible**

Race/ethnicity was not a significant factor for any out-of-state placement after controlling for the following variables from the YLS: three or more current convictions, two or more failures to comply, prior probation, inadequate supervision, some delinquent friends, substance use linked to offenses, short attention span, inadequate guilt feelings, defies authority, low achievement in school, problems with teachers, and truancy. These factors were selected as the best predictors of placement out of the 44 variables considered in the logistic regression statistical procedure.

Race was significant ($p = .001$) as a single factor analysis, but race was not statistically significant ($p=.77$) in the multivariate analysis with multiple independent factors.

Any Out-of-State Placement-Multiple Placements per Person Possible

Ethnicity/Race	Percent Placed in Out-of-State Facility	Chi Square Value	Probability Univariate Analysis	Probability Multivariate Analysis
Native American	4.5%	20.5	.001	.77
White	3.1%			

Not Significant

Source: DOC

Statistical procedure: Logistic Regression, Chi Square

**Decision Point: Out-of-State Placement
 Juveniles Assigned to DOC
 Procedure: Last Out-of-State Placement**

Race/ethnicity was not a significant factor for the most recent out-of-state placement after controlling for the following variables from the YLS: three or more current convictions, two or more failures to comply, prior probation, inadequate supervision, some delinquent friends, substance use linked to offenses, short attention span, inadequate guilt feelings, defies authority, low achievement in school, problems with teachers, truancy.

Race was significant ($p=001$) in the univariate analysis, but not statistically significant ($p=.62$) in the multivariate analysis with multiple independent factors.

Any Out-of-State Placement-Last Placement of Person

Ethnicity/Race	Percent Placed in Out-of-State Facility	Chi Square Value	Probability Univariate Analysis	Probability Multivariate Analysis
Native American	7.0%	20.4	.001	.62
White	3.6%			

Source: DOC

Statistical procedure: Logistic Regression, Chi Square

**10. Decision Point: Placement Following Revocation of Aftercare by DOC
 Procedure: All Revocations and Information about Placement after Revocation was Available**

The information below is based on cases with post revocation placement information available from DOC. As indicated below, there was no significant difference ($p=.40$) in placement (secure/non-secure) by ethnicity/race after revocation.

**Secure Facility after Revocation
 Any Revocation (some with multiple revocations)**

Ethnicity/Race	Percent Placed in Secure Facility	Chi Square Value	Probability
Native American	41.6%	.71	.40
White	37.7%		

Not Significant

N=655

Source: DOC

Statistical procedure: Chi Square

Decision Point: After Revocation by DOC-Placement in Secure Facility
Procedure: Most Recent Revocation of Adolescents and Information about Placement after Revocation was Available

The information in the table below is based on the last revocation, if more than one, of the juveniles. Additional analyses were not conducted with covariates because the initial results were non-significant. There was no significant difference ($p=.49$) in placement (secure/non-secure) by ethnicity/race.

Secure Facility after Revocation
Last (or only) Revocation

Ethnicity/Race	Percent Placed in Secure Facility	Chi Square Value	Probability
Native American	24.5%	.47	.49
White	21.7%		

Not Significant

N=428

Source: DOC

Statistical procedure: Chi Square

Disposition Information for UJS Data-Summary of Results
Summary of Statewide Results-Race: Black, White

In examining the statewide disposition results, it can be noted that overall there was only one difference (fine amount) by race. For Methods 1 and 2, Whites were found to have significantly higher fine amount than Blacks. Overall, the most important factors in determining dispositional times or amounts were severity of offense, circuit, pre-hearing detention, and age.

Summary of Disposition Results-Statewide-Blacks Compared to Whites

Disposition	Method 1: Multiple Cases All	Method 2: Multiple Cases-2001- 2004	Method 3: Most Severe Offense	Overall Results
Detention Time	Race: $p = .19$	Race: $p = .88$	Race: $p = .052$	Not significant
Incarceration Time	Race: $p = .88$	Race: $p = .89$	Race: $p = .71$	Not significant
Probation Time	Race: $p = .29$	Race: $p = .34$	Race: $p = .31$	Not significant
Community Service Time	Race: $p = .96$	Race: $p = .80$	Race: $p = .37$	Not significant
Fine Amount	Race: $p = .03^*$ White=\$80.17 Black=\$64.14	Race: $p = .03^*$ White=\$80.15 Black=\$64.14	Race: $p = .40$	Whites received higher amount than Blacks
Restitution	Race: $p = .59$	Race: $p = .86$	Race: $p = .99$	Not significant

Amount				
Drivers License Suspended	Race: p = .29	Race: p = .52	Race: p = .18	Not significant

*Statistically significant

There were no significant differences by race (White, Black) in rate of DOC placement.

Summary Statewide Result-Race: Black, White

Dispositional Option: DOC Placement from Court Adjudication	Percent by Race	Probability Results by Race	Overall Results
UJS Declared Placement	White: 6.5% Black: 3.9%	Race: p = .16	Not significant
Match of UJS and DOC	White: 5.3% Black: 3.7%	Race: p = .24	Not significant
Both UJS Declared and Match of UJS and DOC	White: 2.0% Black: 1.2%	Race: p = .42	Not significant

Summary of Disposition Results-Minnehaha County County Results-Race: Black, White

In considering persons from Minnehaha County, the only difference by race was for time (days) of suspension of driver's license. White adolescents received more suspension time than did Black youth for Methods 1 and 2. In considering all analyses, the most important factors in sentencing were: severity of offense, pre-hearing detention, and age.

Summary of Disposition Results-Minnehaha County

Disposition	Method 1: Multiple Cases All	Method 2: Multiple Cases-2001- 2004	Method 3: Most Severe Offense	Overall Results
Detention Time	Race: p = .21	Race: p = .19	Race: p = .83	Not significant
Incarceration Time	Race: p = .50	Race: p = .53	Race: p = .70	Not significant
Probation Time	Race: p = .10	Race: p = .10	Race: p = .33	Not significant
Community Service Time	Race: p = .42	Race: p = .40	Race: p = .91	Not significant
Fine Amount	Race: p = .86	Race: p = .77	Race: p = .84	Not significant
Restitution Amount	Race: p = .57	Race: p = .57	Race: p = .99	Not significant

Drivers License Suspended (Days)	Race: p = .04* White = 122.2 Black = 40.0	Race: p = .04* White = 125.8 Black = 40.0	Race: p = .19	White received greater time than Blacks
----------------------------------	---	---	---------------	---

*Statistically significant

Detention time was converted to days.

Incarceration time was converted to days.

Probation time is months.

Community service time is hours.

Fine amount is dollars.

Restitution amount is dollars.

Drivers license suspended time was converted to days.

Summary of Disposition Results-Pennington County County Results-Race: Black, White

There were no statistically significant results for race/ethnicity by disposition type for adolescents from Pennington County, with the exception of probation time in which whites received greater amounts of time. The most important factors in determining sentencing outcomes were: severity of offense, pre-hearing detention, and age.

Summary of Disposition Results-Pennington County

Disposition	Method 1: Multiple Cases All	Method 2: Multiple Cases-2001- 2004	Method 3: Most Severe Offense	Overall Results
Detention Time	Race: p = .18	Race: p = .07	Race: p = .80	Not significant
Incarceration Time	Race: p = .90	Race: p = .47	Race: p = .60	Not significant
Probation Time (Months)	Race: p = .01* White = 39.6 Black = 24.2	Race: p = .001* White = 45.0 Black = 28.8	Race: p = .36	White received greater time than Blacks
Community Service Time	Race: p = .99	Race: p = .99	Race: p = .55	Not significant
Fine Amount	Race: p = .99	Race: p = .99	Race: p = .99	Not significant
Restitution Amount	Race: p = .35	Race: p = .43	Race: p = .31	Not significant
Drivers License Suspended (Days)	Race: p = .18	Race: p = .33	Race: p = .31	Not significant

Detention time was converted to days.

Incarceration time was converted to days.

Probation time is months.

Community service time is hours.

Fine amount is dollars.

Restitution amount is dollars.

Drivers license suspended time was converted to days.

Summary of DOC Related Decision Points

Race: Black, White

There were no statistically significant differences between race (White, Black) and the decision points of: initial placement by DOC, out-of-state placement in secure facilities, any out-of-state placement, and placement following revocation of aftercare by DOC.

Summary Statewide Result-Race: Black, White

Decision Point	Probability Results by Race	Overall Results
Initial Placement by DOC	Race: p = .50	Not significant
Out-of-State Placement in Secure Facilities	Race: p = .99	Not significant
Any Out-of-State Placement	Race: p = .68	Not significant
Placement Following Revocation of Aftercare by DOC	Race: p = .62	Not significant

IX. Discussion of Results

Qualitative and quantitative methods were used to assess DMC in South Dakota. Because of the complex nature and mixed research results from other studies, multiple statistical techniques were used to analyze decision points. Focus groups were utilized to obtain qualitative information, and a variety of quantitative procedures were to obtain comprehensive information.

In the statistical analysis, it was found that DMC existed at the points of: arrest, detention, and commitment to DOC. From focus group discussions, disparity at arrest was the most frequently mentioned area of concern. For arrest and detention assessments with statistical procedures, very limited control factors were available at these points. Because of the lack to information, a comprehensive assessment of the reasons for DMC was not possible for the critical decision points of arrest and detention. It may be that other alternatives to arrest and/or detention are needed for juveniles, especially minority youth who are over-represented in the system at these critical points.

Arrest rates of minority youth are highly disproportionate in the Sioux Falls and Rapid City areas. These two locations appear appropriate for the implementation of DMC intervention procedures.

To thoroughly assess reasons for DMC at the arrest and detention level, additional information would need to be included. We would need to know the reasons and circumstances for the arrests. We would need to know options available for the particular situations. If parents are not available or perceived as non-reputable, arrests and detentions may occur more frequently. From the focus groups, it was mentioned that immigrants (minority and white) do not understand the culture, the language, or how to engage the social services available. This results in some parents/guardians referring their children to police if problems occur, when, in fact, the situation relates to family issues that could be handled in other ways. There was some indication from other comments that minority parents are more frequently referring their own children to law enforcement, resulting in higher arrest rates. Several single parent focus group participants indicated that the only outside help they had in dealing with their children was law enforcement and/or the threat of arrest.

In considering DOC commitment as a disposition, control variables were available for the quantitative analysis. The control factors available included: age, gender, severity of offense, circuit, pre-hearing detention, interaction factors, and YLS results. It was found that disparity between races, if any existed, could be explained by these independent or control factors. This finding does not discount the existence of prejudice or discrimination, but indicates that race may serve as a proxy for other known risk factors such as: unemployment, past juvenile justice contact, performing poorly academically, poverty, single-parent families, substance abuse, gangs, etc.

DOC commitment of Native American youth was found to be most disparate in Circuits 1 and 2. These locations may be appropriate for DMC interventions, such as the development of Native American specific alternatives to DOC commitment.

X. Recommendations on DMC Intervention Processes

Assuming the DMC Committee and the Council of Juvenile Services agrees with the decision points and geographic regions identified for intervention in this report, the following recommendations are offered:

1. Gather and analyze local arrest data from Minnehaha County/Sioux Falls and Pennington County/Rapid City to determine if additional factors associated with DMC at the arrest stage can be identified. Results of the analysis should be presented to those involved in the DMC intervention process.
2. Form local work groups in each of the DMC intervention sites. The workgroups should have the following responsibilities:
 - ◆ Review the DMC identification matrix, assessment results, risk and needs information of the target population, DMC resource material and recommendations of the DMC committee.
 - ◆ Develop a consensus on the type of intervention(s) to implement.
 - ◆ Build a “logic model” for the intervention that documents the goal, objectives, resources, activities, process measures, and outcome measures for the intervention.
 - ◆ Monitor the implementation of the DMC intervention.
 - ◆ Review process and outcome evaluation results of the intervention procedures and assess changes/improvements in DMC.
3. A Comprehensive evaluation plan should be designed for each intervention project prior to implementation.
4. If the intervention involves the provision of service to youth and/or families, it is recommended that an experimental design (random assignment to groups) be implemented and the services provided based on identified needs and risk factors, utilizing recognized evidence-based practices and/or programs. Some evidence-based practices may need to be modified to be culturally appropriate.
5. It may be beneficial for intervention and related program purposes to divide the DMC Committee members into groups with common interest such as, developing curriculum for cultural sensitivity/diversity training, developing intervention programs, considering legislative initiatives, developing procedures for recruiting and hiring more minority staff members in the juvenile justice system, improving data quantity and quality, exploring alternative options for detention and/or DOC commitment, and related areas.

XI. OVERALL DATA RECOMMENDATIONS

While the various existing data sets (DOC, UJS, detention, arrests, etc.) appear to be very useful and functional for the purposes they were designed, they are not designed as research data sets. The existing criminal justice data systems are designed to track individuals at various points. These ‘folder file’ systems work well with individuals, but are not designed to simultaneously consider thousands of cases. As such, there tends to be multiple entries for the same incident. Researchers or statisticians with data base expertise should be involved in the design or re-design of criminal justice data systems. The needs of the agency and the need to derive specific research or evaluation questions from the data sets can be met through coordinated efforts.

1. There is a great need for a common statewide data system (and/or an integration of current systems) set that tracks persons from arrests all the way through the system. It would take a coordinated and concentrated effort to accomplish this task. A case ID would need to be defined and established so that the unit of analysis is consistent throughout the system. An incidence-based system is the preferred approach. We would need to develop consistent methodologies with definitions and training so that we get consistent information. If a person is arrested and charged with four offenses, the four offenses would become an incident. Too often each offense is considered as the unit of analysis, which leads to several problems. For example, the person may be entered 4 times and receive several dispositions which are entered for each offense. Sometimes it looks like a person is committed to DOC because of a traffic violation, when in fact placement was for a combination of traffic offense, resisting arrest, aggravated assault, and possession of a controlled substance.
2. The oversight of the comprehensive juvenile justice system data system needs to be such that it is accountable to the various entities (e.g., UJS, DOC), yet has independent functions in the areas of training, data integrity, quality checks, consistent data entry, variable definitions, and utility of the computer programs.
3. The current DOC and UJS data systems could likely be ‘retooled’ without major modifications. A prime task would be to obtain a common ID that would link the data sets. Of course, the Social Security Number would be the most effective common ID for individual. The main issue would be to define and maintain an incident-based ID system that links arrest events to the other steps in the juvenile justice process.

Specific Data Needs by Decision Points

1. Initial Contact with Law Enforcement

Options

- A. Arrested/Not Arrested
- B. Warned/Not Warned
- C. Other Informal Action

Information Considerations or Limitations: There is no comprehensive statewide individual or incident-based quantitative information available for this crucial initial contact with the system. Statewide juvenile arrest information is only available as summary data and not currently available in the detail needed to thoroughly assess decisions at the arrest level. To help assess DMC at this critical point, it is important to know the reasons for the contact: Is the contact with the juvenile because of a complaint from: citizens in general, neighbors, family members, other relatives, store owners/managers, school officials, etc.? Is the encounter because of visual contact of prospective situations from patrols of assigned areas? Is the contact because of random events? Because the decision to arrest appears to be the point of greatest disparity between Native American and whites in South Dakota, it is essential to assess the reasons for the contacts that lead to arrests.

Data Needs: A comprehensive statewide data set of arrest information is needed, including information on the reason for the initial contact with law enforcement.

2. Intake Officer Decision

Options

- A. Released to Parents/Guardians/not released
- B. Placed in shelter care or non-secure settings
- C. Placed in Detention Center/Jail (secure setting)

Information Limitations: The Intake Officer Hearing information is not computerized or available for this analysis. There is a program under development by UJS which would centralize the intake procedure by direct or phone contact with centers in Rapid City or Sioux Falls. A standardized risk assessment form is being developed that would provide consistent rationale for placed/not placed.

Data Needs: A systematic data system is needed.

3. Detention after Arrest:

Options

- A. Detained/Not Detained
- B. Detained Secure Facility/Detained Non-Secure

Information Limitations: There are three juvenile detention data sets: Pennington County JDC, Minnehaha County JDC, and information from the other jails and juvenile detention facilities. Because detention is another critical decision point, it is important that we have accurate information, including official county of residents. It appears that the large

Juvenile Detention Centers in Rapid City and Sioux Falls have an inordinate number of persons with local addresses. Many persons listed as living in Pennington or Minnehaha County may be residents of other areas, but are only living temporary with relatives. Another situation with the detention information is that there are often multiple entries for one event. For example, a person is picked up and charged with four offenses, resulting in four computer 'records' being generated with the same detention time listed for each offense. It appears that a person is getting 10 days for shoplifting, but is really getting 10 days for a combination of shoplifting, resisting arrest, fraud, and probation violation.

Data Needs: A comprehensive data system with uniform information from all jail and detention facilities is needed. An incident-based ID system is needed, along with a consistent offense coding system. Reasons for detention need to be clearly indicated, such as probation violation, new offense, pre-hearing detention, etc. Risk assessment information is essential to assess DMC at this point. We need to know reasons for detention, including offenses committed, family placement limitations, etc. It is recommended that a screening instrument like the YLS be utilized to obtain pertinent information.

4. Temporary Custody Hearing-after Arrest

Options

- A. Released to Parents/Guardians/not released
- B. Placed in shelter care or non-secure settings
- C. Placed in Detention Center/Jail (secure setting)

Information Limitations: The Temporary Custody Hearing information is not computerized or available for this analysis.

Data Needs: A systematic data system is needed.

5. State's Attorney

Options

- A. No Action
- B. Diversion
- C. Petition filed (CHINS, Delinquent)
- D. Petitioned to adult court

Information Limitations: State's attorney information is not computerized or available for this analysis. This important information needs to be computerized so that this decision point can be assessed.

Data Needs: A systematic data system is needed that uses common ID's such as social security numbers. The ID's or a combination of ID's needs to clearly link specific incidents or series of events.

6. Adjudication

Options

- A. Adjudicated

B. Not Adjudicated

Information Limitations: Information for adjudication is available from the UJS data set. There needs to be a clearer and specific declaration of adjudication. Race is missing in about 25 percent of the cases. In a comprehensive assessment of differences in factors (e.g., age, detention time, sex, etc.) between a dichotomous variable (race missing/ race not missing), no statistically significant difference were found with the UJS data set.

Data Needs: UJS collects much valuable information. A detailed data dictionary with definitions would be helpful. A well-defined incident-based ID system is needed, since there are some inconsistencies in the ID's used, making it difficult to determine the unit of analysis in some cases.

7. **Dispositions**

Options

- A. Probation
- B. Work or alternative education
- C. Restitution for damages
- D. Detention/incarceration
- E. Placement at Human Service Center (too few cases for analysis)
- F. Fine
- G. Suspend driving privileges
- H. Commitment to DOC
- I. Transferred to adult court (not available)

Information Limitations: Race/ethnicity designation is missing for some individuals, and the unit of analysis (i.e., is this a unique case or multiple entries of the same event) is not always clear. There needs to be detailed definitions for all the variables.

8. **Initial Placement by DOC**

Options

- A. Secure setting
- B. Non-secure setting

Information Limitations: Unit of analysis is not always clear.

9. **Out-of-State Placement by DOC**

Options

- A. Secure setting
- B. Non-secure setting

Information Limitations: Unit of analysis is not always clear.

10. **DOC Placement Following Revocation of Aftercare by DOC**

Options

- A. Secure setting/facility

B. Non-secure setting/facility

Information Limitations: Unit of analysis is not always clear.

Other Data Considerations

1. We need a good common ID system to identify individuals and events, since there are inconsistencies in each of the ID systems attempting to assign number by incidence. Too often the DMC rates look higher than they are because population rates are based on persons ages 10-17, but arrests and detentions can be (and are often) based on events and not by persons. For example if there are 100 person ages 10-17 in county 'A' and 10 of them are detained an average of 1.5 times, the typical computerized system will record 15 events instead of 10 persons. And often, because events are not clearly delineated (or considered as one incidence), the number of reported events could be much higher than the true number of events. This inflates the rates even higher, although racial groups are technically treated equal, except that minorities often have greater contact with the system. For example, according to the arrest information reported for Minnehaha County about two-thirds of Native Americans ages 10-17 in Minnehaha County were arrested in 2002. This is a very unlikely scenario. The high rate may be explained by two factors beside DMC: 1) county of residence may not have been clearly indicated; 2) the arrests reported are incidences and not individuals, and there may be multiple incidences per individual. Sometimes multiple entries are made for one event which results in inflated values.
2. We need a clear methodology for establishing a detention event with an accompanying ID that refers to a distinct event. Too often there will be one event with several tangents (e.g., person goes to detention, leaves, returns for hearing, is then placed on 'hold' after a hearing). This should be only one event for DMC counting, but may be recorded as multiple events (and if multiple offenses occur, the records per case can really expand exponentially). It may be easy to examine one case at a time, but when there are thousands of cases it becomes unwieldy making data analysis difficult, tenuous, and time consuming.
3. Variables need to be mutually exclusive (can only be in one category) and collectively exhaustive (covers all options). For example, the variable 'county' may have items like DOC, BOP, OS, etc. Because the catchall variables allow persons to enter detention facilities for various reasons under the same variable, and move around the system for various circumstances, the number of events can be inflated or difficult to decipher.
4. We need a clear method of distinguishing persons who are detained for arrests that are not related to any other criminal justice status (parole, probation, escapee, etc.). We need to clearly identify persons who are there for various reasons so that we can define decision points. If a person is detained for a 'new' arrest, we need to know what happens forward from this decision point. If a person is detained for probation violation, this is another decision point situation.
5. A method of coding offenses needs to be consistent throughout the system. With various coding schemes, it is difficult to get consistent information on the severity of the offenses.

6. Care needs to be made in obtaining the 'official' residents of individuals arrested and detained. Adolescents may be living with relatives in the 'magnate' cities like Sioux Falls and Rapid City, yet they may actually be residents of other municipalities. This tends to inflate the arrest and detention values for these geographic areas.
7. Race/ethnicity needs to have common categories in all data sets. Agencies need to determine common categories and definitions. At a minimum, there should be categories for: Native American, white, Hispanic, black, Asian, and other. Another option would be to use the same categories employed by the U.S. Census Bureau.
8. There should be information on legal representation, including retained or court appointed, attorney present at disposition and/or adjudicated proceedings.
9. Data entry systems that check for out-of-range (or other illogical entries) should be built into every data system. If the data entry options are 1, 2, or 3, there should be no other values.

Future Data Needs

In order to effectively understand reasons for DMC, information about all aspects of the person and the circumstances for the contact need to be ascertained. Legal history, family, and school situation needs to be available on each person. This may require selectively administering an instrument like the YLS so that relevant variables are measured. Sufficient data from existing sources does not exist to assess reasons for DMC at each step in the juvenile justice system.

Prospective Study: Tracking People through the System

Given the likelihood that a comprehensive data system that spans criminal justice areas from arrest through DOC commitment is not imminent, the next logical step in the assessment of DMC would be to conduct a prospective study that tracks persons through the system. One procedure would be to track randomly selected persons throughout the juvenile justice system from arrest through final disposition. Another approach would be to randomly select juveniles at one or several decision points (i.e., referred to court) and track the juveniles through the remainder of the system. In general we would likely take two groups (whites, Native Americans) of persons through the system or parts of the system (e.g., those adjudicated by the court) to see if they have differential treatment within the system, based on the similar charges/convictions (i.e., aggravated assault, robbery) and similar past history with the system.

XII. PREVENTION PROGRAM EXAMPLES

General Comments on Risk Factor Findings and Intervention or Prevention Programs

One question confronting those who would develop delinquency prevention programs based on risk factor research is whether a given risk factor can easily be changed or changed at all. Another situation is whether protective factors can be enhanced by programs falling under the juvenile justice system. For example, research has shown that low socioeconomic status is associated with increased levels of delinquency (Shader, 2002). Although socioeconomic conditions may be hard to change, programs may seek to increase certain protective factors to offset the risk. Other risk factors are more amenable to change. Poor parenting, for example, can be addressed by programs that teach parenting skills and provide family support services. Truancy and dropout programs have been found to be useful.

The prevention of crime is a complex problem with no simple solutions. Risk and protective factor analyses offer possible prevention and intervention solutions to drug problems. These approaches allow practitioners to design education, prevention and intervention programs to meet the unique needs of individual youth and communities (Shader, 2002). It is important to provide prevention and treatment programs to all high risk juveniles, especially minorities who have had fewer opportunities for these services (Nellis, 2005).

Some Programs or Activities of Promise for Reducing Risk Factors

It was not the charge of this project to locate, examine, and evaluation a comprehensive list of intervention programs, but some promising programs and procedures were found in conjunction with the review of literature and are briefly discussed below.

Truancy Reduction

A comprehensive model program that targets the reduction of risk factors associated with incidence of truancy has been found to be successful and is supported in the literature (Catalano, et al, 1998; Dryfoos, 1990; Morley and Rossman, 1997; Schorr, 1997). The models that show the most promise for reducing truancy and modulating risk factors include: parental involvement, meaningful sanctions or consequences of truancy, meaningful incentives for school attendance, ongoing school-based truancy reduction programs, and the involvement of community resources (i.e., law enforcement, schools, parents, etc.).

Decrease Dropouts/Increase School Completion Rates

In an evaluation of 20 dropout programs, it was found that there are some common elements associated with successful programs (Dynarski, 2001). The key elements include: create small schools with small class sizes; allow students to build relationships with adults; improve student's communication skills; provide for individual assistance in academic, behavior, and related areas; focus on helping students address personal and family issues through counseling and access to social services; and, assist students in efforts to obtain alternative education, including GED certificates.

Gang Prevention

The Gang Resistance Education and Training (G.R.E.A.T.) program was found via a 5-year longitudinal study to have some positive benefits in combating gang problems. The program features a 9-hour curriculum taught in schools by uniformed law enforcement officers. Students are taught to set positive goals, resist negative pressures, resolve conflicts, and understand how gangs impact the quality of their lives. The project has been successful in improving peer group associations and attitudes about gangs, law enforcement perceptions, and risk-seeking behaviors (Esbensen and Osgood, 1997).

Mentoring Programs

One of the most widely known successful mentoring projects is the Big Brothers Big Sisters of America (BBBSA), an organization that has existed for nearly a hundred years. Only recently, however, have scientific studies and methods been incorporated into the organization's practices (Grossman and Tierney, 1998). Tierney and Grossman (1995) embarked on a major study of BBBSA, examining the aftereffects of an 18-month association between children and mentors, based on regular contact. The research indicated that mentees were 46 percent less likely to try drugs, 27 percent less likely to try drinking, 52 percent less likely to skip school, and 37 percent less likely to cut class than were the unmentored control group. Additionally, Curtis and Hansen-Schwoebel (1999) showed that 64 percent of the participants developed more positive attitudes toward school, 58 percent achieved higher grades in core academic subjects, and 60 percent showed improved relationships with adult figures.

Home Visitation Program

David Olds' Early Childhood Nurse Home Visitation Program, one of the Office of Juvenile Justice and Delinquency Prevention (OJJDP) funded Blueprints Programs, provides services to first-time, low-income parents. Services are provided from prenatal through their child's second birthday, to reduce health and parenting problems that have been linked to antisocial behavior in children (Olds et al., 1998). A 15-year follow-up of one program implementing this model showed that adolescents whose mothers participated in the program over a decade earlier were 55 percent less likely to have been arrested than adolescents whose mothers did not participate (Olds et al., 1998). Home visits allow for intensive, individualized intervention which enables service providers to develop supportive relationships with all family members and to better understand and modify the family environment (Weiss, 1993).

Preschool and Home Visitation

The High/Scope Perry Preschool Project, a well-established childhood intervention program that has operated for almost 40 years, provides preschool activities and home visits for 2 years for at-risk children ages 3 to 4 and their families. In a longitudinal study that followed participants (the experimental group) and a control group from program entry through age 27. It was found that participants had significantly lower rates of juvenile delinquency and teenage pregnancy and significantly higher rates of pro-social behavior, academic achievement, employment, income, and family stability than did the control group members (Parks, 2000).

After School Recreation Programs

After school recreation programs can address the risk factors of alienation and curtail or limit association with delinquent and violent peers. Protective factors may include opportunities for

social involvement with youth and adults, developing skills for leisure activities, and bonding with others (Howell, 1995).

General Ideas

A growing base of evidence indicates that prevention programs can reduce the number of youth engaging in juvenile crime and problem behaviors. In a congressionally mandated, rigorous review of more than 500 crime prevention programs, researchers found a number of successful and promising program models (Sherman et al., 1998). Among the effective programs identified were: long-term, frequent home visitation programs combined with preschool; school-based programs that clarify and communicate norms about behaviors; and instructional programs that address social competency skills.

General Idea 1 – Community prevention programs that combine two or more effective programs, such as family-based and school-based programs, are more effective than a single program alone (Battistich et al., 1997). Interventions that address multiple risk and protective factors in more than one domain are most effective. A child's development is impacted by risk and protective factors from many domains. Programs which have a single focus are less likely to be as effective as those which are designed to impact multiple factors across more than one domain (Olds & Klitzman, 1993; Ramey & Ramey, 1993).

General Idea 2 – Community prevention programs reaching populations in multiple settings—for example, schools, clubs, faith-based organizations, and the media—are most effective when they present consistent, community-wide messages in each setting (Chou et al., 1998).

General Idea 3 – Prevention programs should be long-termed with repeated interventions (i.e., booster programs) to reinforce the original prevention goals. Research shows that the benefits from middle school prevention programs diminish without follow-up programs in high school (Scheier et al., 1999).

General Idea 4 – Intervention to prevent delinquency and criminal behavior needs to begin at a very young age. Behaviors that lead to delinquency are evident early in a child's life. In a study by Spivak and Marcus (1987), 68% of chronic offenders were identifiable in kindergarten. Interventions should be flexible and meet the needs of individual families. Interventions are most effective if they are designed to meet individual family needs. Providing a menu of services from which families can choose, and varying the time span over which services are provided have been shown to be more effective than providing a prescribed set of services for a specified time to all families (Halpern, 1990).

XIII. Appendix A: References

Assessment of Disproportionate Minority Confinement in Tennessee's Juvenile Justice System, Office of Business and Economic Research, Tennessee Commission on Children and Youth, 2003.

Baier, C. J. and B. R. E. Wright. If you love me, keep my commandments: a meta-analysis of the effect of religion on crime. *Journal of Research in Crime and Delinquency* Vol. 38, pp. 3-21, 2001.

Battin, S.R., Hill, K.G., Abbott, R.D., Catalano, R.F., and Hawkins, J.D. The contribution of gang membership to delinquency beyond delinquent friends. *Criminology* 36:93-115, 1998.

Battistich, V.; Solomon, D.; Watson, M.; and Schaps, E. Caring school communities. *Educational Psychologist* 32(3):137-151, 1997.

Baum, T. and Kingston, P. (1984). Homeownership and social attachment. *Sociological Perspectives*, 27, 159-180, 1984.

Bonta, J., LaPrairie, C., & Wallace-Capretta, S. *Risk Prediction and Re-Offending: Aboriginal and Non-Aboriginal Offenders*. Canadian Journal of Criminology, 39 (2), pp. 127-144, 1997.

Botvin, G., Baker, E.; Dusenbury, L.; Botvin, E.; and Diaz, T. Long-term follow-up results of a randomized drug-abuse prevention trial in a white middle class population. *Journal of the American Medical Association* 273:1106-1112, 1995.

Bourgois, Philippe I. In search of respect: selling crack in El Barrio. New York: Cambridge University Press, 1995.

Bureau of Justice Statistics. *American Indians and Crime*. Washington, DC: U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Statistics, 1999.

Bursik, R., and Webb, J. Community change and patterns of delinquency. *American Journal of Sociology*, 99, 24-42, 1982.

Cairns, R.B., and Cairns, B.D. *Lifelines and risks: Pathways of youth in our time*. Cambridge: Cambridge University Press, 1994.

Corbin, J.R and Costa, F. Protective factors in adolescent health behavior. *Journal of Personality and Social Psychology*, 75(3), 788-800, 1998.

Catalano, F.R., Arthur, M.W., Hawkins, J.D., Berglund, L., and Olson, J.J. Comprehensive community- and school-based interventions to prevent antisocial behavior. In *Serious and Violent Juvenile Offenders: Risk Factors and Successful Interventions*, edited by R. Loeber and D. Farrington. Thousand Oaks, CA: Sage Publications, Inc, 1998.

Catalano, R. F., Loeber, R., & McKinney, K. C. School and community interventions to prevent serious and violent offending. Washington, DC: Office of Juvenile Justice and Delinquency Prevention, 1999.

Chou, C.; Montgomery, S.; Pentz, M.; Rohrbach, L.; Johnson, C.; Flay, B.; and Mackinnon, D. Effects of a community-based prevention program in decreasing drug use in high-risk adolescents. *American Journal of Public Health* 88:944–948, 1998.

Cohen, J. *Statistical power analysis for the behavioral sciences* (2nd ed.). Hillsdale, NJ: Erlbaum, 1988.

Corvo, K. Community-based youth violence prevention. *Youth & Society*, 28(3), 291-317, 1997.

Cottle, Cindy C., Lee, Ria J. and Kirk Heilbrun The prediction of criminal recidivism in juveniles. *Criminal Justice and Behavior* 28(3):367-394, 2001.

Curtis, T and Hansen-Schwoebel, K. Big Brothers Big Sisters school-based mentoring: an evaluation of five pilot programs. Big Brother Big Sisters, Philadelphia, PA, 1999.

DePaulo, P.J. Sample Size for Qualitative Research: The Risk of Missing Something Important. *Quirk's Marketing Research Review*, December 2000, p. 22-27, 2000.

Dryfoos, J.G. *Adolescents at Risk: Prevalence and Prevention* New York, NY: Oxford University Press, 1990.

Dynarski, M. Making do with less: Interpreting the evidence from recent federal evaluations of dropout-prevention programs. Paper presented at “Dropouts: Implications and Findings” conference, Harvard University, Cambridge, MA, 2001.

Esbensen, Finn-Aage and Osgood. Wayne, National Evaluation of G.R.E.A.T., Research in Brief, Washington, D.C.: U.S. Department of Justice, National Institute of Justice, 1997.

Fagan, J. Set and setting revisited: influences of alcohol and illicit drugs on the social context of violent events. *Alcohol and interpersonal violence: fostering multidisciplinary perspectives*. Research Monograph 24. NIAAA. pp.161-191, 1993.

Fagan, J., and K.L. Chin. Violence as Regulation and Social Control in the Distribution of Crack, in *Drugs and Violence: Causes, Correlates, and Consequences*, M. de la Rosa, E.Y. Lambert, and B. Gropper, eds. NIDA Research Monograph No. 103. Rockville, MD: National Institute on Drug Abuse, 8-34, 1990.

Fagan J, Wilkinson DL. The functions of adolescent violence. In *Violence in American Schools*, ed. DS Elliott, KR Williams, B Hamburg. Cambridge University Press, 1998.

Farrington, D. P. Early predictors of adolescent aggression and adult violence. *Violence and Victims*, 4(2), 79-100, 1989.

Farrington, D.P. Explaining and preventing crime: The globalization of knowledge—The American Society of Criminology 1999 presidential address *Criminology* 38(1):1–24, 2000.

Farrington, David P. Predictors, causes, and correlates of male youth violence. In *Youth Violence (Crime and Justice: A Review of the Research, Volume 24)*. (pp. 421-475). M. Tonry and M.H. Moore (Eds.). Chicago: University of Chicago Press, 1989.

Flores, A.W., Travis, L.F., & Latessa, E.J. Case classification for juvenile corrections: an assessment of the Youth Level of Service/Case Management Inventory. Washington, DC: National Institute of Justice, Office of Justice Programs, U.S. Department of Justice, 2003.

Focus Group Validation: A note on technique. Sophisticated Market Research. As listed at, <http://www.sophisticatedmarketresearch.com/id23.htm>, 2004.

Goldstein, P.J. Drugs and violent crime. In: N.A. Weiner & M.E. Wolfgang (Eds.) *Pathways to Criminal Violence*. Beverly Hills, California: Sage, 1989.

Gorski, J. & Pilotto, L. Violence in American schools. *Delta Kappa Gamma Bulletin*, 60(4), 38-42, 1994.

Griffin, A. and Hauser, J. (1993) The Voice of the Customer. *Marketing Science*, Winter 1993.

Grossman, J.B., and Tierney, J.P. Does mentoring work? An impact study of the Big Brothers Big Sisters Program. *Evaluation Review*, 22, (3): 403-426, 1998.

Halpern, R. "Community-based Early Intervention". In: S.J. Meisels and J.P. Shonkoff, eds. *Handbook of Early Childhood Intervention*. Cambridge: Cambridge University Press, pp. 469-498, 1990.

Hawkins, D.F., Laub, J.H., Lauritsen, J.L. & Cothorn, L. Race, Ethnicity, and Serious and Violent Juvenile Offending. Washington, DC: U.S. Department of Justice, Office of Justice Programs, Office of Juvenile Justice Delinquency Prevention Bulletin, June 2000.

Hawkins, J.D., Lishner, D.M., Jenson, J.M., and Catalano, R.F. Delinquents and drugs: What the evidence suggests about prevention and treatment programming. In *Youth at High Risk for Substance Abuse*, edited by B.S. Brown and A.R. Mills. Rockville, MD: National Institute on Drug Abuse, 1987.

Hawkins, J.D., Herrenkohl, T.L., Farrington, D.P., Brewer, D., Catalano, R.F., and Harachi, T.W. A review of predictors of youth violence, In *Serious and Violent Juvenile Offenders: risk factors and successful interventions*, edited by R. Loeber and D.P. Farrington. Thousand Oaks, CA: Sage Publications, 1998.

Hill, K.G., Howell, J.C., Hawkins, J.D., and Battin-Pearson, S.R. Childhood risk factors for adolescent gang membership: Results from the Seattle Social Development Project. *Journal of Research in Crime and Delinquency* 36(3):300–322, 1999.

Hoge, R.D., Andrews, D.A. Reliability of Youth Level of Service/Case Management Inventory. Multi-Health Systems, Incorporated, Toronto, Ontario, 2002.

Howell, J. C., Editor. 1995 Guide for Implementing the Comprehensive Strategy for Serious, Violent, and Chronic Juvenile Offenders. Office of Juvenile Justice and Delinquency Prevention, Washington, DC, 1995.

Jessor, R., Corbin, & Costa, F. Protective factors in adolescent health behavior. *Journal of Personality and Social Psychology*, 75(3), 788-800, 1998.

Juvenile Justice Bulletin. Minorities in the Juvenile Justice System. Washington, DC: National Institute of Justice, Office of Justice Programs, Office of Juvenile Justice and Delinquency Prevention, U.S. Department of Justice, 1999.

Kandel, E., Brennan, P.A., Mednick, S.A., and Michelson, N.M. Minor psychical anomalies and recidivistic adult violent criminal behavior. *Acta Psychiatrica Scandinavia* 79:103–107, 1989.

Kandel, E., and Mednick, S.A. Perinatal complications predict violent offending. *Criminology* 29(3):519–529, 1991.

Krueger, A.K. Focus groups: a practical guide for applied research Sage: Newbury Park, CA, 1988.

Larson, D.B. and Johnson, B.R. Religion: the forgotten factor in cutting youth crime and saving at-risk urban youth: report 98-2, The Manhattan Institute: New York, N.Y., 2000.

Leiber, M.J. Disproportionate minority confinement (DMC) of Youth: An Analysis of State and Federal Efforts to Address the Issue. *Crime and Delinquency*, 48(1): 3-45, 2002.

Leonardson, G.R. Recidivism and Repeat Offender Study – 1998, Montana Board of Crime Control, Helena, MT, 1998.

Leonardson, G.R. Assessment of factors related to crime rates and drug task forces in Montana Board of Crime Control, Helena, MT, 2005.

Lipsey, M. W., and Derzon, J. H. Predictors of violent and serious delinquency in adolescence and early adulthood: A synthesis of longitudinal research. In R. Loeber & D. P. Farrington (Eds.), *Serious and violent juvenile offenders: Risk factors and successful interventions* (pp. 86-105). Thousand Oaks, CA: Sage Publications, 1998.

Loeber, R., and Dishion, T. Early predictors of male delinquency: A review. *Psychological Bulletin*, 93, 68-99, 1983.

Loeber R and Hay DF. Key issues in the development of aggression and violence from childhood to early adulthood. *Annual Review of Psychology* 48:371–410, 1996.

Maguin, E., and Loeber, R. Academic performance and delinquency. In *Crime and Justice: A Review of Research*, Vol. 20, edited by M. Tonry. Chicago, IL: University of Chicago Press, pp. 145-264, 1996.

McCord, J. Widom, C.S. and Crowell, N.A., eds. *Juvenile crime, juvenile justice. Panel on juvenile crime: prevention, treatment, and control*. Washington, DC: National Academy Press, 2001.

Moffitt, T. E. Lynam, D., and Silva, P.A. Neuropsychological tests predict persistent male delinquency. *Criminology* 32(2): 101-124, 1994.

Moore, M.H. Public health and criminal justice approaches to prevention. In *building a safer society: strategic approaches to crime prevention*, edited by M. Tonry and D. Farrington. Chicago, IL: University of Chicago Press, 1995.

Morley, E., and Rossman, S.B. *Helping At-Risk Youth: Lessons From Community-based Initiatives*. Washington, DC: The Urban Institute, 1997.

Mumola, Christopher J., "Substance Abuse and Treatment, State and Federal Prisoners, 1997" (Washington, DC: US Dept. of Justice, January 1999).

National Center for Education Statistics. *School safety and discipline component. National Household Education Survey of 1993*. Washington, D.C.: American Psychological Association, 1994.

National Network for Family Resiliency. *Risk and resiliency, 2001*. Available: http://www.nnfr.org/violence/cvp_sec2.html, 2001.

Nellis, A.M. *Seven steps to develop and evaluate strategies to reduce Disproportionate Minority Contact (DMC)* Washington, DC: U.S. Juvenile Justice Evaluation Center, Justice Research and Statistics Association, 2005.

Office of Applied Studies, Substance Abuse and Mental Health Services Administration. Client Admissions to Specialty Substance Abuse Treatment in the United States: Treatment Episode Data Set (TEDS), Fiscal Year 1993-1995. Rockville, Maryland: US Department of Health and Human Services, Substance Abuse and Mental Health Services Administration, 1997.

OJJDP Bulletin. *Drug Identification and Testing*. DC: U.S. Department of Justice, Office of Justice Programs, Office of Juvenile Justice and Delinquency Prevention, 1998.

OJJDP Juvenile Justice Bulletin, December 1998: *Minorities in the Juvenile Justice System: Disproportionate Minority Confinement*. U.S. Department of Justice, Office of Justice Programs, Office of Juvenile Justice and Delinquency Prevention, 1998.

Olds, D., Henderson, C.R., Cole, R., Eckenrode, J., Kitzman, H., Luckey, D., Pettitt, L., Sidora, K., Morris, P., and Powers, J. Long-term effects of nursing home visitation on children's criminal and

antisocial behavior: 15-year follow-up of a randomized controlled trial." *Journal of the American Medical Association* 280 (14): 1238-1244, 1998.

Olds, D.I. and Kitzman, H. Review of Research on Home Visiting for Pregnant Women and Parents of Young Children. *The Future of Children*. vol.3 No.3. Los Altos, California: The David Lucille Packard Foundation, 1993.

Parks, G. The High/Scope Perry Preschool Project. *Juvenile Justice Bulletin* (NCJ No. 181725). Washington, DC: U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention, 2000.

Peiser, N. C., and Heaven, P. C. L. Family influences on self-reported delinquency among high school students. *Journal of Adolescence* 19, 557-568, 1996.

Poluchowicz, S., Jung S. & Rawana, E.P. The interrater reliability of the ministry risk/need assessment form for juvenile offenders. Presentation at the Annual Conference of the Canadian Psychological Association, Montreal, Canada, 2000.

Pope, C.E., Lovell, R. & Hsia H.M. Disproportionate minority confinement: a review of research literature from 1989 through 2001. Washington, DC: U.S. Department of Justice, Office of Justice Programs, Office of Juvenile Justice Delinquency Prevention, 2002.

Puzzanchera, C., Finnegan, T. and Kang, W. "Easy Access to Juvenile Populations" Online. Available: <http://www.ojjdp.ncjrs.org/ojstatbb/ezapop>, 2004

Raine, A., Brennan, P., and Mednick, S.A. Birth complications combined with early maternal rejection at age 1 year predispose to violent crime at age 18 years. *Archives of General Psychiatry* 53:544-549, 1994.

Ramey, C.T. and Ramey S.L. Home Visiting Programs and the Health and Development of Young Children. *The Future of Children*. Vol.3, No.3. Los Altos, California: The David Lucille Packard Foundation, 1993.

Regoli, R. M., and Hewitt, J. D. Delinquency in society. (4th ed.). New York: McGraw-Hill, 2000.

Rohe, W. and Stewart, L. Home ownership and neighborhood stability. *Housing Policy Debate*, 9 (1), 37-81, 1996.

Roncek, D.W. and P.A. Maier. Bars, blocks, and crimes revisited: linking the theory of routine activities to the empiricism of "hot spots." *Criminology* 4(29):725-753, 1991.

Resnick, M., Bearman, P., Blum, R., Bauman, K., Harris, K., Jones, J., Tabor, J., Beuhring, T., Sieving, R., Shew, M., Ireland, M., Bearinger, L., & Udry, R. Protecting adolescents from harm: findings from the National Longitudinal Study of Adolescent Health. *Journal of the American Medical Association*, 278, 823-832, 1997.

Savage, M. & Holcomb, D. Adolescent female athletes' sexual risk-taking behaviors. *Journal of Youth and Adolescence*, 28(5), 595, 1999.

Scheier, L.; Botvin, G.; Diaz, T.; and Griffin, K. Social skills, competence, and drug refusal efficacy as predictors of adolescent alcohol use. *Journal of Drug Education* 29(3):251–278, 1999.

Schorr, L.B. *Common Purpose: Strengthening Families and Neighborhoods To Rebuild America*. New York, NY: Doubleday, 1997.

Seguin, J.R., Pihl, R.O., Harden, P.W. Tremblay, R.E., and Boulrice, B. Cognitive and neuropsychological characteristics of psychically aggressive boys. *Journal of Abnormal Psychology* 104(4): 614-624, 1995.

Shader, M. Risk factors for delinquency: an overview. U.S. Department of Justice, Office of Justice Program, Office of Juvenile Justice and Delinquency Programs, Washington, D.C., 2002.

Sherman, L.W., Gottfredson, D., MacKenzie, D., Eck, J., Reuter, P., & Bushway, S. *Preventing crime: what works, what doesn't, what's promising*. A Report To The United States Congress. College Park, MD: Department of Criminology and Criminal Justice, University of Maryland, 1998.

Smith, C., and Thornberry, T. P. The relationship between childhood maltreatment and adolescent involvement in delinquency. *Criminology*, 33, 451-481, 1995.

Spivak, G., & Marcus, J. Marks and classroom adjustment as early indicators of mental health at age twenty. *American Journal of Community Psychology*, 15, 35-55, 1987.

Shilts, L. The relationship of early adolescent substance use to extracurricular activities, peer influence. *Adolescence*, 26(103), 613-617, 1991.

Substance Abuse and Mental Health Services Administration. *The CMHS Approach to Enhancing Youth Resilience and Preventing Youth Violence in Schools and Communities*. Rockville, MD: Substance Abuse and Mental Health Services Administration, Center for Mental Health Services, 1999.

Tennessee Commission of Children and Youth, *Disproportionate Minority Confinement Study*, State of Tennessee, 2003.

Thornberry, T. P. Membership in youth gangs and involvement in serious and violent offending. In *Serious and Violent Juvenile Offenders: Risk Factors and Successful Interventions*, edited by R. Loeber and D. P. Farrington. Thousand Oaks, CA: Sage Publications, pp. 147-166, 1998.

Thornberry, T.P, Smith, C.A. Rivera, C., Huizinga, D., and Stouthamer-Loeber, M. Family Disruption and Delinquency. *Juvenile Justice Bulletin*. September, 1999.

Tierney, J.P. and Grossman, J. Making a difference: an impact study. Philadelphia, PA; Public/Private Ventures, 1995.

U.S. Census Bureau: State and County QuickFacts. Data derived from Population Estimates, 2000 Census of Population and Housing, 2000.

Vito, G. F., & Wilson, D. G.(1985). *The American juvenile justice system*. Beverly Hills, CA: Sage Publications, 1985

Wasserman, G.A., Miller, L.S., & Cothorn, L. Prevention of Serious and Violent Juvenile Offending, DC: U.S. Department of Justice, Office of Justice Programs, Office of Juvenile Justice Delinquency Prevention, 2000.

Weiss, H.B. Home 'Visits Necessary But Not Sufficient. *The Future of Children*. Vol.3, No.3. Los Altos, CA: The David & Lucille Packard Foundation, 1993.

Wells, L.E., and Rankin, J.H. Families and delinquency: A meta-analysis of the impact of broken homes. *Social Problems* 38(1):71-83, 1991.

Werner, E., and Smith, R. (1992). *Overcoming the odds: High-risk children from birth to adulthood*. New York: Cornell University Press, 1992.

Widom, C. S. Child abuse, neglect, and violent criminal behavior. *Criminology*, 27, 251-271, 1989.

Williams, J. H., Ayers, C. D., and Arthur, M. W. Risk and protective factors in the development of delinquency and conduct disorder. In M. W. Fraser (Ed.), *Risk and resilience in childhood: An ecological perspective* (pp. 140-170). Washington, DC: NASW Press, 1997.

Wilson, J.J., and Howell, J.C. . *Comprehensive Strategy for Serious, Violent, and Chronic Juvenile Offenders* (Program Summary). Washington, DC: U.S. Department of Justice, Office of Justice Programs, Office of Juvenile Justice and Delinquency Prevention, 1993.

Zill, N. The changing realities of family life. *The Aspen Institute Quarterly*, 1993.

XIV. Appendix B-Disposition All Cases Statewide Data**Dispositional Option: Detention Time from Court Sentencing Information****Procedure: All Cases in Data Set-Statewide Data****Detention Time**

In considering disposition information for detention time from UJS, there were some factors that were significantly different, although race was not a statistically significant factor ($p=.32$). Variables that were statistically significant were: circuit, pre-hearing detention, severity of offense, and the interactions between race and circuit and race and severity.

Detention Time-Days

Factor	F Value	Probability	Comments
Race	1.01	.32	Not Significant
Gender	2.48	.12	Not Significant
Circuit	21.87	.001*	5 Higher; 1 & 3 lower
Pre-Hearing Detention	13.64	.001*	Pre-hearing detention = greater detention time
Race* Gender	1.01	.32	Not Significant
Race* Circuit	15.19	.001*	Native American higher in some (2, 5, 6) and whites higher in some (3, 4)
Race* Severity	18.21	.001*	Native Americans higher at some levels and whites higher in other levels
Severity of Offense	27.34	.001*	More severe the offense = greater the detention time
Age	3.00	.08	Not Significant

*Significant

Source: UJS

Statistical Procedures: Regression, Analysis of Covariance Using Type III Sum of Squares

N= 1452

R-Square = .12

Mean = 40.0 days

Dispositional Option: Incarceration Time from Court Sentencing Information

Procedure: All Cases in Data Set-Statewide Data

Incarceration Time

The statistically significant factors for the dependent measure of incarceration time imposed by the courts were: circuit, pre-hearing detention, the interaction between severity and race, and age. Race/ethnicity was not a statistically significant factor ($p=.06$).

Incarceration Time-Days

Factor	F Value	Probability	Comments
Race	3.49	.06	Not Significant
Gender	.01	.94	Not Significant
Circuit	2.57	.02*	2, 5, & 7 higher; 1 & 4 lower
Pre-Hearing Detention	6.43	.01*	Pre-hearing detention = greater incarceration
Race* Gender	.06	.81	Not Significant
Race* Circuit	1.06	.38	Not Significant
Race* Severity	8.28	.004*	Native Americans = more time at lower severity levels, whites = more time at higher levels
Severity of Offense	2.98	.09	Not Significant
Age	7.98	.005*	Older = greater incarceration time

*Significant

Source: UJS

Statistical Procedures: Regression, Analysis of Covariance Using Type III Sum of Squares

N= 266

R-Square = .27

Mean = 32.9 days

Dispositional Option: Probation Time from Court Sentencing Information

Procedure: All Cases in Data Set-Statewide Data

Probation

Five independent variables (circuit, pre-hearing detention, interaction between race and circuit, severity of offense, and age) were significantly related to probation time. Race/ethnicity was not a significant factor.

Probation Time-Months

Factor	F Value	Probability	Comments
Race	.32	.57	Not Significant
Gender	3.02	.08	Not Significant
Circuit	39.46	.001*	4 & 6 higher; 2 & 7 lower
Pre-Hearing Detention	51.04	.001*	Pre-hearing detention = greater probation time
Race* Gender	.23	.63	Not Significant
Race* Circuit	2.92	.01*	Native Americans = higher in one (3) and whites = higher in some (4, 6)
Race* Severity	.03	.86	Not Significant
Severity of Offense	39.71	.001*	More severe the offense = greater the probation time
Age	66.56	.001*	Younger = greater probation time

*Significant

Source: UJS

Statistical Procedures: Regression, Analysis of Covariance Using Type III Sum of Squares

N= 4570

R-Square = .13

Mean = 9.1 months

Dispositional Option: Community Service Time from Court Sentencing Information

Procedure: All Cases in Data Set-Statewide Data

Community Service-Hours

All of the independent variables were significantly related to probation with the exception of race, gender, the interaction between race and gender, and the interaction between race and circuit.

Community Service

Factor	F Value	Probability	Comments
Race	.01	.93	Not Significant
Gender	2.22	.14	Not Significant
Circuit	5.54	.001*	4, & 5 higher; 1 lower
Pre-Hearing Detention	5.99	.02*	Pre-hearing detention = greater community service time
Race* Gender	1.12	.29	Not Significant
Race* Circuit	1.92	.08	Not Significant
Race* Severity	4.46	.04*	Same lower severity levels, whites = more time at higher levels
Severity of Offense	16.01	.001*	More severe the offense = greater the community service
Age	19.33	.001*	Older = greater amount of community service

*Significant

Source: UJS

Statistical Procedures: Regression, Analysis of Covariance Using Type III Sum of Squares

N= 2052

R-Square = .11

Mean = 33.8 hours

Dispositional Option: Fine Amount from Court Sentencing Information**Procedure: All Cases in Data Set-Statewide Data****Fine**

Circuit, severity of offense, and age were significantly related to fine amount.

Fine-Dollars

Factor	F Value	Probability	Comments
Race	.43	.51	Not Significant
Gender	.07	.79	Not Significant
Circuit	2.75	.01*	6 higher; 2 & 7 lower
Pre-Hearing Detention	1.05	.31	Not Significant
Race* Gender	.82	.37	Not Significant
Race* Circuit	.93	.48	Not Significant
Severity of Offense	113.67	.001*	More severe the offense = greater the fine
Age	46.24	.001*	Older = greater amount of fine

*Significant

Source: UJS

Statistical Procedures: Regression, Analysis of Covariance Using Type III Sum of Squares

N= 1474

R-Square = .24

Mean = \$82.85

Dispositional Option: Restitution Amount from Court Sentencing Information

Procedure: All Cases in Data Set-Statewide Data

Restitution

In considering restitution amount, ethnicity was not a significant factor ($p=.06$). Males received a significantly higher amount (\$908) than did females (\$541). Other significant factors were: severity of offense and age.

Restitution-Dollars

Factor	F Value	Probability	Comments
Race	3.56	.06	Not Significant
Gender	4.01	.05*	Males higher
Circuit	1.92	.08	Not Significant
Pre-Hearing Detention	1.81	.18	Not Significant
Race* Gender	1.11	.29	Not Significant
Race* Circuit	1.47	.19	Not Significant
Race* Severity	.25	.62	Not Significant
Severity of Offense	10.74	.001*	More severe the offense = greater the restitution
Age	13.77	.001*	Older = higher amount of restitution

*Significant

Source: UJS

Statistical Procedures: Regression, Analysis of Covariance Using Type III Sum of Squares

N= 522

R-Square = .14

Mean = \$844

Dispositional Option: Drivers License Suspension Time from Court Sentencing Information

Procedure: All Cases in Data Set-Statewide Data

Drivers License Suspension Time

There was no significant difference by race/ethnicity in the time of suspension of driver's license. Males received a significantly higher amount of time (98 days) than did females (75 days). Other statistically significant factors were: circuit and severity of offense.

Drivers License Suspension Time-Days

Factor	F Value	Probability	Comments
Race	.33	.57	Not Significant
Gender	7.13	.01*	Males higher
Circuit	8.48	.001*	2, 3, & 6 higher, 1, 4 & 5 lower
Pre-Hearing Detention	6.54	.01*	Pre-hearing detention = greater community service time
Race* Gender	.11	.74	Not Significant
Race* Circuit	.71	.64	Not Significant
Race* Severity	.36	.55	Not Significant
Severity of Offense	13.33	.001*	More severe the offense = greater the time
Age	.58	.45	Not Significant

*Significant

Source: UJS

Statistical Procedures: Regression, Analysis of Covariance Using Type III Sum of Squares

N= 1541

R-Square = .16

Mean = 95.3 days

XV. Appendix C. Disposition All Cases Statewide Data-Most Severe Offense

Dispositional Option: Detention Time from Court Sentencing Information

Procedure: Persons-Selected by Most Severe Offense-Statewide Data

In addition to considering all cases/incidences of adjudication, analyses were conducted using individuals as the unit of analysis. Individuals were selected based on their most severe offenses, if they had more than one offense.

Detention Time

Variables that were statistically significant included: circuit, pre-hearing detention, and severity of offense.

Detention Time-Days

Factor	F Value	Probability	Comments
Race	.91	.34	Not Significant
Gender	1.46	.23	Not Significant
Circuit	5.00	.001*	5 Higher; 1, 3 & 4 lower
Pre-Hearing Detention	36.77	.001*	Pre-hearing detention = greater detention time
Race* Gender	.45	.50	Not Significant
Race* Circuit	1.67	.13	Not Significant
Race* Severity	.19	.66	Not Significant
Severity of Offense	4.51	.03*	More severe the offense = greater the time
Age	.06	.81	Not Significant

*Significant

Source: UJS

Statistical Procedures: Regression, GLM, Analysis of Covariance Using Type III Sum of Squares

N= 493

Mean = 28.4 Days

R-Square = .17

Dispositional Option: Incarceration Time from Court Sentencing Information

Procedure: Persons-Selected by Most Severe Offense-Statewide Data

Incarceration Time

Circuit, pre-hearing detention, severity of offense, and age were statistically significant factors for the dependent measure of incarceration time imposed by the courts.

Incarceration Time-Days

Factor	F Value	Probability	Comments
Race	.12	.73	Not Significant
Gender	.04	.84	Not Significant
Circuit	2.99	.01*	2, 3, & 7 higher; 1 & 4 lower
Pre-Hearing Detention	5.82	.02*	Pre-hearing detention = greater time
Race* Gender	.03	.86	Not Significant
Race* Circuit	.10	.91	Not Significant
Severity of Offense	9.59	.003*	More severe the offense = greater the time
Age	8.22	.005*	Older = greater amount of time

*Significant

Source: UJS

Statistical Procedures: Regression, GLM, Analysis of Covariance Using Type III Sum of Squares

N= 96

Mean = 35.3 Days

R-Square = .34

Dispositional Option: Probation Time from Court Sentencing Information

Procedure: Persons-Selected by Most Severe Offense-Statewide Data

Probation Time

All of the independent variables were significantly related to probation with the exception of race, gender, race and gender interaction, and the interaction between race and severity.

Probation Time-Months

Factor	F Value	Probability	Comments
Race	1.29	.26	Not Significant
Gender	.00	.97	Not Significant
Circuit	10.67	.001*	4 higher; 2 & 7 lower
Pre-Hearing Detention	16.47	.001*	Pre-hearing detention = greater time
Race* Gender	.01	.76	Not Significant
Race* Circuit	2.85	.01*	Same by race in most units; whites = higher in some (4 & 6)
Race* Severity	.00	.96	Not Significant
Severity of Offense	33.21	.001*	More severe the offense = greater the time
Age	14.42	.001*	Younger = greater amount of time

*Significant

Source: UJS

Statistical Procedures: Regression, GLM, Analysis of Covariance Using Type III Sum of Squares

N= 1797

Mean = 8.5 Months

R-Square = .12

Dispositional Option: Community Service Time from Court Sentencing Information

Procedure: Persons-Selected by Most Severe Offense-Statewide Data

Community Service Time

Gender, circuit, severity of offense, and age were significantly related to community service time. Ethnicity was not significantly related to community service hours ($p=.73$).

Community Service-Hours

Factor	F Value	Probability	Comments
Race	.12	.73	Not Significant
Gender	8.20	.004*	Males higher hours of community service#
Circuit	4.71	.001*	1 & 3 lower
Pre-Hearing Detention	.00	.98	Not Significant
Race* Gender	.14	.71	Not Significant
Race* Circuit	.70	.65	Not Significant
Race* Severity	2.65	.10	Not Significant
Severity of Offense	11.15	.001*	More severe the offense = greater the time
Age	30.72	.001*	Older = greater amount of time

*Significant #Males=33.5, Females=26.7

Source: UJS

Statistical Procedures: Regression, GLM, Analysis of Covariance Using Type III Sum of Squares

N= 915

Mean = 31.3 Days

R-Square = .15

Dispositional Option: Fine Amount from Court Sentencing Information**Procedure: Persons-Selected by Most Severe Offense-Statewide Data****Fine Amount**

Ethnicity was not significantly ($p=.11$) related to fine amount. Factors that were significantly related included: severity of offense and age.

Fine-Dollars

Factor	F Value	Probability	Comments
Race	2.61	.11	Not Significant
Gender	.65	.42	Not Significant
Circuit	.58	.74	Not Significant
Pre-Hearing Detention	1.47	.23	Not Significant
Race* Gender	.33	.57	Not Significant
Race* Circuit	1.42	.22	Not Significant
Severity of Offense	110.01	.001*	More severe the offense = greater the time
Age	16.96	.001*	Older = greater fine amount

*Significant

Source: UJS

Statistical Procedures: Regression, GLM, Analysis of Covariance Using Type III Sum of Squares

N= 705

Mean Fine = \$85.20

R-Square = .27

Dispositional Option: Restitution Amount from Court Sentencing Information

Procedure: Persons-Selected by Most Severe Offense-Statewide Data

Restitution Amount

There were two significant individual factors related to restitution amount: severity of offense and age.

Restitution

Factor	F Value	Probability	Comments
Race	1.95	.16	Not Significant
Gender	.91	.34	Not Significant
Circuit	1.81	.10	Not Significant
Pre-Hearing Detention	.01	.93	Not Significant
Race* Gender	.00	.97	Not Significant
Race* Circuit	1.39	.24	Not Significant
Race* Severity	.04	.84	Not Significant
Severity of Offense	6.54	.01*	More severe the offense = greater the amount
Age	12.96	.001*	Older = higher amount of restitution

*Significant

Source: UJS

Statistical Procedures: Regression, GLM, Analysis of Covariance Using Type III Sum of Squares

N= 236

Mean = \$743.83

R-Square = .15

Dispositional Option: Drivers License Suspension Time from Court Sentencing Information-Statewide Data

Procedure: Persons-Selected by Most Severe Offense

Drivers License Suspension Time

In considering drivers license suspension time, circuit, severity of offense, and the interaction between race and severity were statistically significant factors.

Drivers License Suspension Time-Days

Factor	F Value	Probability	Comments
Race	2.63	.11	Not Significant
Gender	1.69	.19	Not Significant
Circuit	6.32	.001*	1, 2, 4, & 5 lower; 3, 6, & 7 higher
Pre-Hearing Detention	1.32	.25	Not Significant
Race* Gender	.64	.42	Not Significant
Race* Circuit	1.86	.10	Not Significant
Race* Severity	6.85	.01*	Whites = more time for lower levels of severity, Native Americans = more time higher levels of severity #
Severity of Offense	23.86	.001*	More severe the offense = greater the suspension time
Age	.00	.99	Not Significant

*Significant

Few cases for higher level (NA=5, W=30)

Source: UJS

Statistical Procedures: Regression, GLM, Analysis of Covariance Using Type III Sum of Squares

N= 661

Mean = 86.9 days

R-Square = .17

XVI. APPENDIX D-YLS

Reliability of YLS

Because of the potential usefulness of the YLS in assessing DMC in South Dakota, a section on reliability and validity of the instrument is included. Important information for DMC assessment from the DOC data system (JOTS) was the YLS developed by Hoge & Andrews, 2002. Even with the dichotomous (1's, 0's) coding and limited items per subscale, the overall reliability (.88) and the reliability of the subscales of the YLS was very good for the South Dakota DOC population. It is important to establish reliability (consistency of results) and validity (the instrument measures what it purports to measure), because nationally-normed tests are not always appropriate or applicable to local geographic and/or minority populations. In short, the YLS was found to have more than adequate reliability for the DOC clients.

With continuous data variables and more questions per subscale the reliability coefficients would have been even higher. The reliability results found with the South Dakota group reported here are similar to the findings from the Ohio Department of Youth Services study (Flores, Travis & Latessa, 2003) and the information reported in the User's Manual (Hoge & Andrews, 2002). Additionally, other research (Poluchowicz, Jung, and Rawana, 2000) has demonstrated adequate inter-rater agreement reliability of the YLS.

Based on Juveniles Placed with DOC

Scale	Reliability Coefficient	Normative Mean Males/Females	South Dakota Sample Mean Males/Females
Overall	.88	11.09, 11.95	17.31, 16.40
Prior and Current Offenses/Dispositions	.53	0.79, 0.60	1.99, 2.01
Family Circumstances/Parenting	.66	1.82, 2.19	2.86, 3.20
Education/Employment	.75	2.25, 2.10	2.73, 2.40
Peer Relations	.77	2.25, 2.10	2.43, 2.43
Substance Abuse	.83	0.76, 1.00	2.00, 1.82
Leisure/Recreation	.68	1.25, 1.52	1.43, 1.42
Personality/Behavior	.58	1.57, 1.52	1.94, 1.66
Attitudes/Orientation	.65	0.95, 1.19	1.78, 1.47

As a point of interest (see table Reliability of YLS on previous page), the overall and individual scaled scores were generally higher for the South Dakota sample than were the scores of the normative sample in Canada. Higher scores indicate more problems. Some of the scales receiving notably higher scores in South Dakota were prior and current offenses, family circumstances/parenting, and substance abuse. The normative group consisted of adjudicated juveniles serving either probation or custody sentences in Ontario. The South Dakota sample was comprised of persons committed to DOC.

Validity of Youth Level of Service/Case Management Inventory

In its basic form, validity refers to the ability of an instrument to measure what it purports to measure. For example, if a scale professes to measure math it would contain items related to mathematical theory or practice. There are several types of validity including: content, predictive, concurrent, convergent, and divergent. Content validity refers to the extent of which the instrument covers the domains related to the concept or construct (i.e., math, depression, self-esteem, etc.). In the case of the YLS, the content areas covered include: prior and current offenses, family/parenting, education/employment, peer relations, substance abuse, leisure/recreation, personality/behavior, and attitudes.

Predictive validity denotes the ability of the scale to predict future outcomes. For example, a test that measures scholastic aptitude would produce high correlation coefficients between scores on the test and subsequent performance in the classroom. In the case of the YLS with the DOC population, high scores (more problems) on the scales were predictive of placement in secure placement facilities.

In concurrent validity, we examine the degree to which the instrument distinguishes between groups of people that it should. For example, a test that measures intelligence would be able to place persons into groups with high, medium, and low mental abilities.

For convergent validity, we theorize that a test that measures a construct would be correlated highly with another test measuring the same concept. For example, to show the convergent validity of a test of arithmetic skills, we would correlate the scores on a new test with scores on other tests known to measure basic math ability. High correlations between a new measure and other known measures would be evidence of convergent validity.

For divergent validity, we theorize that a test that measures a construct would not be correlated highly with another test that measures a totally unrelated or different concept. For example, to show the divergent validity of a test of arithmetic skills, we might correlate the scores on our test with scores on tests that measure verbal ability, where low coefficients (or high negative correlation coefficients) are evidence of divergent validity. The YLS, along with earlier versions of the current form, has been found to have adequate construct, convergent, concurrent, and predictive validity (Hoge & Andrews, 2002).

Comparison of Racial/Ethnic Groups

An assessment was conducted of differences, if any, between ‘whites,’ Native Americans, and ‘all other minorities’ with respect to scores on the YSL, gender, and age. Statistically significant differences were found in about one half of the 44 factors tested. General areas of major differences were found in the domains of ‘family,’ ‘peer,’ ‘substance abuse,’ and ‘leisure time.’ Generally speaking Native American juveniles were found to have more problems in these four domains than did the other two racial/ethnic groupings.

Individual Variable	Domain	NA Percent Yes	White Percent Yes	Other Percent Yes
Three or more prior convictions	Criminal History	35.3	28.3	30.2
Two or more failures to	Criminal History	49.6	48.9	41.3

Individual Variable	Domain	NA Percent Yes	White Percent Yes	Other Percent Yes
comply				
Prior probation	Criminal History	63.1	60.0	57.1
Prior custody	Criminal History	31.7	26.3	31.7
Three or more current convictions	Criminal History	31.1	29.0	39.7
Inadequate supervision	Family**	65.0	48.9	37.1
Difficulty in controlling behavior	Family*	74.4	66.3	64.5
Inappropriate discipline	Family**	39.4	28.1	24.2
Inconsistent parenting	Family**	63.6	52.1	41.9
Poor relations (father-youth)	Family*	57.8	48.6	54.8
Poor relations (mother-youth)	Family*	37.2	29.5	17.7
Disruptive classroom behavior	School/Employment	32.0	28.3	25.0
Disruptive behavior on school property	School/Employment	30.9	25.8	28.1
Low achievement	School/Employment	57.6	50.9	50.0
Problems with peers	School/Employment	33.3	29.5	32.8
Problems with teachers	School/Employment	30.0	27.5	28.1
Truancy problems at school	School/Employment **	52.1	33.8	37.5
Unemployed/not seeking employment	School/Employment	26.4	26.3	31.3
Some delinquent acquaintances	Peer*	86.0	78.6	75.0
Some delinquent friends	Peer**	78.5	66.8	64.1
No/few positive acquaintances	Peer**	51.2	38.0	35.9
No/few positive friends	Peer*	55.4	45.4	43.8

Individual Variable	Domain	NA Percent Yes	White Percent Yes	Other Percent Yes
Occasional drug use	Substance Abuse**	63.9	51.3	46.9
Chronic drug use	Substance Abuse*	34.2	25.1	26.6
Chronic alcohol use	Substance Abuse**	35.5	19.4	17.2
Substance abuse interferes with life	Substance Abuse**	49.3	36.0	37.5
Substance use linked to offenses	Substance Abuse**	57.0	39.9	40.6
Limited organized activities	Leisure Time	65.6	59.8	59.4
Better use of time	Leisure Time*	71.3	62.5	63.5
No personal interest	Leisure Time*	19.6	12.4	10.9
Inflated self-esteem	Personality/Behavior *	12.3	10.7	21.5
Physically aggressive	Personality/Behavior **	45.8	28.8	40.0
Tantrums	Personality/Behavior	21.5	26.4	23.1
Short attention span	Personality/Behavior	29.4	36.1	33.8
Poor frustration tolerance	Personality/Behavior	53.1	52.4	56.9
Inadequate guilt feelings	Personality/Behavior	28.1	29.6	27.7
Verbally aggressive, impudent	Personality/Behavior	37.6	33.7	35.4
Antisocial/procriminal attitudes	Attitude/Orientations *	39.7	32.2	40.6
Not seeking help	Attitude/Orientations	43.8	37.0	39.1
Actively rejecting help	Attitude/Orientations **	28.4	17.8	23.4
Defies authority	Attitude/Orientations	58.4	53.3	57.8
Callous, little concern for others	Attitude/Orientations	16.0	18.1	26.6
Gender	Demographic*	Fe=28.6	Fe=24.3	Fe=27.2

Individual Variable	Domain	NA Percent Yes	White Percent Yes	Other Percent Yes
Age	Demographic	15.03 yrs	15.26 yrs	15.03 yrs

* chi square significant $p > .05 < .001$

** chi square significant $p = < .001$