



**Fourth Judicial District of Minnesota
Juvenile Disposition Study**

Prepared By:

Jackie Braun-Lewis, MPP

Research Analyst I

Fourth Judicial District of Minnesota • Hennepin County

August 14, 2015

Fourth Judicial District of Minnesota • Hennepin County, Research Division:

Marcy R. Podkopacz, Ph.D., Director

Jackie Braun-Lewis, MPP, Research Analyst I

Matthew A. Johnson, PhD, Research Analyst II

Dana Hurley Swayze, MSW, Research Analyst II

Table of Contents

List of Tables	iii
Executive Summary	iv
Introduction and Project Overview	1
Literature Review.....	2
Initial Contact.....	4
Charging and Detention Decisions	6
Juvenile Courts and Disposition	8
Data.....	10
Dependent Variable: Disposition.....	11
Legally Relevant Independent Variables: Offense and Prior Delinquent History.....	12
Extra-Legal Independent Variables: Arresting Agency, Detention, Gender, Race and Ethnicity, and Age.....	14
Descriptive Statistics: Bivariate Analysis.....	16
Methodology.....	23
Results.....	24
Model One: Comparing Adjudications and Dismissals to Interim Dispositions.....	24
Model Two: Comparing Dismissals to Adjudications.....	29
Model Three: Differences in Judge Initiated and Prosecutor Initiated Interim Dispositions.....	32
Interaction Variables	35
Conclusion	37
References.....	40
Appendix.....	42

List of Tables

Table 1: Relative Rate Index.....	3
Table 2: Descriptive Statistics by Dispositional Outcome	17
Table 3: Descriptive Statistics by Race and Ethnicity	20
Table 4: Descriptive Statistics By Interim Disposition Type	22
Table 5: Model One Results	28
Table 6: Model Two Results.....	31
Table 7: Model Three Results.....	34
Table A1: Interaction Between Race and Gender.....	42
Table A2: Interaction Between Race and Offense Type	42
Table A3: Interaction Between Gender and Offense Type.....	43
Table A4: Interaction Between Race and Detention.....	43
Table A5: Interaction Between Gender and Detention.....	43
Table A6: Interaction Between Race and Arresting Agency.....	44
Table A7: Interaction Between Race and Prior History	45
Table A8: Interaction Between Gender and Prior History.....	45

EXECUTIVE SUMMARY

The following study of the Fourth Judicial District of Minnesota was initiated as part of JDAI (Juvenile Detention Alternative Initiative) at the request of Judge Lucy Weiland. This study seeks to analyze the factors that influence disposition decisions for juveniles, particularly interim dispositions. This study includes juvenile delinquency cases with a disposition date between 2009 and 2011. The time period selected allows for a recidivism study to take place immediately following this research report using the same sample of cases.

Offense

- Felony sex and drug offenses were more likely to lead to an interim disposition than other offense types (72% less likely to be adjudicated and 66% less likely to receive a dismissal). This was the only offense that was more likely to receive an interim disposition than any other disposition. The interim disposition granted for sex and drug offenses was more likely to be the judge initiated continuance without adjudication.
- A charge of a gross misdemeanor/misdemeanor person or weapon offense made the odds of receiving the prosecutor initiated continuance without findings two times more likely to be granted while making the odds of receiving the judge initiated continuance without adjudication 69% less likely.

Prior Offenses

- The effect of prior person offenses and prior non-person offenses were largely the same and decreased the likelihood of receiving an interim disposition in comparison to both an adjudication of delinquency and a dismissal.
- A prior offense decreases the odds of receiving a judge-initiated continuance without adjudication by 73% for a prior person offense and 83% for a non-person offense.
- A prior offense has no statistically significant influence on the odds of receiving a prosecutor-initiated continuance without findings.

Gender

- Females were 33-34% less likely to receive a dismissal relative to both interim dispositions and adjudications.
- There was no statistically significant difference between genders in the odds of receiving adjudication of delinquency relative to either interim disposition.

Race and Ethnicity

- Compared to white youth, all youth of a minority racial group were more likely to receive both adjudication and a dismissal relative to interim dispositions. The disparity was greatest for Native American/Alaskan Native youth, who were nearly 2 times as likely as white youth to receive adjudication relative to an interim disposition and over 3 times as likely to receive a dismissal relative to an interim disposition. Black youth were twice as likely to receive an adjudication of delinquency relative to an interim disposition and 1.7 times as likely to receive a dismissal relative to an interim disposition.
- Hispanic youth were 71% more likely than non-Hispanic youth to receive an adjudication of delinquency relative to an interim disposition and 72% more likely to receive a dismissal relative to an interim disposition.

- Black youth were 62% less likely than white youth to receive a continuance without adjudication and 35% less likely to receive a continuance without findings relative to adjudication.
- Hispanic youth were 47% less likely than non-Hispanic youth to receive a continuance without adjudication relative to adjudication. There was no statistical difference in the odds of receiving a continuance without findings between Hispanic and non-Hispanic youth.
- Compared to white youth with no prior offense, minority youth with no prior offense and white youth with a prior offense are both more than twice as likely to be adjudicated relative to interim dispositions. Minority youth with a prior offense are nearly four times as likely to receive an adjudication relative to an interim disposition.

Arresting/Citing Agency

- When comparing suburban agencies to Minneapolis and Transit Police, the results are largely the same, however when the arresting agency is interacted with a race variable differences emerge. Compared to white youth arrested or cited by Minneapolis or Transit Police, minority arrested or cited by the same agencies were 80% more likely to receive a dismissal while white youth arrested or cited by suburban police were 50% less likely to receive a dismissal relative to an interim disposition.

Detention

- Detention was only significant if the juvenile was detained at the time of disposition and increased the likelihood of receiving both an adjudication of delinquency and a dismissal relative to an interim disposition. Juveniles detained at the time of disposition are over three times as likely as those who are never detained to receive be adjudicated delinquent relative to interim dispositions.

INTRODUCTION AND PROJECT OVERVIEW

Each year over one thousand children have a delinquency case filed against them in the Fourth Judicial District of Minnesota, charging them with a criminal offense. For many children, these charges are their introduction to the criminal justice system. While the formal sentences and fines of a delinquency charge are much less severe than criminal charges in the adult realm, juvenile charges are no less serious in their long term effects. Delinquency cases carry with them a host of potential collateral consequences including ineligibility for youth programs, unemployment, expulsion from school, and even homelessness. As the results of a juvenile charge can be severe, it is important to consider how courts handle delinquency cases. Contact with the juvenile justice system should not further harm the child. Instead, it should provide opportunities for rehabilitation for the juveniles, while also promoting public safety for the community at large. To create an environment that supports rehabilitation, the courts must constantly work to ensure decisions are made in a just, fair, and thoughtful manner.

Juvenile delinquency cases can result in a few different outcomes ranging from the dismissal of all charges to an adjudication of delinquency.¹ Nearly 70% of cases between 2009 and 2011 resulted in adjudication, while over 10% were given an interim disposition and over 20% of cases were dismissed. These early offenses have the potential to follow children throughout their youth and into adulthood, particularly adjudicated offenses that can even be used in criminal history for adult offenses. For this reason, the Fourth Judicial District of

¹ Juvenile cases may also result in an adult criminal case through Extended Jurisdiction Juvenile proceedings or through certification as an adult. These cases are not included in this study.

Minnesota Research Division has undertaken this study to determine how disposition decisions for juveniles are determined.

While the research team has previously conducted exploratory research using descriptive statistics related to juvenile dispositions, it has not examined the legal and extralegal factors that may relate to such outcomes. This study offers a more comprehensive approach than those conducted in the past and considers an array factors that may influence juvenile dispositions in the Fourth Judicial District of Minnesota. Particular attention is given to the effect of race and ethnicity on the disposition due to large disparities. Only 8.4% of minority youth receive an interim disposition compared to 21.4% of white youth.

This study seeks to answer the following research questions:

- 1) What factors are significantly related to the decision to adjudicate, dismiss or give an interim disposition?
- 2) Is there any disparity in the dispositional outcomes by race/ethnicity/gender?
- 3) Can these disparities in dispositions be explained by legally relevant factors?
- 4) If not, to what extent are the unexplained disparities due to bias?

The following analysis identifies which factors are most important in the Fourth Judicial District of Minnesota when making dispositional decisions. We hope that, with this insight, the court can continue to ensure decisions are made fairly; giving each child a disposition that promotes both public safety and rehabilitation.

LITERATURE REVIEW

There are multiple decision points in the juvenile justice system, including citation/arrest, detention, and charging. Each of these has consequences for decision points that follow and all have the potential to influence the final disposition decision. Prior research has demonstrated disparities between races at every decision point in the juvenile delinquency process (Bishop and

Frazier 1996; Snyder and Sickmund 2006). Data provided by the Minnesota Department of Public Safety Office of Justice Programs illustrates the disproportionate contact for minority youth relative to white youth. The table below shows that minority youth are more than four times as likely to be arrested relative to white youth.

Table 1: Relative Rate Index

Summary: Relative Rate Index Compared with White Juveniles							
State : Minnesota	Reporting Period						
County: Hennepin	01/01/2009 through 12/31/2011						
	Black or African-American	Hispanic or Latino	Asian	Native Hawaiian or other Pacific Islanders	American Indian or Alaska Native	Other/Mixed	All Minorities
2. Juvenile Arrests	6.53	2.81	0.19	*	6.09	*	4.32
3. Refer to Juvenile Court	1.60	0.47	4.40	*	1.44	*	1.44
4. Cases Diverted	0.72	0.93	0.99	*	0.81	*	0.74
5. Cases Involving Secure Detention	1.55	2.82	1.40	*	1.59	*	1.60
6. Cases Petitioned	1.31	1.95	1.00	*	1.21	*	1.38
7. Cases Resulting in Delinquent Findings	1.25	1.32	1.30	*	1.22	*	1.27
8. Cases resulting in Probation Placement	0.53	0.82	0.82	*	0.74	*	0.55
9. Cases Resulting in Confinement in Secure Juvenile Correctional Facilities	1.90	3.49	**	*	3.10	*	1.90
10. Cases Transferred to Adult Court	**	**	**	*	**	*	**
Group meets 1% threshold?	Yes	Yes	Yes	No	Yes	No	

Key:

Statistically significant results:	Bold font
Results that are not statistically significant	Regular font
Group is less than 1% of the youth population	*
Insufficient number of cases for analysis	**
Missing data for some element of calculation	---

A review how juveniles reach disposition provides insight into which variables to include in the current study and how past decisions are reflected in the sample population.

Initial Contact

The first decision point to consider occurs at the point of initial contact with law enforcement. This first contact can result in no formal action, a citation, or an arrest. While it is outside the scope of this project to determine how the juveniles first encountered law enforcement, it is important to consider, as it influences which children will be included in the sample population. Past research informs us that racial disparities exist at this first point and provide evidence on how these differences emerge (Bishop, 2005). According to Bishop, there are numerous theories of how racial disparities at initial contact occur, but there is little debate that these disparities exist. Two main theories are differences in offending and differences in policing. The first theory, differences in offending, suggests that different racial groups have different offending patterns. This may manifest in a number of ways including committing a greater number of offenses, committing more severe offenses, or committing offenses in places where they are more likely to be observed—leading to contact with law enforcement. The second theory, difference in policing, could be due to a number of factors as well. A potential cause is that police are more active in neighborhoods with more crime; these are also the same neighborhoods with higher concentrations of racial minorities. By taking a “tough on crime” stance in communities of color and using “broken window” policing tactics, police may not only have more of a presence but also give more citations and arrest more often, even in situations

² Hispanic was coded separately from race in both census data and arrest data. The race information for this table for cases in the sample was created in the same fashion to allow for comparison, however the race variable is coded differently in the regression models.

where police discretion could allow for informal action. Another possible reason could be bias from law enforcement and citizens reporting alleged crimes, which leads to more police stops for people of color, more searches of vehicles, and more citations and arrests where there is police discretion.

While police discretion and bias are difficult to measure, previous studies use a number of methods and explored alternative variables to give a clearer picture of how racial disparities occur at this point. Differences in offending are explored by Crutchfield et al., who compared self-reports of violent crimes and property crimes of juveniles to arrests to determine if differences in offending would explain why youth of color were more likely to have police encounters (2009). There was no difference in self-reporting of person offenses but black children self-reported committing property crimes more often than white children did. This difference in offending was not large enough to fully explain the higher arrest rate for black youth. Conversely, Tapia (2010) found that minority youth were more likely to self-report violent offenses and less likely to report property and drug offenses. Tapia (2010) and Watt and Rogers (2007) found that white youth were more likely to use alcohol and marijuana but found no statistically significant difference in hard drug use. Tapia, similar to Crutchfield et al, found that there were differences in arrest rates between races that were not accounted for by differences in offending.

A primary cause of difference in policing, according to prior studies, is that there is a greater police presence in neighborhoods and schools that experience higher crime rates and that these same neighborhoods and schools also have a higher proportion of racial and ethnic minorities (Crutchfield et al. 2009; Ousey and Lee 2008; and Bishop 2005). The police in these

neighborhoods may also be more active due to “broken window” policing. This higher police presence increases the likelihood that a juvenile will have an encounter with law enforcement as a result of proactive policing. It is also hypothesized that economic status drives the higher arrest rates of minority youth (Smith, Visser, and Davidson 1984; Ousey and Lee 2008). Minorities are more likely to reside in impoverished neighborhoods and, consequently, may also experience higher arrest rates. Based on this prior research indicating arrests are more likely for minority youth, it is not only expected that minority youth will be overrepresented in comparison to the general population in juvenile criminal justice research, but that the cases of white youth and minority youth will differ.

Charging and Detention Decisions

After a police encounter, two additional decisions are made: detention and charging. An arrest is the most severe sanction an officer can impose on a juvenile and is used sparingly in the Fourth Judicial District of Minnesota. There are different explanations of why police detain some juveniles but not others. Several sources have pointed to the wishes of the complainant (the individual who first contacted police to report an alleged offense) as the reason behind the majority of juveniles’ arrests leading to detention (Bishop 2005; Black and Reiss 1970). An additional factor explored by Black and Reiss (1970) relates to the victim’s race, finding that arrest was more likely if the victim of the alleged offense was white.

A detention variable is often included in decision point analyses under the hypothesis that those who are detained are more likely to receive an adjudication of delinquency. McCarthy and Smith (1986) found that pretrial detention was a stronger predictor than other legal variables, including prior delinquent history and the severity and type of the current offense (see also

Bishop and Frazier, 1985). Bishop (2005) also found that pretrial detention was used disproportionately for minority juveniles, which then negatively affected youths in later stages of case processing. In Hennepin County, it is possible that the predictive value of pretrial detention is less than noted in past studies elsewhere since detention criteria and validated risk assessment tools are used to determine whether a juvenile should be detained. The detention criteria include the requirement that the alleged offense be a felony level offense or a person misdemeanor/gross misdemeanor, greatly reducing the pool of juveniles eligible to be brought to the detention center. The risk assessment tools include a number of factors that are analyzed separately in this study, such as the current offense and prior offenses. Because the factors used in the risk assessment tools overlap with the variables controlled for in this study, detention prior to disposition may be less influential here than in other studies.

Previous research performed by the Fourth Judicial District of Minnesota Research Division explored how a number of factors affect charging decisions based on arrests from 2008 and 2009 (Schaefer and Podkopacz, 2010). This study found that 23% of those who were arrested and brought to the Juvenile Detention Center (JDC) were not formally charged. Schaefer and Podkopacz also found that minorities were more likely to be arrested and never charged compared to non-minorities. Furthermore, minority children were dramatically overrepresented at both the arresting and charging points. This indicates that early in the decision making process, minority children are receiving different outcomes than non-minority children (of the 1,199 juveniles included, 994 were of a minority race). Perhaps many of those who are arrested and never charged should not have been arrested and the disproportionate number of minority

youth released without a charge corrects some of the overrepresentation of minority youth in arrests due to differences in policing.

Juvenile Courts and Disposition

The mission of juvenile courts differs significantly from adult courts. While adult courts place their emphasis primarily on public safety and punishment, juvenile courts add the concept of treatment as a primary tenant; focusing on the child and providing the necessary tools for reform in addition to public safety and punishment (Bishop 2005). Disposition decisions for juveniles, according to Minnesota statute, must be based in large part on the best interest of the child.³ This difference allows for greater inclusion of social factors, such as a child's home environment, which can lead to disparities in dispositional outcomes. For example, if family stability is very important when considering giving an interim disposition and black youth are less likely to have a stable familial network, racial disparities may arise. Such factors are not always admissible in adult court, as they may introduce implicit bias⁴. Because this unique focus prior research focusing on adult disposition decisions may not be applicable in the juvenile realm.

Factors which should be considered at the time of disposition according to court workers (including judges, social workers, probation officers, prosecutors and defense attorneys) include a number of extralegal factors such as the family stability of the juvenile and the child's school performance including grades and attendance (Sanborn 1996). Unfortunately, many of these factors are difficult to obtain and therefore often excluded in research studies of dispositional

³ See Minn. Stat. 260B.198 <https://www.revisor.mn.gov/statutes/?id=260B.198>

⁴ For example, employment, age, and marital status are all explicitly barred from consideration at the time of sentencing according to the Minnesota Sentencing Guidelines.

outcomes. System resources and treatment needs were also found to be important to court workers; however, the primary factors for consideration, according to Sanborn, were the current offense and previous contact with juvenile court. Reports prepared by probation officers and presented to judges have been shown to be influential and disadvantageous to black youth as they describe black youth as less remorseful and at greater risk for reoffending without regard for their environment. In contrast, white youth's offenses are more often attributed to external causes such as familial conflict (Bridges and Steen 1998). Prior research demonstrates that delinquent history is a strong predictor of the disposition on the current offense (Bishop 2005; Cohen and Kluegel, 1978; Feld 1989; and Henretta, Frazier, and Bishop 1986). Criminal history is an accepted method of measuring both accountability and risk in adult courts and operates in the same way for juveniles, with children who have prior delinquent history being treated as more likely to reoffend and as more culpable for their actions.

While overrepresentation of juveniles of minority racial groups is seen throughout the early decision points in the criminal justice process, research suggests that, at the point of adjudication, children who are white are adjudicated more often than minority children (Bishop 2005). Bishop speculates that this difference demonstrates a "correction"; judges are disproportionately dismissing cases of minority juveniles because their cases are, overall, weaker than their white counterparts are. This "correction" is adjusting for cases where the juvenile should not have been arrested but, due to disparities in police encounters, the juvenile entered the criminal justice system.

Previous scholarship indicates that interaction between variables, particularly race, is an important method of parsing out how disposition decisions are made. Offense type in

combination with race also results in different outcomes whereby black offenders are more likely to receive harsher sentences for drug and person offenses than white offenders (Leiber and Fox 2005).

Overall, there are several factors that cannot be considered here such as arrest and charging decisions, but with this background, it can be predicted that there are disparities in the sample population due to differential treatment by race at earlier decision points. Racial disparities found by this research may be, in part, attributable to past discrepancies.

DATA

The data for this study consist of all delinquency cases disposed in Fourth Judicial District of Minnesota between 2009 and 2011.⁵ The Fourth Judicial District of Minnesota, comprised of only Hennepin County, is Minnesota's most populous county and includes the city of Minneapolis and 46 surrounding suburbs. Cases from this county comprise approximately 25% of juvenile cases in the state. Hennepin County is primarily urban and suburban and is one of the most racially diverse counties in the state. The data were collected from the Minnesota Court Information System (MNCIS).

Only cases handled exclusively in juvenile courts were included. Any case in which the juvenile was certified as an adult or the juvenile received both an adult and juvenile sentence (known as an Extended Jurisdiction Juvenile or Blended Sentencing) was excluded from the sample. The initial sample consisted of 5,914 cases.

⁵ These years were selected instead of a more recent time period to allow for a recidivism study to take place immediately following the completion of this study.

Dependent Variable: Disposition

The dependent variable of this study consists of three distinct dispositional outcomes: adjudications of delinquency, interim dispositions and dismissals. By focusing on dispositional outcomes and not sentence length or placement, the study examines the factors that lead not only to an adjudication, but also to a dismissal or an interim disposition.

The first outcome considered is an adjudication of delinquency. Similar to a conviction in the adult realm, an adjudication of delinquency indicates that the juvenile committed an offense and may face court-imposed penalties including probation and detention.

Interim dispositions are the second dispositional category, which is a unique addition to juvenile disposition decision research. Interim dispositions include continued without adjudication and continued without findings. When a child receives an interim disposition, a plea may be entered, but the adjudication is stayed. As long as the child remains law abiding and complies with all terms of probation for a set period, the charge is later dismissed. This allows the juvenile a second chance while having adjudication as a consequence for failure. This outcome can be further divided into two sub-outcomes:

- **Continued without Adjudication** can result from a plea agreement or can be ordered by the judge at the time of disposition without the agreement of the prosecutor. A continuance without adjudication requires an admission of guilt and is limited to six months, though it can be extended to 1 year with the prosecutor's consent.
- **Continued without Findings** is generally the result of an agreement between the prosecutor and defense attorney which allows the case to be continued without an admission of guilt.

For both of these interim dispositions, the child is monitored for compliance to court conditions.

The final potential outcome is dismissal or acquittal, which results in all charges being dropped and no further sanctions imposed. Although these are very different processes, for the

purposes of this study they are combined because the end result is that the original charge is not upheld which is vastly different, and has different consequences, than adjudications or interim dispositions.

Legally Relevant Independent Variables: Offense and Prior Delinquent History

The type and severity of the offense has been shown to influence dispositional decisions (Bishop, 2005; Leiber and Fox, 2005). In this study, the statute at the time of disposition, and thus the charge that the prosecutor chose to pursue, was selected since it is more closely tied to the ultimate disposition. Only juvenile delinquency offenses which resulted in a disposition for a felony, gross misdemeanor, or misdemeanor were included. Offense categories were built for felony level and misdemeanor and gross misdemeanor level offenses. This research used the following offense types:⁶

Felonies

Person and Weapon Offenses
Drug Sale or Possession and Sex Offenses
Property Offenses and Other Felonies

Misdemeanor/Gross Misdemeanors

Person and Weapon Offenses
Drug Sale or Possession and Sex Offenses
Conduct Offenses
Property Offenses and Other Misdemeanors/Gross Misdemeanors

When multiple charges exist under the same case, or when multiple cases were disposed on the same day, the offense with the most severe disposition was selected. If there were multiple cases disposed on the same day with the same disposition, the most severe offense was used. A juvenile can only have one current offense included for any specific date; however, if a juvenile

⁶ The offenses were divided into the above categories to ensure there are enough observations of each offense type. The offenses were categorized together based both on the severity of the offense and odds of receiving each disposition type.

has multiple cases, each with a different disposition date, the juvenile will appear more than once in the sample. An offense-related variable captures the charges and cases excluded in the above manner. The “additional charges” variable indicates the number of additional charges disposed on the same date as the case included in the study. It is hypothesized additional charges will make more severe dispositional outcomes more likely. In other words, the more charges pending, the more likely it is that there will be at least one adjudication of delinquency.

A variable indicating if the offense was reduced from a felony to a gross misdemeanor or misdemeanor was created. As is shown below, a case where the charge was reduced from a felony to a gross misdemeanor or misdemeanor nearly always results in adjudication of delinquency. This is likely due to plea negotiations.

Prior offending history is a critical element to include in a dispositional analysis, as a pattern of criminal behavior can be more influential than the current offense when considering dispositional outcomes (Bishop 2005; Cohen 1975; Feld 1989; and Henretta, Frazier, and Bishop 1986). Prior delinquency history includes all offenses that occurred in Minnesota with a disposition date between 2006⁷ and the disposition date of the current offense. Prior offenses were considered in in several different forms: as a variable indicating whether the juvenile had been charged with any prior delinquency offenses or not, as a continuous variable indicating *the number* of prior adjudicated offenses, and as a categorical variable to distinguish between person and non-person offenses. Each of these variables were considered and the categorical variable distinguishing between an person and non-person offense was found to be the most predictive form of prior delinquent history and is used in the models below. Specifically, this category

⁷ 2006 is the first full year Hennepin County was using MNCIS. Prior to this, electronic extracts of juvenile data may be unreliable.

includes: prior person offense, prior non-person offense but no prior person offense, and no prior offenses.

Extra-Legal Independent Variables: Arresting Agency, Detention, Gender, Race and Ethnicity, and Age

The arresting or citing agency was used as a proxy for the location of the offense. A dummy variable was created to indicate which agency arrested or cited the child: the Minneapolis Police or Transit Police or Suburban Agency (all other agencies within Hennepin County). It is hypothesized that, as an urban police department, there could be a greater police presence in minority neighborhoods leading to more police encounters for minor offenses in Minneapolis than in the suburbs (Crutchfield et al. 2009; Ousey and Lee 2008; and Bishop 2005). This variable will isolate the effect of the arresting or citing agency to determine if there are significant differences based on the location of the offense.

A categorical detention variable was created to determine if a juvenile was detained at the JDC (Juvenile Detention Center) or through electronic home monitoring, an alternative to detention. The categorical variable indicates if a juvenile had never been detained for the instant offense, was detained but released prior to disposition, or was detained until disposition. Detention of any kind prior to disposition was expected to increase the likelihood of adjudication (McCarthy and Smith 1986 and Bishop and Frazier 1985). Detention was also evaluated as an interaction variable with race and gender to determine if differences emerge when looking at these variables together.

The amount of time between the offense date and the disposition date is also included. This variable is not generally included in this type of analysis; however it is included to

determine what, if any, affect the age of the case has on disposition decisions. It is possible that cases which are disposed quickly have greater odds of receiving a dismissal because a judge or attorney may feel the case does not have enough evidence to move forward meaning the time to disposition is a proxy for the strength of the case. Conversely, old cases may be disproportionately dismissed simply to remove the case from a judges and prosecutors case load. It is also possible that cases that take longer to reach a disposition are more likely to result in an interim disposition as the child may have had more time to prove his or her ability to follow the courts conditions. In both of these scenarios, the time to disposition has a direct effect on the disposition.

While females are underrepresented in delinquency cases, prior research suggests that gender is an important factor in the type of offense (Williams et al 2007). To better understand this relationship, this study examines the direction of gender bias in dispositional outcomes. Gender was also considered as an interaction variable with detention, race, and current offense in subsequent specifications.

Two race and ethnicity variables were initially created: a dichotomous variable indicating whether the child self-identifies as Hispanic and a categorical variable using the following race categories collected by MNCIS: White, Black, Native American or Alaskan Native, and Other/Multiracial. Cases where the juvenile's race and ethnicity were unknown (5.2% of the sample) were excluded.

These two race and ethnicity variables were combined to create an additional dichotomous variable to indicate if the juvenile self-identifies as a member of a minority racial

group or as Hispanic. Race and ethnicity were also be used as an interaction variable with type of current offense, gender, and detention in later specifications.

Age at the time of the current offense was included as a possible predictor of dispositional outcomes. A young age may be seen as indicative of a greater likelihood of future offenses and treated more harshly. Alternatively, judicial officers and prosecutors may also be more lenient in order to give younger juveniles another chance.

Descriptive Statistics: Bivariate Analysis

Of the initial 5,914 cases, several cases were excluded due to missing data. Two cases were missing gender information, three were missing arresting agency information and 309 cases were missing race information leaving a total of 5,600 cases. Of these 5,600 cases, 661 cases listed the arresting agency as an agency outside of Hennepin County. Most of these offenses were transfer of venue cases where the case was transferred to Hennepin County for disposition after a plea has been entered. Because the child had already entered a plea prior to coming to Hennepin County Juvenile Court, the cases with an arresting agency outside of Hennepin County were excluded leaving 4,939 cases in the sample. The table below provides descriptive statistics for the cases and variables included in the study by the type of disposition they each received. The summary of the cases in this study show that the current offense category is varied, with most cases listing a gross misdemeanor or misdemeanor property offense or a conduct offense as the most serious charge. Over half of felony drug or sex offenses resulted in an interim disposition; no other offense had an interim disposition as the majority disposition type. These cases likely received a larger proportion of interim dispositions due to treatment options available for both sex and drug offenses. Most cases involved only one charge; however, over

one thousand cases had two charges disposed on the disposition date. About half of the juveniles included in the study had no prior dispositions. Most children were never detained at any point between the offense and disposition. As expected, most of the juveniles are male (74.7%). It is important to note that most children self-identify as black (67.3%). Children who self-identified as white received the greatest percentage of interim dispositions at 21.1% while Native American and black juveniles received the greatest percentage of dismissals at 26.5 and 22.8 % respectively.

Table 2: Descriptive Statistics by Dispositional Outcome

	Adjudicated	Row %	Interim Disposition	Row %	Dismiss	Row %	Total
Year of Disposition							
2009	1,258	69.0	179	9.8	385	21.1	1,822
2010	1,078	67.2	172	10.7	353	22.0	1,603
2011	1,029	68.0	189	12.5	296	19.6	1,514
Legally Relevant Variables							
Offense							
Felony Person and Weapon Offenses	295	72.3	45	11.0	68	16.7	408
Felony Sex and Drug Offenses	52	31.5	92	55.8	21	12.7	165
Felony Property and Other Offenses	296	72.4	45	11.0	68	16.6	409
GM/Misd Person and Weapon Offenses	596	63.3	119	12.6	226	24.0	941
GM/Misd Sex and Drug Offenses	56	40.6	17	12.3	65	47.1	138
Misdemeanor Conduct Offenses	1,040	71.9	108	7.5	299	20.7	1,447
GM/Misd Property and Other Offenses	1,030	72.0	114	8.0	287	20.1	1,431
Number of Additional Charges							
No Additional Charges	1,766	61.2	413	14.3	706	24.5	2,885
1 Additional Charge	914	74.7	103	8.4	206	16.8	1,223
2 Additional Charges	373	81.3	19	4.1	67	14.6	459
3 or More Additional Charges	312	83.9	5	1.3	55	14.8	372

Charge Reduction							
Reduced from Felony	419	97.9	9	2.1	0 ^a	0.0	428
Not Reduced	2,946	65.3	531	11.8	1,034	22.9	4,511
Prior Offenses							
Prior Person Offense	877	69.3	79	6.2	309	24.4	1,265
Prior Non-Person Offense	929	70.5	97	7.4	292	22.2	1,318
No Prior Offense	1,559	66.2	364	15.4	433	18.4	2,356
Extra-Legal Variables							
Arresting Agency							
Minneapolis or Metro Transit Police	1,256	66.7	175	9.3	453	24.0	1,884
Suburban Agency	2,109	69.0	365	11.9	581	19.0	3,055
Detention							
Detained and Released	514	74.0	72	10.4	109	15.7	695
Detained until Disposition	601	78.6	24	3.1	140	18.3	765
Never Detained	2,250	64.7	444	12.8	785	22.6	3,479
Time to Dispo. in Years (Mean)	.33	---	.52	---	.54	---	.39
Gender							
Female	879	70.3	148	11.8	224	17.9	1,251
Male	2,486	67.4	392	10.6	810	22.0	3,688
Self-Reported Race							
White	617	64.3	205	21.4	138	14.4	960
Black	2,266	69.0	269	8.2	748	22.8	3,283
Hispanic	226	71.7	27	8.6	62	19.7	315
Native American/Alaskan Native	110	66.3	12	7.2	44	26.5	166
Other/Multiracial	146	67.9	27	12.6	42	19.5	215
Age in Years (Mean)	15.5	---	15.4	---	15.6	---	15.5
Total	3,365	68.1	540	10.9	1,034	20.9	4,939

Disparities between racial groups are an important component of this research. Table 2 below provides descriptive statistics by race/ethnicity on a number of variables critical to this analysis. White juveniles are more likely to be charged with a felony sex or drug offense (8.5% of white juveniles compared to 2.1% of minority juveniles). Conversely, minority children are more likely to be charged with a felony person or weapon offense than white juveniles (8.8% of minority children compared to 5.8% of white children). As expected, minority youth are

overrepresented in Minneapolis citations and arrests while white youth are overrepresented in suburban citations and arrests. White children and minority children are detained and released prior to disposition at similar rates but minority children are detained until disposition more often (17.4% of minority children compared to 7.6% of white children) while white children are never detained more frequently than minority children (77.0% of white children compared to 68.9% of minority children).

Table 3: Descriptive Statistics by Race and Ethnicity

	White (not Hispanic)	Column %	Minority (incl Hispanic)	Column %	Total
Disposition Type					
Adjudicated	617	64.3	2,748	69.1	3,365
Interim Disposition	205	21.4	335	8.4	540
Dismissal	138	14.4	896	22.5	1,034
Legally Relevant Variables					
Offense					
Felony Person and Weapon Off.	56	5.8	352	8.8	408
Felony Sex and Drug Off.	82	8.5	83	2.1	165
Felony Property and Other Off.	91	9.5	318	8.0	409
GM/Misd. Person and Weapon Offenses	198	20.6	743	18.7	941
GM/Misd. Sex and Drug Off.	28	2.9	110	2.8	138
Misdemeanor Conduct Off.	237	24.7	1,210	30.4	1,447
GM/Misd. Property and Other Offenses	268	27.9	1,163	29.2	1,431
Number of Additional Charges					
No Additional Charges	599	62.4	2,286	57.5	2,885
1 Additional Charge	240	25.0	983	24.7	1,223
2 Additional Charges	72	7.5	387	9.7	459
3 or More Additional Charges	49	5.1	323	8.1	372
Charge Reduction					
Reduced from Felony	110	11.5	318	8.0	428
Not Reduced	850	88.5	3,661	92.0	4,511
Prior Offense					
Prior Person Offense	162	16.9	1,103	27.7	1,265
Prior Non-Person Offense	186	19.4	1,132	28.4	1,318
No Prior Offense	612	63.7	1,744	43.8	2,356
Extra-Legal Variables					
Arresting Agency					
Minneapolis or Metro Transit Police	179	18.6	1,705	42.8	1,884
Suburban Agency	781	81.4	2,274	57.2	3,055
Detention					
Detained and Released	148	15.4	547	13.7	695
Detained until Disposition	73	7.6	692	17.4	765
Never Detained	739	77.0	2,740	68.9	3,479
Time to Dispo in Years (Mean)	.40	---	.39	---	.39
Gender					
Female	226	23.5	1,025	25.8	1,251
Male	734	76.5	2,954	74.2	3,688
Age in Years (Mean)	15.6	---	15.4	---	15.5
Total	960	100.0	3,979	100.0	4,939

Table 3 below shows a bivariate analysis comparing the two types of interim dispositions with adjudications and dismissal suppressed. The percentage shown is for all cases in a given row, including cases that resulted in an adjudication or dismissal. Race and ethnicity were combined into one dichotomous variable indicating whether the child self-identified as a member of a minority racial group or as Hispanic because the number of observations for this analysis are low. The number of additional charges was also changed to a dichotomous variable indicating whether the child had any additional charges to ensure enough observations in each category. Over half of felony sex and drug offenses receive a continuance without adjudication. Gross misdemeanor and misdemeanor person and weapon offenses received the highest proportion of continuances without findings at 8.6%. Most of those who received a continuance without adjudication had no criminal history (9.8% of those with no criminal history compared to 1.6% of those with a prior person offense and 1.1% of those with a prior non-person offense). There was little difference in the rates of receiving a continuance without findings based on prior offenses (5.6% of those with no criminal history compared to 4.7% of those with a prior person offense and 6.2% of those with a prior non-person offense). As anticipated based on offense, most of those who received a continuance without adjudication were white, non-Hispanic youth (14.2% of white, non-Hispanic youth compared to 3.3% non-White or Hispanic youth). Minority juveniles received slightly more continuances without findings (7.2% of minority juveniles compared to 5.2% of white, non-Hispanic juveniles).

Table 4: Descriptive Statistics By Interim Disposition Type

	Continued w/o Adjudication	Row % all dispos	Continued w/o Findings	Row % all dispos
Legally Relevant Variables				
Offense				
Felony Person and Weapon Offenses	39	9.6	6	1.5
Felony Sex and Drug Offenses	87	52.7	5	3.0
Felony Property and Other Offenses	32	7.8	13	3.2
GM/Misd Person and Weapon Offenses	38	4.0	81	8.6
GM/Misd Sex and Drug Offenses	12	8.7	5	3.6
Misdemeanor Conduct Offenses	31	1.9	83	5.6
GM/Misd. Property and Other Offenses	27	2.2	81	5.8
Number of Additional Charges				
No Additional Charges	203	7.0	210	7.3
1 or More Additional Charge	63	3.1	64	3.1
Prior Offenses				
Prior Person Offense	20	1.6	59	4.7
Prior Non-Person Offense	15	1.1	82	6.2
No Prior Offense	231	9.8	133	5.6
Extra-Legal Variables				
Arresting Agency				
Minneapolis Police	69	3.7	106	5.6
Suburban Agency	197	6.4	168	5.5
Detention				
Detained and Released	35	5.0	37	5.3
Detained until Disposition	18	2.4	6	0.8
Never Detained	213	6.1	231	6.6
Time to Disposition in Years (Mean)	.53	---	.44	---
Gender				
Female	65	5.2	83	6.6
Male	201	5.5	191	5.2
Race and Ethnicity				
White, Non-Hispanic	136	14.2	69	5.2
Non-White or Hispanic	130	3.3	205	7.2
Age in Years (Mean)	15.3	---	15.4	---
Total	266	5.4	274	5.5

METHODOLOGY

Multinomial regression, a type of logistic regression, is the ideal method for comparing multiple outcomes simultaneously. A multinomial regression allows all other elements of the dependent variables to be compared to a reference category. In this study, adjudications of delinquency and dismissals are each compared to interim dispositions in most models. The regression creates two equations simultaneously using the same independent variables for both equations. The results can be compared side by side to determine how each independent variable affects the odds of receiving an adjudication of delinquency and a dismissal relative to interim dispositions. The first models consider all interim dispositions together, while a later model compares the two types of interim dispositions to each other. After creating the initial model, additional models can be created by changing the independent variables included such as combining categories or replacing variables with an interaction variable. These additional specifications ensure that the links between variables have been fully explored.

The results presented below represent the best models considered. Extraneous variables have been eliminated if not theoretically necessary. Variables such as prior offenses and detention had several possible specifications. Each variable was tested and the best specification was chosen for these models.

RESULTS⁸

Model One: Comparing Adjudications and Dismissals to Interim Dispositions

In the first model, interim dispositions is the reference category for the dependent variable meaning that changes in the odds of receiving the other two outcomes are given relative to interim dispositions. The first independent variable considered is the type of the offense with felony person and weapon offenses as the reference category. The results of this variable are mixed; those charged with felony sex and drug offenses were less likely than those charged with felony person or weapon offenses to be adjudicated delinquent while those charged with misdemeanor conduct offenses or gross misdemeanor and misdemeanor property offenses were more likely to receive an adjudication relative to an interim disposition. A felony drug or sex offense charge decreases the likelihood of a dismissal relative to an interim disposition in comparison to a felony person or weapon offense while all non-felony charges increase the likelihood of a dismissal. In fact, those charged with any non-felony offenses were at least twice as likely to receive a dismissal as those charged with a felony person or weapon offense.

The number of charges beyond to the primary offense was statistically significant for all categories (1 additional charge, 2 additional charges, and 3 or more additional charges) and increases the odds of adjudication relative to interim dispositions while decreasing the odds of

⁸ The first column represents the coefficient used in the full equation and the asterisks represent the significance level. For most variables, there is a reference category which all other categories are measured against. The reference category is denoted by a 0 as the coefficient. The standard error provides a measure of variance. The last column shows the odds ratio which provides information that can be used to compare variables to each other. The odds ratio is interpreted as an increase or decrease in the odds of the outcome. An odds ratio of 1 would indicate that there is no effect on the outcome. An odds ratio of greater than 1 indicates an increase in the odds of the outcome relative to the reference category and an odds ratio of less than one indicates a decrease in the odds of the outcome relative to the reference category. For example, the odds of receiving an adjudication for a misdemeanor conduct are $(2.763-1=1.763)$ 176% greater than for a felony person or weapon offense. When less than 1, the odds ratio can be computed by $1-OR$, so the odds of receiving an adjudication for a felony sex or drug offense are $(1-0.247=.753)$ 75% less than for a felony person or weapon offense.

dismissals relative to interim dispositions. The effect of this variable also increases as the number of additional charges increases, suggesting that with each new charge, the odds of receiving an interim disposition or dismissal decreases. Charge reductions performed as expected—increasing the odds of adjudication compared to interim dispositions. There was not enough variance to test the effect of a charge reduction on the odds of receiving a dismissal relative to an interim disposition because there were no cases in this study where the charge was reduced from a felony that resulted in a dismissal.⁹

Prior offenses are statistically significant when comparing interim dispositions to both adjudications and dismissals. Specifically, a prior offense makes an interim disposition less likely, which is expected as interim dispositions are generally reserved for youths with little to no history of offending. The effects of having a prior person offense only influences the likelihood of receiving an adjudication or dismissal relative to an interim dispositions marginally more than having a non-person offense.

There was no statistically significant change in odds between an arrest/citation by the Minneapolis or Transit Police or another Hennepin County agency suggesting that differences in policing are not evident here. This indicates that, when controlling for all other variables, there is not a statistically significant difference in dispositional outcomes between those arrested in Minneapolis and those arrested in suburban communities.

Detention until disposition was statistically significant while detention and release prior to disposition was not. Those detained until disposition were more likely to receive both an

⁹ While a variable would generally be excluded if this case, it is included here to determine the effect of a charge reduction when comparing adjudications to interim dispositions. Because these are simultaneous equations, the variable cannot be removed from one equation without removing it from both equations. Charge reduction is only used in this model and is excluded from all future models.

adjudication and a dismissal than those who were never detained. The increase in the likelihood of adjudication relative to an interim disposition is not surprising, as those who were detained up until disposition would have been assessed as being a greater risk. The increase in the likelihood of receiving a dismissal is more surprising. Those who were detained until disposition were four time more likely to receive a dismissal relative to an interim disposition than those who were never detained.

Time to disposition is significant for both adjudications and dismissals relative to interim dispositions but in opposite directions. Specifically, the greater the length of time between the offense and disposition, the less likely the juvenile is to be adjudicated delinquent relative to interim dispositions. It is possible that additional time allows the juvenile to demonstrate his or her ability to follow the conditions of probation and this increases the likelihood of receiving an interim disposition. Conversely, the greater the length of time between the offense and disposition, the more likely the juvenile is to receive a dismissal relative to interim dispositions. Gender was only statistically significant for dismissals. Females were less likely to receive a dismissal than their male counterparts were relative to interim dispositions. Age at the time of the offense had no statistically significant effect.

All youths who identified as a member of a minority racial group were *more* likely to receive a dismissal relative to interim dispositions than white youths. This may be due to differing needs of the child or perhaps it reflects a correction for overrepresentation of these racial groups in arrests. It is possible that these dismissed cases are system corrections due to biases in policing. Conversely, minority children were more likely to receive an adjudication of delinquency relative to an interim disposition than white youths. The magnitudes of both of these

differences were greatest for Native American/Alaskan Native children. Hispanic youths were also more likely to receive an adjudication of delinquency relative to an interim disposition than non-Hispanic youths. While white youth are expected to receive a greater proportion of interim dispositions because of differences in offenses (white youth are more likely to be charged with felony sex and drug offenses that were most likely to receive interim dispositions) this model controls for offense, meaning that the differences shown here are not due to different offense types. There may be differences in family stability or school performance between white and minority youth, which we do not have sufficient data to test, that could explain some of these findings. It is also possible that children who self-identified as a racial or ethnic minority face an implicit bias¹⁰ leading to more punitive outcomes.

¹⁰ An implicit bias is not conscious bias; rather it occurs without the knowledge or intent of the actor, in this case the judge or prosecutor.

Table 5: Model One Results

	Adjudication of Delinquency Relative to Interim Disposition			Dismissal Relative to Interim Disposition			
	Coef.		SE	Odds Ratio	Coef.	SE	Odds Ratio
Legally Relevant Variables							
Offense							
Felony Person and Weapon Offenses	0				0		
Felony Sex and Drug Offenses	-1.399	***	.272	.247	-1.227	***	.341 .293
Felony Property and Other Offenses	.528	*	.252	1.695	.337		.293 1.400
GM/Misd. Person and Weapon Off.	.243		.217	1.275	1.023	***	.250 2.781
GM/Misd. Sex and Drug Offenses	-.182		.352	.833	1.485	***	.363 4.413
Misdemeanor Conduct Offenses	1.016	***	.218	2.763	1.258	***	.251 3.520
GM/Misd. Property and Other Off.	.829	***	.226	2.290	1.210	***	.259 3.352
Number of Additional Charges							
No Additional Charges	0				0		
1 Additional Charge	.725	***	.128	2.065	.175		.145 1.191
2 Additional Charges	1.555	***	.258	4.734	.621	*	.282 1.860
3 or More Additional Charges	2.879	***	.466	17.790	1.872	***	.483 6.504
Charge Reduction	2.246	***	.354	9.446	.11		- -
Prior Offenses							
No Prior Offenses	0				0		
Prior Person Offense	.438	**	.146	1.550	.728	***	.160 2.071
Prior Non-Person Offense	.450	**	.137	1.569	.517	**	.152 1.676
Extra-Legal Variables							
Suburban Arresting Agency	.044		.114	1.045	-.178		.125 .837
Detention							
Never Detained	0				0		
Detained and Released	.290		.152	1.336	.066		.177 1.068
Detained until Disposition	1.409	***	.243	4.093	1.433	***	.258 4.193
Years to Disposition	-.808	***	.119	.446	.469	***	.115 1.598
Female	.022		.116	1.022	-.384	**	.133 .681
Race							
White	0				0		
Black	.682	***	.121	1.978	.956	***	.144 2.602
Hispanic	.883	***	.239	2.417	1.082	***	.270 2.950
Native American/Alaskan Native	.867	*	.341	2.380	1.324	***	.364 3.757
Other/Multiracial	.313		.246	1.368	.542		.285 1.720
Age at time of Offense	-.009		.035	.991	.067		.039 1.069

*p<.05; **p<.01; ***p<.001

¹¹ This category does not have any observations.

Model Two: Comparing Dismissals to Adjudications

In Model Two, the reference category for the dependent variable is changed to adjudication of delinquency to allow for comparison between adjudications and dismissals.¹² All of the independent variables from Model One are included with the exception of charge reduction as there were no observations for dismissals. The first variable considered is the offense variable. Here, it can be seen that only gross misdemeanor/misdemeanor person, weapon, sex, and drug offenses differ significantly from felony person and weapon offenses. A charge of a gross misdemeanor/misdemeanor person, weapon, sex, or drug offense increases the likelihood of the case being dismissed relative to adjudications. Having additional charges decreases the likelihood of receiving a dismissal, with each additional charge up to three additional charges further decreasing the odds of a dismissal.

Prior offenses were statistically significant and *increased* the odds of receiving a dismissal. This result indicates that juveniles with a prior offense may be more likely to be cited and charged with an offense based on weaker cases. Possibly prior contact with the criminal justice system has caused the case to move forward from citation to charging and finally to a juvenile court because law enforcement and prosecutors are less inclined to explore other options for those with prior offenses.

The agency that cited or arrested the child is statistically significant in this model; a citation or arrest by a suburban agency in comparison to Minneapolis or Transit Police decreases the likelihood of a dismissal relative to adjudication by 18%. Being detained until disposition is statistically significant and increases the odds of receiving a dismissal relative to adjudication in

¹² This model, similar to Model One, involves running two simultaneous equations. In this model, the equations are interim dispositions relative to adjudications and dismissals relative to adjudications. Because the relationship between adjudications and interim dispositions is explored above, the results of this equation are excluded.

comparison to never being detained. The amount of time between the offense and the disposition of the case was statistically significant and, as in Model One, as the time increases the likelihood of receiving a dismissal increases.

The gender of the child was statistically significant with females being less likely than males to receive a dismissal relative to adjudication. Recall from Model One that females are also less likely to receive dismissals relative to interim dispositions. Juveniles who self-identified as black or Native American/Native American experienced a statistically different outcome than white youths and were more likely to receive a dismissal relative to adjudication. Age at the time of the offense was again not significant.

Table 6: Model Two Results

	Adjudication of Delinquency Relative to Interim Disposition		
	Coef.	SE	Odds Ratio
Legally Relevant Variables			
Offense			
Felony Person and Weapon Offenses	0		
Felony Sex and Drug Offenses	.163	.310	1.177
Felony Property and Other Offenses	-.249	.203	.780
GM/Misd. Person and Weapon Off.	.452 **	.172	1.571
GM/Misd. Sex and Drug Offenses	1.292 ***	.247	3.642
Misdemeanor Conduct Offenses	.013	.170	1.013
GM/Misd. Property and Other Off.	-.143	.173	.867
Number of Additional Charges			
No Additional Charges	0		
1 Additional Charge	-.595 ***	.093	.552
2 Additional Charges	-.918 ***	.147	.399
3 or More Additional Charges	-.972 ***	.162	.378
Prior Offenses			
No Prior Offenses	0		
Prior Person Offense	.406 ***	.096	1.501
Prior Non-Person Offense	.214 *	.097	1.239
Extra-Legal Variables			
Suburban Arresting Agency	-.199 *	.080	.819
Detention			
Never Detained	0		
Detained and Released	-.381 **	.121	.683
Detained until Disposition	-.246 *	.121	.782
Years to Disposition	1.106 ***	.085	3.022
Female	-.313 **	.091	.731
Race			
White	0		
Black	.382 **	.110	1.466
Hispanic	.245	.179	1.278
Native American/Alaskan Native	.549 *	.216	1.732
Other/Multiracial	.184	.209	1.201
Age at time of Offense	.082 **	.027	1.086

*p<.05; **p<.01; ***p<.001

Model Three: Differences in Judge Initiated and Prosecutor Initiated Interim Dispositions

Within the category of interim dispositions, there are two types: continued without adjudication and continued without findings. Continued without adjudication (often referred to as a stay of adjudication) can be granted by the judge and does not require the prosecutor to agree. Continued without findings (or continued for dismissal) is usually initiated by the prosecutor. While the sample size was too small to distinguish between the two types in the primary models, it is useful to look at these dispositions side by side. A multinomial regression was again used, but with interim dispositions split into two categories and adjudication as the reference category. The results for dismissals are not shown as they closely mirror the results of Model Two. Due to the small sample size, variables that were largely not statistically significant were excluded (arresting agency, gender, and age). The remaining variables were recoded to create larger categories. The offense category used was simplified into the following three categories:

- Felony Sex or Drug Offense
- All Other Felonies
- All Misdemeanors and Gross Misdemeanors

These categories were selected based on the types of dispositions received by each offense type and similar offenses were grouped together. Similarly, the detention variable was coded as a dummy variable indicating whether the juvenile was detained at the time of disposition. As detention and release prior to disposition was often not statistically significant, it was grouped with cases where the juvenile was never detained. Prior offense type showed little difference between person and non-person offenses and was simplified in Model Three as a dummy

variable indicating whether the child had any prior offense. The race and ethnicity variable was also transformed into a dummy variable indicating whether the child self-identified as a member of a racial minority group or Hispanic. Because of the small sample size, the number of additional charges and time to disposition were not included as they were less important than the preceding variables.

Looking at the Offense category in Model Three it is clear that the offense type affects the type of interim disposition juveniles are likely to receive. Being charged with a felony sex or drug offense greatly increases the likelihood of receiving a disposition of continued without adjudication relative to all other felonies. Misdemeanor and gross misdemeanor offenses were less likely to receive a continuance without adjudication relative to adjudications. Conversely, misdemeanor and gross misdemeanor offenses were more likely to receive a continuance without findings relative to adjudications.

Whether the child had any prior adjudications was statistically significant and decreased the odds of receiving a disposition of continued without adjudication but was not statistically significant for continued without findings. Recall that a disposition of continued without adjudication is generally a judge's decision whereas the continued without findings is generally a prosecutor's decision. This indicates that judges are basing part of their decision of whether to give a continuance without adjudication on the child's criminal history while prosecutors are not including the child's criminal history in their decision of whether to offer a continuance without

findings. The detention variable affected the likelihood of receiving both types of interim dispositions similarly. Detention until disposition decreases the odds of receiving both types of interim disposition.

Whether the child was a member of a minority racial group or Hispanic was statistically significant. Compared to white youths, those that self-identified as a member of a minority racial group or Hispanic had lower odds of receiving both a continuance without adjudication and a continuance without findings relative to adjudication. This gap is not the same for both disposition types; there was a 63% decrease in the odds of minority youth receiving a continuance without adjudication compared to a 27% decrease in the odds of receiving a continuance without findings.

Table 7: Model Three Results

	Continued w/o Adjudication Relative to Adjudication of Delinquency			Continued w/o Findings Relative to Adjudication of Delinquency		
	Coef.	SE	Odds Ratio	Coef.	SE	Odds Ratio
Legally Relevant Variables						
Offense						
Other Felonies	0			0		
Felony Sex and Drug Offenses	2.003 ***	.235	7.408	.643	.528	1.903
Misdemeanors/ Gross Misdemeanors	-1.352 ***	.172	.259	.566 *	.249	1.762
Any Prior Offense	-1.569 ***	.194	.208	-.001	.128	.999
Extra-Legal Variables						
Detained until Disposition	-1.195 ***	.272	.303	-2.041 ***	.423	.130
Non-White or Hispanic	-.985 ***	.150	.373	-.307 *	.149	.735

*p<.05; **p<.01; ***p<.001

Interaction Variables

It is possible that some variables have a different effect when combined with another variable. To determine if this is the case, interaction variables are considered. Interaction variables look at two variables in combination rather than separately. For example, it is possible that black males are treated differently than both white males and black females based on the intersection of race and gender. In the tables shown in Appendix 1, these combinations of variables are explored. The first table examines the intersection of race and gender. Here, it can be seen that there are no statistically significant differences between white females and white males for either disposition type (adjudication of delinquency and dismissal) relative to interim dispositions. Both boys and girls who identified as a racial or ethnic minority were more likely than white males to receive an adjudication of delinquency relative to interim dispositions and more likely to receive a dismissal relative to interim dispositions. In other words, minority children are less likely to receive an interim disposition.

Race and offense type also had an effect; however, the results for this interaction variable mirror the results in Model One for race. Minority youth are more likely to receive both an adjudication of delinquency and a dismissal relative to interim dispositions than white youth.

Gender combined with the type of offense had no statistically significant effect on the odds of receiving a dismissal relative to interim dispositions. These variables combined did impact the odds of receiving an adjudication relative to an interim disposition, with females charged with a person offense less likely to receive an adjudication than males charged with a person offense and females charged with a non-person offense more likely to receive an adjudication than males charged with a person offense. There was no statistically significant

difference between males charged with a person offense and males charged with a non-person offense.

Detention combined with race also showed interesting results. For both adjudications of delinquency relative to interim dispositions and dismissals relative to interim dispositions, there was no statistically significant difference between white juveniles who were detained at the time of disposition, minority juveniles detained at the time disposition and minority juveniles who were not detained at the time of disposition. Only white youths who were not detained at the time of disposition differed significantly from white youths detained at the time of disposition and were more likely to receive both an adjudication of delinquency and a dismissal.

Gender and detention was statistically significant for all combinations. Compared to males detained at the time of disposition, all females (detained or not) and males not detained at the time of disposition were less likely to receive both an adjudication of delinquency and a dismissal.

The agency that arrested or cited the juvenile was significant when combined with race. Minority youth, regardless of the agency that arrested or cited the child, were more likely to receive an adjudication of delinquency than white youth arrested or cited by either the Minneapolis or Transit Police. There was no statistically significant difference in the likelihood of receiving a dismissal relative to interim dispositions between white juveniles arrested or cited by the Minneapolis or Transit Police and minority juveniles arrested or cited by a suburban agency. Minority youth arrested or cited by Minneapolis or Transit Police were *more* likely to receive a dismissal than white youth while white youth arrested or cited by a suburban agency were *less* likely to receive a dismissal.

CONCLUSION

This study indicates that legally relevant variables cannot fully explain the disparities in interim dispositions between minority youth and white youth. Minority youth are significantly less likely to receive either type of interim disposition, though the difference is larger for judge-initiated interim dispositions. Interim dispositions offer juveniles a second chance to prove that he or she can remain law abiding. This second chance is important as it can help offer juveniles the support they need while avoiding the negative collateral consequences, however children of color are often denied this opportunity.

The remainder of the findings of this study are consistent with prior research in many ways, demonstrating that the same variables shown to be influential in other studies are also influential in the Fourth Judicial District of Minnesota. The results of this study strongly suggest that a juvenile's current offense and prior offenses are major predictors of outcomes. Those charged with a felony drug and sex offenses are much more likely to receive an interim disposition because of the availability of treatment programs that allow for rehabilitation of the juvenile without the stigma of an adjudication. Those charged with minor offenses are less likely to receive an interim disposition. Juveniles with a prior adjudication have much lower odds of receiving an interim disposition showing that these dispositions are reserved for those with less delinquent history. The strength of these factors is encouraging, as they are clearly legally-relevant. When looking at the type of interim disposition, a continuance without adjudication is commonly used for felony sex and drug offenses while a continuance without findings is more commonly granted by prosecutors to those with a gross misdemeanor or misdemeanor person or weapon offense.

While legally-relevant factors were strong predictors of dispositional outcomes, some extra-legal variables were also statistically significant. Females were less likely to receive a dismissal than males, indicating that cases brought against females are stronger. Perhaps police are using their discretion to allow for informal action for more females and only the strongest cases are brought forward for prosecution. Race and ethnicity were statistically significant. Those who self-identified as a racial minority or as Hispanic were more likely to receive both adjudication and a dismissal relative to interim dispositions. One of the most striking findings is the effect of race combined with prior delinquent history—minority youth with no prior offense were treated similarly as white youth with a prior offense.

While there is some evidence that bias affects disposition decisions, prior research indicates that the main source of disparities is likely occurring earlier in the process—at the time of arrest. Due to the difference in odds of receiving dismissals between youths of color and white youths, it is imperative that both the prosecutor and area police forces consider how these disparities occur and how to reduce these differences. Perhaps police in communities of color should work to decrease formal action in the form of arrests and citations in situations allowing for discretion. An increase in informal responses would address the early overrepresentation of minority youth.

In the courtroom, judges and referees can reduce disparities by creating recommendations for the objective imposition of interim dispositions. Because of the emphasis of individualized justice in juvenile court, rigid standards would not be ideal; however, discretionary strategies to assist in decision-making may help eliminate disparities related to interim dispositions.

While this research closely mirrors prior findings, it would be beneficial to repeat the study with social variables such as school performance and family stability. By controlling for these variables, it may be possible to determine if racial disparities can be linked to other causes. Due to the difference in the rates dismissals between minority and non-minority youth, it is also recommended that future research examine whether disparities at the arrest and charging decision points can be attributed to causes other than race. Finally, a next step of this project will be to determine if there are different rates of recidivism between the types of dispositions. This sample was selected to allow for a recidivism study to take place immediately after the completion of this study. A recidivism study will determine if there are differences in future offending between disposition types. The results of this research will give judges and prosecutors more information about who can be successful on an interim disposition.

This study provides insight into the factors affecting juvenile disposition decisions, demonstrating that both legally-relevant factors, such as the offense and prior history, and extra-legal factors, including race and gender, influence dispositional outcomes. While some of these differences may be attributable to disparities in policing and charging, there is still evidence of implicit bias in the disposition decision as well. Over one thousand children have charges filed against them in the Fourth Judicial District of Minnesota each year and this study has shown that there is still much work to be done to ensure each of these children are receiving the just, fair, and thoughtful disposition they deserve.

References

- Bailey, W. C. (1981) Preadjudicatory Detention in a Large Metropolitan Juvenile Court. *Law and Human Behavior*, 5(1): 19-43
- Bishop, D.M. (2005) The Role of Race and Ethnicity in Juvenile Justice Processing. In *Our Children, Their Children, Confronting Racial and Ethnic Differences in American Juvenile Justice*. Ed. Hawkins, D. & Kempf-Leonard, K. Chicago: The University of Chicago Press. 23-81.
- Bishop, D. M. & Frazier, C. E. (1985) The Pretrial Detention of Juveniles and Its Impact on Case Dispositions. *The Journal of Criminal Law and Criminology*, 76(4): 1132-1152.
- Bishop, D. M. & Frazier, C. E. (1996) Race Effects in Juvenile Justice Decision-Making: Findings of a Statewide Analysis. *The Journal of Criminal Law and Criminology*, 86(2): 392-414.
- Black, D. J. & Reiss, A. J. (1970) Police Control of Juveniles. *American Sociological Review*, 35(1): 63-77.
- Bridges, G. & Steen, S. (1998) Racial Disparities in Official Assessments of Juvenile Offenders: Attributional Stereotypes as Mediating Mechanisms. *American Sociological Review*, 63(4): 554-570.
- Cohen, L. & Kluegel, J. (1978) Determinants of Juvenile Court Dispositions: Ascriptive and Achieved Factors in Two Metropolitan Courts. *American Sociological Review*, 43(3): 162-176.
- Crutchfield, R. D., Haggerty, K. P., McGlynn, A., & Catalano, R. F. (2009) Racial Disparities in Early Criminal Justice Involvement. *Race and Social Problems*, 1(4): 218-230.
- Feld, B. (1989) The Right to Counsel in Juvenile Court: An Empirical Study of When Lawyers Appear and the Difference They Make. *The Journal of Criminal Law and Criminology*, 79(4): 1185-1346.
- Hennepin County Relative Rate Indices, CY 2013. (2015). Table provided upon request by the Minnesota Department of Public Safety Office of Justice Programs. Data Compiled in accordance with the Disproportionate Minority Contact (DMC) requirement of the federal Juvenile Justice and Delinquency Prevention Act.
- Henretta, J., Frazier, C., & Bishop, D. (1986) The Effect of Prior Case Outcomes on Juvenile Justice Decisions-Making. *Social Forces*, 65(2): 554-562.

- Leiber, M. & Fox, K. (2005) Race and the Impact of Detention on Juvenile Justice Decision Making. *Crime & Delinquency*, 51(4): 470-497.
- McCarthy, B. & Smith, B. (1986) The Conceptualization of Discrimination in the Juvenile Justice Process: The Impact of Administrative Factors and Screening Decisions on Juvenile Court Dispositions. *Criminology*, 24(1): 41-64.
- Norris, C., Fielding, N., Kemp, C., & Fielding, J. (1992) Black and Blue: An Analysis of the Influence of Race on Being Stopped by Police. *The British Journal of Sociology*, 43: 207-224.
- Ousey, G. C. & Lee, M. R. (2008). Racial Disparity in Formal Social Control: An Investigation of Alternative Explanations of Arrest Rate Inequality. *Journal of Research in Crime and Delinquency*, 45: 322-355.
- Sampson, R. J. & Lauritsen, J. L. (1997) Racial and Ethnic Disparities in Crime and Criminal Justice in the United States. *Crime and Justice*, 21: 311-374.
- Sanborn, J. (1996) Factors Perceived to Affect Delinquent Dispositions in Juvenile Court: Putting the Sentencing Decision in Context. *Crime and Delinquency*, 42(1): 99-113.
- Schaefer, S. & Podkopacz, M. (2010) Decision Point Analysis: Juvenile Arrests and Juvenile Charged Offenses, Hennepin County, Minnesota, April 2008 through June 2009. Fourth Judicial District of Minnesota Research Division.
- Smith, D. A. (1986) The Neighborhood Context of Police Behavior. *Crime and Justice*, 8: 313-341.
- Smith, D. A., Visher, C. A., & Davidson, L. A. (1984) Equity and Discretionary Justice: The Influence of Race on Police Arrest Decisions. *The Journal of Criminal Law and Criminology*, 75(1): 234-249.
- Snyder, H. & Sickmund, M. (2006) Juvenile Offenders and Victims: 2006 National Report. Office of Juvenile Justice and Delinquency Prevention.
- Tapia, M. (2010) Untangling Race and Class Effects on Juvenile Arrests. *Journal of criminal Justice*, 38: 255-265.
- Watt, T. & Rogers, J. (2007) Factors Contributing to Differences in Substance Use among Black and White Adolescents. *Youth & Society*, 39 (1): 54-74.
- Williams, J., Van Dorn, R., Ayers, C., Abbott, R., & Hawkins, J. (2007) Understanding Race and Gender Differences in Delinquent Acts and Alcohol and Marijuana Use: A Developmental Analysis of Initiation. *Social Work Research*, 31(2): 71-81.

APPENDIX

Table A1: Interaction Between Race and Gender

	Adjudication of Delinquency Relative to Interim Disposition			Dismissal Relative to Interim Disposition			Dismissal Relative to Adjudication of Delinquency		
	Coef.	SE	Odds Ratio	Coef.	SE	Odds Ratio	Coef.	SE	Odds Ratio
White and Male	0			0			0		
Minority and Male	.560 ***	.133	1.750	1.007 ***	.164	2.736	.447 ***	.123	1.564
White and Female	-.188	.208	.828	-.175	.273	.839	.013	.231	1.013
Minority and Female	.556 ***	.159	1.745	.643 **	.189	1.902	.086	.142	1.090

Table A2: Interaction Between Race and Offense Type

	Adjudication of Delinquency Relative to Interim Disposition			Dismissal Relative to Interim Disposition			Dismissal Relative to Adjudication of Delinquency		
	Coef.	SE	Odds Ratio	Coef.	SE	Odds Ratio	Coef.	SE	Odds Ratio
White and Person Offense	0			0			0		
Minority and Person Offense	.742 ***	.200	2.100	.781 **	.234	2.184	.039	.197	1.040
White and Non-Person Offense	.645 **	.196	1.906	-.198	.245	.820	-.843 ***	.214	.430
Minority and Non-Person Offense	1.459 ***	.185	4.303	1.107 ***	.219	3.026	-.352	.186	.703

Table A3: Interaction Between Gender and Offense Type

	Adjudication of Delinquency Relative to Interim Disposition			Dismissal Relative to Interim Disposition			Dismissal Relative to Adjudication of Delinquency		
	Coef.	SE	Odds Ratio	Coef.	SE	Odds Ratio	Coef.	SE	Odds Ratio
Male and Person Offense	0			0			0		
Female and Person Offense	-.266	.185	.767	-.258	.214	.773	.008	.161	1.008
Male and Non-Person Offense	.242	.133	1.274	.169	.149	1.184	-.073	.101	.930
Female and Non-Person Offense	.559 **	.164	1.748	.004	.189	1.004	-.555 ***	.131	.574

Table A4: Interaction Between Race and Detention

	Adjudication of Delinquency Relative to Interim Disposition			Dismissal Relative to Interim Disposition			Dismissal Relative to Adjudication of Delinquency		
	Coef.	SE	Odds Ratio	Coef.	SE	Odds Ratio	Coef.	SE	Odds Ratio
White and Detained at Disposition	0			0			0		
Minority and Detained at Disposition	.556	.592	1.743	.446	.644	2.180	.224	.348	1.250
White and Not Detained at Disposition	-1.552 **	.557	.212	-1.525 *	.612	.218	.026	.350	1.027
Minority and Not Detained at Disposition	-.938	.553	.392	-.536	.604	.585	.402	.338	1.495

Table A5: Interaction Between Gender and Detention

	Adjudication of Delinquency Relative to Interim Disposition			Dismissal Relative to Interim Disposition			Dismissal Relative to Adjudication of Delinquency		
	Coef.	SE	Odds Ratio	Coef.	SE	Odds Ratio	Coef.	SE	Odds Ratio
Male and Detained at Disposition	0			0			0		
Female and Detained at Disposition	-1.260 **	.465	.284	-1.505 **	.510	.222	-.245	.279	.783
Male and Not Detained at Disposition	-1.815 ***	.283	.163	-1.629 ***	.297	.196	.186	.129	1.204
Female and Not Detained at Disposition	-1.804 ***	.298	.165	-1.944 ***	.316	.143	-.140	.150	.869

Table A6: Interaction Between Race and Arresting Agency

	Adjudication of Delinquency Relative to Interim Disposition			Dismissal Relative to Interim Disposition			Dismissal Relative to Adjudication of Delinquency		
	Coef.	SE	Odds Ratio	Coef.	SE	Odds Ratio	Coef.	SE	Odds Ratio
White and Minneapolis or Transit Police	0			0			0		
Minority and Minneapolis or Transit Police	.636 **	.241	1.889	.643 *	.275	1.903	.007	.206	1.007
White and Suburban Police	.052	.244	1.054	-.585 *	.289	.557	-.637 **	.227	.529
Minority and Suburban Police	.654 **	.236	1.923	.504	.271	1.656	-.150	.204	.861

Table A7: Interaction Between Race and Prior History

	Adjudication of Delinquency Relative to Interim Disposition			Dismissal Relative to Interim Disposition			Dismissal Relative to Adjudication of Delinquency		
	Coef.	SE	Odds Ratio	Coef.	SE	Odds Ratio	Coef.	SE	Odds Ratio
White and No Prior Offense	0			0			0		
Minority and No Prior Offense	.728 ***	.139	2.072	1.183 ***	.179	3.265	.455	.150	1.576
White and Prior Offense	.624 **	.215	1.867	1.096 ***	.260	2.993	.472	.197	1.603
Minority and Prior Offense	.954 ***	.147	2.595	1.697 ***	.184	5.458	.744 *	.148	2.103

Table A8: Interaction Between Gender and Prior History

	Adjudication of Delinquency Relative to Interim Disposition			Dismissal Relative to Interim Disposition			Dismissal Relative to Adjudication of Delinquency		
	Coef.	SE	Odds Ratio	Coef.	SE	Odds Ratio	Coef.	SE	Odds Ratio
Male and No Prior Offense	0			0			0		
Female and No Prior Offense	.144	.144	1.155	-.096	.169	.908	-.240	.126	.614
Male and Prior Offense	.494 ***	.131	1.639	.842 ***	.145	2.320	.347 ***	.093	1.179
Female and Prior Offense	.088	.179	1.093	.027	.209	1.027	-.062	.141	.713