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Race and the Impact of Detention on Juvenile Justice Decision Making

Michael J. Leiber
Kristan C. Fox

In recent years, the growing number of minority youth disproportionately confined in secure detention facilities has led to a search for a better understanding of this occurrence. Explanations vary but tend to center on either differential offending or selection bias. The present study examines the extent both may explain decision making by specifically assessing the effect of race on detention and the degree that race and detention influence further court processing in one juvenile court jurisdiction in the state of Iowa. Multivariate analyses using juvenile court data (1980 through 2000) show that although legal factors account for some of the decision making and minority overrepresentation, so too does race. Evidence is presented that, through detention, race has direct, interaction, and indirect effects that often work to the disadvantage of African American youth relative to White youth. Implications for future research and policy are discussed.

Keywords: race; detention; juvenile justice; decision making

In 1997, 19% of all juvenile delinquent referrals resulted in detention, with African American youth comprising 47% of those detained (Hoytt, Schiraldi, Smith, & Ziedenberg, 2002). Furthermore, between 1983 and 1997, the overall youth detention population increased by 47%, and although the detained White youth population increased by 21%, the detained minority youth population grew by 76% (Justice Policy Institute, 2002, p. 2). This means that four out of five new youths detained during this 15-year period were youth of color (Justice Policy Institute, 2002). These numbers and racial differences as well as the overrepresentation of minority youth

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throughout the juvenile justice system, especially for secure corrections, are a concern for academics (e.g., Hawkins & Kempf-Leonard, in press), policy makers, including the federal government (e.g., Hsia, Bridges, & McHale, 2004), and those concerned with justice in general (e.g., Hoytt et al., 2002). This concern, in part, has led to a search for the causes of the overrepresentation of minorities in the juvenile justice system (e.g., Leiber, 2002).

In the present research, we attempt to address how minority overrepresentation comes about by examining the effects of race and detention on juvenile justice decision making in one juvenile court jurisdiction in the state of Iowa.¹ More specific, we assess a sample of juvenile court records to ascertain the predictors of detention use and the effect of race and detention on five decision-making stages. Interpretations of the symbolic threat thesis and the consensus theory guide the study.

THEORETICAL BACKGROUND

The symbolic threat thesis is a perspective that attempts to identify the contingencies or the contexts of juvenile justice decision making by focusing on the characteristics of youth, especially minorities, and the social psychological emotions of juvenile court officers. These emotions have included identification (or the lack of identification) with the youth and his or her behavior and fear and jealousy of the youth. Emotions such as these are thought to manifest in beliefs that minority youth pose symbolic threats to middle-class standards and public safety. The symbolic threat is believed to be fostered by negative perceptions of African Americans and the corresponding stereotypes made by decision makers (Tittle & Curran, 1988).

The reliance on racial stereotypes by decision makers and how these subjective assessments of youth shaped case outcomes is highlighted in the research by Bridges and Steen (1998). Probation officers were found to use different causal attributions to assess the delinquent behavior of African Americans and Whites. African American youth involvement in delinquency was viewed as related to internal or dispositional attributions (i.e., lack of individual responsibility), whereas delinquency among White youth was attributed to external causes (i.e., impoverished conditions). Because internal attributions resulted in perceptions that the youths were at a higher risk for reoffending, decision makers recommended longer sentences for African Americans than for Whites. By exploring the subjective qualities that influenced the construction of a case, Bridges and Steen (1998) were able to determine how the values and beliefs of decision makers created a legally

recognizable but racially stereotypic image of an offender that affected the decision-making process.

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

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

A common theme running through these theoretical revisions and studies is the identification of the variable effects of race on decision making and the factors that foster these effects. Although the source of the contextual effects may vary, one emphasis is the racial stereotyping by decision makers of African American youth. These stereotypes include African Americans as undisciplined, as living in dysfunctional families that are primarily headed by young mothers, and as sexually promiscuous, dangerous, delinquent, and prone to drug offenses (Feld, 1999). These perceptions work to the disadvantage of African Americans relative to Whites and may account for the overrepresentation of minorities in detention and other stages in the juvenile justice system.

Consensus theory provides an alternative perspective for understanding the effects of race on detention and other decision-making stages (e.g., Engen, Steen, & Bridges, 2002). According to the Durkhemian perspective, state intervention into people's lives and the incarceration of individuals stems primarily from criminal and delinquent behavior and its severity. In the case of the juvenile justice system, extralegal factors, such as age and assess-

ments about the family to supervise youth, can also be relied upon and are seen as legitimate criteria because of the historical underpinnings of this court to act in the best interests of youth (e.g., Feld, 1999). Racial bias or discrimination is seen as random and isolated. Differences between Whites and minorities in case processing and case outcomes are attributed mostly to differential involvement in crime (e.g., crime severity) and possibly family issues (e.g., unable to contact parent; Tracy, 2002).

PRIOR RESEARCH

Over the years, there have been numerous studies that have examined the extent to which race, legal criteria, and extralegal factors influence case processing and case outcomes in the juvenile justice system. Some research has shown that legal factors rather than race predict decision making and lend support for a consensus interpretation for minority overrepresentation in the juvenile justice system (e.g., Hindelang, 1978; Tracy, 2002). Five recent comprehensive reviews of this literature, however, demonstrate that legal and extralegal factors alone are unable to account for race differences in involvement in the juvenile justice system (Bishop, *in press*; Engen et al., 2002; Leiber, 2002; Pope & Feyerherm, 1992; Pope, Lovell, & Hsia, 2002). Although an in-depth discussion of these findings is beyond the scope of this article, race was found to have either a direct relationship with decision making and/or an interaction or combination effects with legal variables (e.g., crime type, prior record, etc.) and/or extralegal factors (e.g., age, family status, etc.).

For example, Sampson and Laub (1993) found that African Americans charged with drug offenses were more likely to receive detention and out-of-home placements in counties exhibiting racial inequality and impoverishment than in counties where these conditions did not exist. Sampson and Laub (1993) refined the symbolic threat thesis by emphasizing the interaction between structural inequality and racial stereotyping and the "get tough" movement and the war on drugs with juvenile court processing. African Americans were assumed to be seen by decision makers as dangerous and prone to drug offenses.

Race has also been discovered to have indirect effects on decision making. Paralleling research that revealed that dispositions imposed for prior offenses affected dispositions for current offenses (e.g., Henretta, Frazier, & Bishop, 1986), studies have found that decisions made at earlier stages such as detention affect outcomes at later stages and in particular judicial disposition (e.g., Engen et al., 2002; Frazier & Bishop, 1985; Frazier & Cochran, 1986). That

is, being detained strongly predicts more severe treatment at judicial disposition. Although African American youth and White youth who have been detained may be treated similarly, because the former group is more likely to be detained they receive more severe dispositions than do their White counterparts (e.g., Bortner & Reed, 1985; Frazier & Bishop, 1995; McCarthy & Smith, 1986). Thus, if racial bias occurs early in the proceedings (at detention), it may reappear indirectly at later stages (at judicial disposition). Consequently, race may not directly influence judicial disposition, but its effects may be masked, operating through a racially tainted but legitimate criterion of detention.

IMPLICATIONS FOR THE PRESENT RESEARCH

Although the individual, joint, and indirect effects of race and detention on decision making have been studied extensively and although the results, for the most part, show an effect, much of the extant literature has limitations that the present study attempts to overcome. At the heart of the need for further research is that previous research is often devoid of a theoretical perspective. In addition, the studies themselves are old and/or rely on data from the late 1970s and mid 1980s. Also, only one to two stages are examined or many measures of the social situation of the youth (e.g., family structure, school situation) or the presence of legal counsel are not considered (e.g., Fraizer & Bishop, 1985; McCarthy & Smith, 1986; Wordes, Bynum, & Corley, 1994). Furthermore, the race-detention association has not been studied in the juvenile court jurisdiction examined in the present research. Thus, the objective of the present study is to address these limitations to enhance our understanding of the interplay among race, detention, and decision making.

More specific, we examine decision making in one juvenile court jurisdiction to assess the effect of race on detention and the degree race and detention influence further court proceedings. The present study will be guided by hypotheses stemming from the symbolic threat thesis and the various refinements that focus on the racial stereotyping of African Americans and the consensus perspective emphasis on differential offending.

The first hypothesis guiding the study is:

Hypothesis 1 (H1): Controlling for legal criteria and extralegal factors will not eliminate the effects of race on detention.

H1 is based on the assumptions of the symbolic threat thesis and prior research that African American youth will be perceived by decision makers as

dangerous, delinquent, or prone to drug offenses and in need of secure confinement (e.g., Sampson & Laub, 1993). Nonsupport for H1 lends validity to a counter hypothesis based on consensus theory that any observed race differences in detention will be accounted for by differences in crime and/or extralegal factors (e.g., Tracy, 2002).²

A second hypothesis to be studied emerges from the differential treatment perspective and prior research (e.g., Frazier & Bishop, 1995):

Hypothesis 2 (H2): Controlling for legal and extralegal criteria, race will have indirect effects through detention on other decision-making stages.

It is important to note that finding support for either of these two hypotheses does not assume that legal and extralegal factors will not be statistically significant predictors or the strongest predictors of decision making.

THE PRESENT RESEARCH

Site

The regional detention facility opened in late March of 1989 and is governed by a 20 county membership commission that includes a detention supervisor who handles both preadjudicated and adjudicated youth from member and nonmember counties. The detention supervisor has been overseeing the facility since its inception. Originally built with 15 beds, the facility expanded to 31 beds in 1996 (North East Iowa Juvenile Detention Center, 2004). The regional detention facility is located in the largest of the 20 member counties. This county has a population of 130,224 people, with persons age 17 and younger constituting 24% of the population (Bureau of the Census, 2000). African Americans comprise the largest group of minority youth (11%-13%). In the largest city within this county, African American youth make up about 19% of all youth (Bureau of the Census, 2000). The present research focuses on youth handled within the juvenile court within this county.³

Data and Method

Because of the relatively small number of minority youth in Iowa, cases for the study were selected from juvenile court referrals over a 21-year period, 1980 through 2000, from one juvenile court involving youth accused of delinquent behavior. The court cases for the present research consisted of a random sample of referrals identified as White individuals ($n = 3,888$) and a

disproportionate random sampling identified as African American individuals ($n = 1,666$). The weighted sample size used in the present research was 5,554.

Variables

Table 1 presents the variables, the coding scheme, and the distributions of the dependent and independent variables used in the study. The operationalization and inclusion of the variables is based on theory and prior research (e.g., Bishop & Frazier, 1988; Leiber, 1994; Leiber & Jamieson, 1995).

Dependent Variables

Following the suggestions of Pope and Feyerherm (1992), decision making in the juvenile justice system was viewed as a process consisting of many successive stages rather than as simply one or two discrete decisions. Each of the six stages examined constitute a dependent variable with the most severe decision outcome representing the reference category for analysis purposes.

Detention will first be treated as a dependent variable and will later be treated as an independent variable to capture possible indirect effects. As a dependent variable, initial detention consists of a youth being detained prior to the intake stage. Overall, a small percentage of youth (6%) have been held in detention at this point.⁴

To overcome the shortcoming of past conceptualizations of decision making at intake (Leiber & Stairs, 1999), this stage in the process was measured in two ways: Intake 1 was release or diversion versus further court processing, and intake 2 was release versus diversion or further court processing.⁵ The most common outcome at intake was diversion (40%), followed by referral to court (35%) and release (25%). In Iowa, juvenile court officers make the decision to release, to offer an informal adjustment in the form of diversion, or to recommend further court processing at intake. State statute requires an admission of guilt as a prerequisite for diversion or an informal adjustment (see Iowa Juvenile Code Statute 232.29).

The decision to seek further formal court proceedings is made by the prosecutor and occurs at the stage of petition. A significant majority of the juveniles (95%) were petitioned.

The next stage in the proceedings is initial appearance, and analogous to the use of diversion or the informal adjustment at intake, 27% of the youth at this stage accept a consent decree, whereas the rest go on to the adjudication stage. As with the intake stage, these youth must admit guilt to participate in the diversionary option.

TABLE 1: Values and Frequency Distributions of Variables

Variables	Value	n	%
Dependent			
Initial detention	0 = <i>no</i>	5,249	94
	1 = <i>yes</i>	305	6
Intake 1	0 = <i>release or diversion</i>	3,593	64
	1 = <i>refer to court</i>	1,961	36
Intake 2	0 = <i>refer to court or diversion</i>	4,180	75
	1 = <i>release</i>	1,374	25
Petition	0 = <i>no</i>	85	5
	1 = <i>yes</i>	1,876	95
Initial appearance ^a	0 = <i>consent decree</i>	362	27
	1 = <i>no consent decree</i>	957	73
Adjudication	0 = <i>no</i>	182	19
	1 = <i>yes</i>	775	81
Judicial disposition	0 = <i>community</i>	389	33
	1 = <i>noncommunity</i>	780	67
Independent			
Detention (at any point)	0 = <i>no</i>	5,193	93
	1 = <i>yes</i>	361	7
Race	0 = <i>White</i>	3,888	70
	1 = <i>African American</i>	1,666	30
Gender	0 = <i>male</i>	4,078	73
	1 = <i>female</i>	1,476	27
Age	<i>M</i> = 15.48 <i>SD</i> = 1.92 Range = 6-18		
Family status	0 = <i>married</i>	2,884	52
	1 = <i>one member</i>	2,670	48
Attending school but problems ^b	0 = <i>no</i>	4,693	84
	1 = <i>yes</i>	861	16
School drop out ^b	0 = <i>no</i>	5,096	92
	1 = <i>yes</i>	458	8
No. of prior referrals	<i>M</i> = 1.79 <i>SD</i> = 2.54 Range = 0-10		
Court authority	0 = <i>no</i>	4,297	77
	1 = <i>yes</i>	1,257	23
Severity of prior referral	0 = <i>no prior referral</i>	3,587	65
	1 = <i>less than adjudication</i>	1,452	26
	2 = <i>adjudication or placement</i>	515	9
No. of charges	<i>M</i> = 1.32 <i>SD</i> = .81 Range = 1-7		
Crime severity	0 = <i>misdemeanor</i>	4,697	85
	1 = <i>felony</i>	857	15

(continued)

TABLE 1 (continued)

Variables	Value	n	%
Crime type ^c			
Property crime	0 = no	2,609	47
	1 = yes	2,945	53
Person crime	0 = no	4,777	86
	1 = yes	777	14
Drugs crime	0 = no	4,776	86
	1 = yes	778	14
Weapon	0 = no	5,315	96
	1 = yes	239	4
Counsel	0 = yes	1,348	24
	1 = no	4,216	76

NOTE: $N = 5,554$.

a. The difference between petition and initial appearance is due to referral to adult court ($n = 394$) and missing cases ($n = 163$).

b. These are dummy variables; the reference category is attending school with no problems.

c. This is a dummy variable; the reference category is other (e.g., disorderly conduct, etc.).

The adjudication stage is operationalized as dismissed and as the adjudication of delinquency. Overall, 81% of the cases reaching this stage were adjudicated delinquent.

Next to the death penalty, transfer to adult jurisdiction can be the most severe sanction given to a youth and disproportionately involves African Americans relative to Whites (Stahl, 1999). In the present research, youth transferred to adult court were included within the definition of judicial disposition (see also Bishop & Frazier, 1988). Judicial disposition was defined as an outcome that resulted in a change of placement (e.g., training school, residential facility, group home) or transfer to adult court versus probation and/or treatment within the community. Of the youth at this stage, 67% received a disposition involving a change of placement or transfer to adult court.⁶

Independent Variables

In addition to being treated as a dependent variable, detention is also included as an independent variable. Youth detained at any point prior to or at the particular stage examined make up the detention variable. Only a small number of youth were detained following initial detention (306 at initial detention compared to 361; an increase of 56). Overall, 7% of the sample experienced detention when defined in this manner.

A significant majority of the respondents were White (70%), male (73%), and 15 years of age. Family living status was defined as a two-parent household versus a one-parent household. Of the sample, 48% resided in households with one parent present.

School status was measured by two dummy variables: attending but problems and not attending. The reference category was attending school.

Three measures of the juvenile's previous legal history included the number of prior contacts with the juvenile justice system (interval), whether the youth was under court authority at the time of the current referral (0 = *no*; 1 = *yes*), and the severity of the prior referral (0 = *no prior referral*; 2 = *adjudication or placement*). Characteristics of the current offense were the number of charges against the youth (interval), the seriousness of the offense (0 = *misdemeanor*; 1 = *felony*), the type of delinquency, and whether a weapon was involved (0 = *no*; 1 = *yes*). Because of the theoretical importance of offense type in juvenile justice decision making (e.g., Sampson & Laub, 1993), dummy variables were created to distinguish among property, person, and drug offenses.⁷ Referrals consisting of disorderly conduct, resisting arrest, and so on comprised the reference category. Most cases were classified as misdemeanors (85%) and involved property crimes (51%). Only 14% of the sample was charged with a person offense or drug offense. Offenses of this sample of juveniles reflected national aggregate arrest statistics (Snyder & Sickmund, 1999) and were somewhat limited in severity.

The last independent variable is legal counsel. Although limited research exists on the topic, it has been found that most youth in the juvenile justice system are not represented by legal counsel and that when representation is present, the majority of youth have a public defender or a court-appointed attorney (e.g., Feld, 1988). Research has also shown that irrespective of the severity of the offense, youth with counsel receive more severe sanctions than do those without an attorney (e.g., Feld, 1988, 1989; Guevara, Spohn, & Herz, 2004). Because of the lack of research in this area and the possibility that legal representation may influence case processing and outcomes, it is included in the analysis (0 = *court-appointed or privately retained attorney*; 1 = *no counsel*). Similar to past research, a small percentage had counsel (24%).

RESULTS

Decision Making at Detention and Intake

Table 2 presents the logistic regression results for models estimating decision making at detention and intake.⁸ Overall and as predicted by consensus

TABLE 2: Logistic Regression Results for Initial Detention and Intake Decision Making

Variables	Detention		Intake 1	Intake 2	
	Additive (1)	Interaction (2)	Additive (3)	Additive (4)	Interaction (5)
Detention	—	—	0.77** (0.21)	-1.14** (0.26)	-1.14** (0.27)
Race	0.63** (0.14)	0.45** (0.15)	0.12 (0.10)	0.39** (0.07)	1.01** (0.11)
Gender	-0.50** (0.19)	-0.48** (0.19)	-0.14 (0.10)	0.20** (0.07)	0.18** (0.07)
Age	0.06 (0.05)	0.06 (0.05)	0.24** (0.02)	-0.01 (0.02)	-0.01 (0.02)
Family status	-0.23 (0.14)	-0.24 (0.14)	0.27** (0.09)	0.06 (0.06)	-0.33** (0.08)
Attending but problems	-0.09 (0.16)	-0.08 (0.16)	0.23** (0.11)	-0.53** (0.11)	-0.55** (0.10)
Drop out	0.24 (0.19)	0.25 (0.19)	0.16** (0.02)	-0.33** (0.13)	-0.35** (0.14)
No. of prior referrals	0.17** (0.02)	0.16** (0.02)	0.89** (0.11)	0.02 (0.02)	0.02 (0.02)
Court authority	-0.11 (0.14)	-0.10 (0.14)	-0.16 (0.11)	-0.26** (0.10)	-0.24** (0.10)
Severity of prior referral	0.59** (0.09)	0.58** (0.09)	-0.40** (0.08)	0.40** (0.07)	0.40** (0.07)
No. of charges	0.35** (0.05)	0.35** (0.04)	0.47** (0.05)	-0.60** (0.07)	-0.58** (0.07)
Crime severity	1.04** (0.16)	0.97** (0.16)	1.37** (0.12)	-0.52** (0.13)	-0.50** (0.13)
Property	-0.02 (0.19)	-0.05 (0.19)	-0.69** (0.11)	-0.64** (0.08)	-0.62** (0.08)
Person	0.75** (0.21)	0.73** (0.21)	-0.31** (0.15)	-0.67 (0.12)	-0.33* (0.14)
Drugs	0.54** (0.22)	-0.17 (0.33)	-0.44** (0.15)	-0.12 (0.11)	0.11 (0.11)
Weapon	0.99** (0.21)	1.03** (0.21)	-0.34 (0.24)	0.33 (0.18)	0.35 (0.18)
Counsel	-1.44** (0.15)	-1.44** (0.15)	-3.67** (0.11)	2.04** (0.12)	2.04** (0.13)
Race x drugs		1.27** (0.40)			
Race x family status					-0.72** (0.14)
Race x person					-0.77** (0.21)
Race x drugs					-1.06** (0.26)
-2 Log Likelihood	1772.043	1761.435	3669.542	5714.729	5660.836

NOTE: $N = 5,554$. Intake 1 is defined as release or diversion vs. referral to court. Intake 2 is operationalized as referral to court or diversion vs. release.

* $p < .05$. ** $p < .01$.

theory, we can see that a number of the legal and extralegal variables predict detention and intake decision making (e.g., number of prior referrals, severity of prior disposition, crime severity, age) as does the procedural variable counsel. We also find support for H1 and H2. Race, directly in interaction with other independent variables and indirectly through detention, affects decision making.⁹ For the purpose of clarity, the discussion will be limited to the effects of detention and race on the decision-making stages.

As can be seen in column 1 and column 2 of Table 2, race has an additive and interaction effect on detention. Compared to White youth, being African American increases the likelihood of being detained by 5% (column 1). Estimations for race interaction effects with each independent variable also produced a statistically significant relationship between race and drugs (column 2). Differentiating the race-drug interaction effect on detention by Whites and African Americans reveals in greater detail this association. These results are provided in column 1 and column 2 of Table 3.

For Whites, participation in drugs has an inverse and nonstatistically significant effect on detention (column 1). For African Americans, involvement with drugs has a positive and statistically significant effect on the dependent variable and increases the probability of being detained by 10%. This finding supports the symbolic threat thesis and previous research that African Americans are viewed by decision makers as drug offenders and as more problematic than similarly situated Whites (e.g., Chambliss, 1995; Sampson & Laub, 1993).

Next, we examined the predictors of intake decision making, and these results are presented in Table 2. Although race is not a statistically significant determinant of the decision to refer youth for further court proceedings at intake, detention is (column 3). Being detained increases the likelihood of receiving the more severe outcome at intake by 19%. Thus, African American youth are more likely than are White youth to be referred for further court proceedings at intake because they were more likely to be detained (column 1).

Distinguishing between diversion or further court proceedings and release shows that detention has an inverse effect with intake decision making, whereas race has a positive effect (column 4). Being African American increases the chances of being released at intake by 26%. Thus, African Americans are both more likely to be referred at intake through detention as well as to be released, relative to Whites. What this also means is that, consistent with prior research (e.g., Leiber & Stairs, 1999), African Americans are less likely to participate in diversion than are Whites.

There is also evidence of race interaction relationships with family status, involvement in person offenses, and, once again, drug offenses (column 5)

TABLE 3: Interaction Effects for Initial Detention and Intake 2, Differentiated by Race

Variables	Initial Detention		Intake 2	
	White (1) ^a	African American (2) ^b	White (3) ^a	African American (4) ^b
Detention	—	—	-0.36** (0.43)	-0.90** (0.36)
Gender	0.10 (0.27)	-0.84** (0.28)	0.28** (0.09)	0.09 (0.11)
Age	0.03 (0.07)	0.12 (0.07)	0.03 (0.02)	-0.04 (0.02)
Family status	-0.16 (0.20)	-0.35 (0.20)	0.32** (0.08)	-0.32** (0.11)
Attending but problems	-0.21 (0.23)	-0.30 (0.24)	-0.39** (0.13)	-0.73** (0.16)
Drop out	-0.07 (0.31)	0.48* (0.25)	-0.62** (0.19)	-0.02 (0.02)
No. of prior referrals	0.65** (0.13)	0.16** (0.03)	0.03 (0.02)	0.02 (0.02)
Court authority	-0.05 (0.21)	-0.21 (0.20)	-0.21 (0.13)	-0.26 (0.15)
Severity of prior referral	0.65** (0.13)	0.51** (0.13)	0.50** (0.08)	0.22* (0.11)
No. of charges	0.21** (0.07)	0.60** (0.09)	-0.40** (0.06)	-0.88** (0.13)
Crime severity	1.24** (0.25)	0.88** (0.22)	-0.57** (0.18)	-0.49** (0.21)
Property	-0.22 (0.32)	0.06 (0.26)	-0.43** (0.11)	-1.01** (0.14)
Person	0.78* (0.36)	0.62* (0.28)	-0.19 (0.15)	-1.38** (0.19)
Drugs	-0.16 (0.38)	1.10** (0.30)	0.19 (0.13)	-1.12** (0.26)
Weapon	0.41 (0.37)	1.44** (0.28)	0.04 (0.28)	0.64** (0.26)
Counsel	-1.33** (0.21)	-1.50** (0.21)	1.94** (0.18)	2.19** (0.17)
-2 Log Likelihood	877.043	855.127	3522.813	2091.460

NOTE: Intake 2 is defined as referral to court or diversion vs. release.

a. $n = 3,888$.b. $n = 1,666$.* $p < .05$. ** $p < .01$.

and the decision to release. These relationships are made clearer when estimating separate models for Whites and African Americans. The results are provided in the right hand corner of Table 3.

Family status has a statistically significant effect for both Whites (column 3) and African Americans (column 4) on intake decision making. The effect

of being from a single-parent household, however, varies by the racial group. For Whites, being from a single-parent household increases the chances of being released by 6%, whereas for African Americans in the same family situation, the chances of being released decrease by 6%. The varying effect of family status on decision making, especially at intake, for Whites and African Americans is consistent with not only previous study (e.g., DeJong & Jackson, 1998) but also the symbolic threat thesis and the premise that African Americans from single-parent households are perceived as problematic (Leiber & Mack, 2003).

Also consistent with interpretations of the symbolic threat thesis is the notion that African Americans are perceived by decision makers as prone to drug offenses, threatening, and potentially dangerous (e.g., Sampson & Laub, 1993). In line with this contention is the presence of the inverse effects that exist between being African American and involvement with either a person offense or a drug offense. Being African American and involved with a person offense decreases the likelihood of receiving a release at intake by 18%, and being involved with a drug offense decreases the likelihood by 16%. Neither person offenses nor drug offenses are statistically significant predictors of the decision to release for Whites.

Although there is no evidence of a race interaction effect with detention on the decision to release, the weight of detention operates differently for Whites relative to African Americans. For Whites, being detained decreases the probability of being released by 6%. For African Americans, being detained decreases the probability of receiving the more lenient outcome by 14%. The finding of detention status having a varying effect on decision making by race parallels the results of prior research (e.g., Kempf-Leonard & Sontheimer, 1995).

Up to this point in the analysis, we find strong support for the two hypotheses guiding the research. Race directly influences detention decisions and, in combination with participation with drugs, affects not only detention but also the decision to be released at intake even after controlling for relevant legal and extralegal factors. Race, in interaction with family status and person offenses, also influences intake decision making. These results support H1. Although race is not a predictor of the decision to recommend further court proceedings at intake, it indirectly affects this decision through detention status. This finding is consistent with H2.

Decision Making at Other Stages

In Table 4, the logistic regression results are presented for the next stages in the proceedings: petition, initial appearance, adjudication, and judicial

TABLE 4: Logistic Regression Results for Petition, Initial Appearance, Adjudication, and Judicial Disposition

Variables	Petition (1) ^a		Initial Appearance (2) ^a		Adjudication (4) ^b		Judicial Disposition (6) ^c		Additive (7) ^d	
	Additive	Interaction	Additive	Interaction	Additive	Interaction	Additive	Interaction	Additive	Interaction
Detention	0.97 (0.54)	0.95 (0.53)	1.29** (0.27)	1.33** (0.27)	0.44 (0.31)	1.07* (0.46)	2.04** (0.32)			
Race	-0.14 (0.25)	-0.80** (0.30)	0.14 (0.17)	-0.11 (0.19)	-0.29 (0.19)	-2.99** (0.87)	-0.76** (0.17)			
Gender	-0.59* (0.27)	-0.64* (0.27)	0.08 (0.20)	0.06 (0.20)	0.05 (0.24)	-0.01 (0.24)	0.22 (0.19)			
Age	0.13 (0.09)	0.13 (0.09)	-0.20** (0.06)	-0.22** (0.06)	0.05 (0.06)	0.05 (0.07)	0.47** (0.06)			
Family status	-0.45 (0.27)	-0.40 (0.26)	0.38* (0.17)	0.37* (0.17)	-0.17 (0.19)	-0.14 (0.19)	0.12 (0.15)			
Attending but problems	0.74* (0.33)	0.59 (0.34)	-0.44* (0.20)	-0.50* (0.22)	0.10 (0.22)	0.07 (0.22)	0.11 (0.17)			
Drop out	0.67 (0.42)	0.57 (0.43)	-0.64** (0.23)	-0.62** (0.23)	-0.02 (0.29)	-0.02 (0.29)	0.47* (0.23)			
No. of prior referrals	0.03 (0.06)	0.03 (0.06)	0.39** (0.04)	0.38** (0.04)	-0.07 (0.06)	-0.06 (0.06)	0.26** (0.03)			
Court authority	-0.06 (0.33)	-0.13 (0.33)	0.40* (0.17)	0.41* (0.17)	0.16 (0.21)	0.20 (0.21)	0.43* (0.18)			
Severity of prior referral	0.25 (0.20)	-0.30 (0.29)	-0.31* (0.13)	-0.35** (0.13)	-0.43** (0.12)	-0.42** (0.12)	-0.61** (0.17)			
No. of charges	0.54** (0.21)	0.54** (0.40)	-0.04 (0.07)	-0.07 (0.07)	0.01 (0.09)	0.02 (0.09)	-0.01 (0.06)			
Crime severity	0.86* (0.44)	0.88* (0.45)	-0.73** (0.19)	-0.75** (0.19)	1.03** (0.24)	1.01** (0.25)	-1.23** (0.25)			
Property	-0.56 (0.36)	-0.37 (0.36)	2.05** (0.23)	2.03** (0.23)	-2.91** (0.59)	-3.01** (0.59)	-2.29** (0.49)			
Person	-0.62 (0.39)	-0.45 (0.39)	1.55** (0.27)	1.55** (0.27)	-2.99** (0.51)	-3.15** (0.54)	-2.42** (0.62)			

Drugs	-0.32 (0.45)	-0.11 (0.46)	1.15** (0.28)	1.17** (0.28)	-2.36** (0.50)	-2.53** (0.53)	-1.89** (0.50)
Weapon	0.72 (0.89)	0.78 (0.90)	-0.22 (0.37)	-0.27 (0.37)	-0.46 (0.36)	-0.48 (0.36)	-0.33 (0.34)
Counsel	-2.06* (1.07)	-2.19* (1.08)	0.50* (0.24)	0.10 (0.27)	-0.68** (0.21)	-0.76** (0.21)	-0.97** (0.27)
Hazard rate	-1.74 (1.71)	-1.88 (1.73)	13.63** (3.58)	14.71** (3.62)	4.09** (1.31)	2.05** (1.48)	-8.91** (1.88)
Race x severity of prior referral		1.28** (0.34)					
Race x counsel				1.16** (0.36)			
Race x detention							
Race x hazard rate					-1.24* (0.55)		3.75** (1.14)
-2 Log Likelihood	629.930	614.671	1182.197	1171.657	817.366	804.813	1375.092

a. $n = 1,961$.

b. $n = 1,319$.

c. $n = 957$.

d. $n = 1,169$.

* $p < .05$. ** $p < .01$.

disposition. For the purpose of clarity, once again the discussion will be limited to the effects of detention and race on each decision-making stage.

Although complex and not as consistent, the findings for the most part support those evident at detention and intake. Both detention and race individually, indirectly, and in interaction with one another and other independent variables influence case proceedings and case outcomes.

For petition, an examination of the results from the additive model shows that neither detention nor race affect decision making at petition (column 1). However, estimations of race interaction effects produced a positive statistically significant relationship between race and the severity of the prior referral (column 2). This relationship is differentiated in Table 5.

As can be seen in column 1 of Table 5, for Whites a nonstatistically significant inverse effect is evident between severity of the prior referral with decision making at petition. In column 2 of Table 5, for African Americans a positive statistically significant association exists between the independent and the dependent variable. Being African American and having a more severe prior referral increases the likelihood of being petitioned by 3% relative to all other youth. This finding confirms previous research that the severity of a prior disposition may affect current decision making and disadvantage minorities more so than Whites (see Henretta et al., 1986; Thornberry & Christenson, 1984).

At the next stage of the proceedings, detention (column 3) and race in combination with counsel (column 4) predict decision making at initial appearance (Table 4). The chances of moving on from this stage to adjudication increase by 18% if the youth is or has been detained. Estimating separate models for Whites and African Americans reveals that counsel is not predictive of decision making for the former racial group (column 3, Table 5) but is for the latter racial group (column 4, Table 5). The probability of receiving the more severe outcome at initial appearance is increased by 17% for African American youth who have no legal representation. It is also important to note that the hazard rate is statistically significant for African American youth in a positive manner (column 4, Table 5), meaning that the unobserved factors that led to formal petitions affect the probability of receiving the more severe outcome at initial appearance.

Although neither detention nor race have statistically significant additive effects on the adjudication process (column 5, Table 4), the two act in combination to affect decision making (column 6, Table 4). Interestingly and in contrast to expectations, Whites, if detained, are placed at a greater disadvantage than are African Americans who are or have been detained. Table 5 shows detention to be a statistically significant determinant of adjudication for Whites (column 5), whereas detention has no effect (column 6) on the

TABLE 5: Interaction Effects for Petition, Initial Appearance, and Adjudication, Differentiated by Race

Variables	Petition		Initial Appearance		Adjudication	
	White (1) ^a	African American (2) ^b	White (3) ^c	African American (4) ^d	White (5) ^e	African American (6) ^f
Detention	1.22 (0.90)	0.16 (0.65)	1.19** (0.38)	1.57** (0.43)	1.35** (0.52)	-0.17 (0.41)
Gender	-0.31 (0.44)	-0.71* (0.37)	-0.48 (0.25)	0.56 (0.31)	0.38 (0.39)	-0.40 (0.33)
Age	0.34* (0.14)	-0.04 (0.12)	-0.32** (0.09)	-0.01 (0.07)	0.01 (0.10)	-0.01 (0.09)
Family status	-0.41 (0.33)	-0.29 (0.51)	-0.11 (0.22)	0.53* (0.25)	0.11 (0.25)	-0.60 (0.33)
Attending but problems	0.22 (0.43)	1.14* (0.58)	-0.01 (0.26)	-0.91** (0.32)	0.09 (0.31)	0.21 (0.35)
Drop out	0.27 (0.60)	0.94 (0.66)	-0.32 (0.30)	-0.91** (0.36)	-0.22 (0.42)	-0.01 (0.08)
No. of prior referrals	0.02 (0.09)	0.06 (0.08)	0.37** (0.06)	0.41** (0.06)	-0.06 (0.08)	-0.01 (0.08)
Court authority	0.14 (0.50)	-0.28 (0.46)	0.31 (0.24)	0.19 (0.26)	0.52 (0.29)	0.03 (0.29)
Severity of prior referral	-0.40 (0.28)	0.99** (0.33)	-0.01 (0.19)	-0.73** (0.21)	-0.42** (0.17)	-0.35 (0.19)
No. of charges	1.26** (0.46)	0.23 (0.30)	-0.09 (0.09)	0.23 (0.14)	0.09 (0.13)	-0.19 (0.14)
Crime severity	1.41 (0.66)	1.58* (0.68)	-0.36 (0.25)	-1.02** (0.35)	0.98** (0.34)	1.03** (0.36)
Property	0.23 (0.61)	-0.65 (0.48)	1.49** (0.37)	2.37** (0.34)	-7.75 (10.79)	-2.84** (0.68)

(continued)

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Variables	Petition		Initial Appearance		Adjudication	
	White (1) ^a	African American (2) ^b	White (3) ^c	African American (4) ^d	White (5) ^e	African American (6) ^f
Person	-0.06 (0.59)	-0.56 (0.55)	1.15** (0.43)	1.68** (0.37)	-8.37** (10.78)	-2.57** (0.61)
Drugs	-0.20 (0.58)	0.66 (1.08)	0.67 (0.41)	1.61** (0.49)	-7.59 (9.78)	-2.31** (0.72)
Weapon	6.16 (12.53)	0.16 (0.98)	-0.17 (0.50)	0.01 (0.58)	-0.94 (0.51)	-0.22 (0.54)
Counsel	-2.20 (1.60)	-1.55 (1.55)	-0.41 (0.27)	1.13** (0.35)	-0.80** (0.34)	-1.04** (0.32)
Hazard rate	-1.89 (2.45)	-1.05 (1.55)	4.33 (3.91)	13.30** (3.25)	1.35 (1.95)	5.35** (1.72)
-2 Log Likelihood	313.902	279.404	625.131	525.689	411.547	381.768

a. $n = 899$.

b. $n = 935$.

c. $n = 615$.

d. $n = 644$.

e. $n = 450$.

f. $n = 507$.

* $p < .05$. ** $p < .01$.

dependent variable for African Americans. For Whites held in detention, the chances of being adjudicated increase by 13%. However, once again corrections for sample bias indicate the factors that predict decision making at initial appearance increase the probability of being adjudicated for African Americans by 19%.

The final stage of decision making reveals that detention has a positive statistically significant effect on judicial disposition, whereas race has an inverse effect (column 7, Table 4). Detention increases the likelihood of receiving an outcome involving a change of placement at judicial disposition by 16%. Being African American decreases the probability of receiving the more severe outcome by 18%. The hazard rate once again suggests sampling bias, and corrections for this indicate that the factors that predict decision making at the previous stage of adjudication predict outcomes at judicial disposition in an inverse manner by a staggering 68%.¹⁰

SUMMARY AND DISCUSSION

Interpretations of consensus theory indicate that minority youth differences in involvement in the juvenile justice system are the result of differences in legal and extra legal factors or differential involvement in crime (e.g., African Americans commit more crime and more serious crime). Methodologically, controlling for these factors should result in the disappearance of race effects. Versions of conflict theory and in particular the symbolic threat thesis argue that race differences in case processing and case outcomes, in part, can be attributed to racial stereotyping of African Americans as delinquent, prone to drug offenses, dangerous, and unsuitable for treatment. According to the differential selection argument, methodologically race effects will still be present even after controlling for legal and extralegal considerations. Prior research has also shown that detention itself may affect decision making at other stages and that race may indirectly influence decisions through detention. An examination of case processing and case outcomes in one juvenile court jurisdiction, for the most part, yields support for the hypotheses guiding the study and, in particular, the symbolic threat thesis and beliefs that detention works to the disadvantage of African Americans relative to Whites.

Results reveal that differential involvement in crime explains some of the overrepresentation in detention and the further contact with the juvenile justice system overall. Consistent with our hypotheses, however, race affects case processing and outcomes directly, in combination with other factors, and indirectly through detention.

African American youth were more likely than were Whites to receive the more severe outcome at detention, initial appearance, and adjudication even after controlling for relevant legal and extralegal criteria and legal representation. Most of the relationships involved interaction effects among being African American and factors such as committing a drug offense, being from a single-parent household, committing crimes against persons, not having counsel, and the severity of the outcome for a prior referral. African Americans also moved further through the system because of the effect of detention on decision making at intake, initial appearance, and judicial disposition. Thus, the presence of African Americans in the juvenile justice system including detention can be attributed to differential involvement in delinquency, differential selection, and detention, which to some degree is racially tainted.

The finding of differential selection or treatment is consistent with the symbolic threat thesis and the emphasis on the racial stereotyping of African Americans by decision makers. This is made even more evident by case outcomes influenced by the interaction relationships among being African American and committing drug offenses, residing in single-parent homes, and committing crimes against persons (e.g., Feld, 1999; Leiber, 2003; Sampson & Laub, 1993). Although the quantitative results infer support for this premise, future research that directly examines the interrelationships among racial stereotyping, decision making, and case outcomes is needed.

There may be some questions concerning the extent to which racial stereotyping underlies the observed race differences in case proceedings, but there is no denying that race and detention influence decision making. The results show a number of complex relationships, such as the association between being White and detention at adjudication, that sometimes affect Whites in a more severe manner. Also, African American youth who were not detained at some point during the proceedings were more likely than were White youth to receive the more lenient outcome at judicial disposition. In short, the findings lend further credence to the effect that earlier decisions may have on current or future outcomes (e.g., Henretta et al., 1986; Thornberry & Christenson, 1984) especially in terms of detention and greater penetration into the juvenile justice system for African Americans.

The results from the present study also add further support to the contention that decision making, especially in the juvenile justice system, needs to be viewed as a process. As many stages as possible should be included in researching the factors that affect case outcomes. The omission of any one of the six stages in Iowa's juvenile justice system may have resulted in the inability to capture both the direct and indirect effects of race and detention on decision making.

An additional implication for future research is the need to further explore the kinds of things or factors that influence case outcomes but that were not included in the present research. The significance of the statistical technique to correct for selection bias or the hazard rate, for example, highlights this point. Furthermore, although crime type was controlled in the analysis, what constituted the reason for the detention referral and if the behavior or non-behavior varies by race were not addressed. As discussed by Steinhart (2001), violation of probation as a justification for detention is increasing, has race implications, and has been relatively neglected. Because of the significance of race at detention, there is cause to examine this issue in greater detail.

Another direction for future research is the role that legal representation has in juvenile proceedings. In the present study, counsel had effects on decision making at almost every stage and in one instance interacted with race at the adjudicatory hearing (African Americans with no legal representation had greater chances of being adjudicated delinquent). Most often, having no legal counsel resulted in receiving a more lenient outcome. Although this may not make intuitive sense, this finding is consistent with the limited research that exists. That is, youth with counsel generally receive more severe sanctions than do those without an attorney (e.g., Feld, 1988, 1989; Guevara et al., 2004). Further research that employs both quantitative and qualitative assessments into the dynamic between counsel and decision making is needed. In particular, future research could assess not only the type of legal counsel involved but the place in the proceedings where counsel comes into play, the quality of the legal representation, and the ways in which decision makers perceive and respond to the presence of counsel.

Despite the need for further research in this area, the present study makes a contribution to the existing literature by placing the race-detention issue within a theoretical context, by using relatively recent data in a jurisdiction where detention had not been previously assessed, by focusing on six stages, and by considering a wide array of measures that represent the social situation of youth and the presence of legal representation. Furthermore, although the results in general confirm those from prior research (e.g., Frazier & Bishop, 1995), the findings not only further illustrate the complexities of the race-detention relationship but also show that this effect was found to exist in a relatively small, homogenous Midwestern county. Not only did race and detention influence decision making, but the size of the effects, to varying degrees, are larger than reported by studies that have focused on courts in more urban and diversified settings (e.g., Frazier & Bishop, 1985; Wordes et al., 1994). Further research is needed to address why the effects are larger. Theory, however, provides us with several possible explanations.

For example, interpretations of traditional conflict theory suggest that a lower proportion of minorities in the population allows this relatively powerless group to be subjected to greater social control (e.g., Quinney, 1970). Alternatively, Weber's (1969) perspective on urbanization and formal and substantive rationality contends that because rural courts are not as bureaucratic as urban courts, informal criteria and legally irrelevant factors (i.e., substantive rationality) inform decision making. Thus, bias will be more evident in rural courts, and African Americans in rural courts will evidence higher rates of intervention compared to urban courts (cf. Zatz, 1987). Or, contextually, it may be that the historical, structural, and organizational factors associated with this particular community and court creates an environment among decision makers where race and racial stereotyping take on significant importance relative to other jurisdictions. Although there is a need for further research to address this issue, the results pave the way for policy reform.

The implications for policy center on the need to reform detention admission practices and the criteria used to make admissions. Until this is done, equitable treatment for all youth will not be attained. Suggestions for policy reform should involve the structuring of decision making, especially at detention and intake. One way to do this is to adopt detention and intake risk-assessment instruments (Justice Policy Institute, 2002) and to be sure that these instruments are race neutral (Pope, 1995). In addition, the police, detention personnel, juvenile court decision makers, and community in general need to collaborate on devising a strategy to see detention in terms of a continuum of services (e.g., youth shelters, foster parents, etc.) rather than solely in terms of the most secure form of detention. Likewise, interested parties need to be made aware that the development and utilization of less secure alternatives to secure detention does not necessarily mean increased threats to public safety or the implementation of race quotas (e.g., Hoytt et al., 2002; Justice Policy Institute, 2002). In fact, the issue is fairness across the board, and within this context the presence of African American youth in secure detention should decrease because they as a group are overrepresented in secure detention.

Last, detention reform is just one method to reduce overreliance on secure detention and minority overrepresentation. Other efforts are needed to eliminate or at least minimize minority overrepresentation in the system and racial bias. These efforts include programs aimed at delinquency prevention, cultural sensitivity training for decision makers, and building collaboration to address the issue among politicians, law enforcement, the juvenile court, local providers, and citizens.¹¹

NOTES

1. In the early 1990s, minority youth and adults were overrepresented in both the juvenile and adult systems in Iowa and still are today (Division of Criminal and Juvenile Justice Planning and Statistical Analysis, 2004). For example, about 32% of the youth in the Boys State Training School are minority, with 20% of those African American. Minority youth comprise about 5% of the total population of Iowa and up to 10% or more in some cities (Bureau of the Census, 2000). For adults, at least 1 in 12 African American Iowans is in prison, on parole, or on probation, whereas the similar ratio for Whites is 1 in 110. The incarceration rate for African Americans in Iowa tops the national average ("A Generation," 2000).

2. A third position contends that race differences in case processing and case outcomes may disappear once legal and extralegal criteria are considered but that the criteria used to inform decision making, although legitimate, may also be racially tainted. For example, for a variety of reasons, African American youth may have lengthier and more problematic prior records than do Whites and/or may reside with families that are less able to provide proper supervision. Although legitimate criteria, these effects often work to the disadvantage of minority youth (e.g., Frazier & Bishop, 1995; Pope & Feyerherm, 1992). Although there is validity to this position, for the purpose of theory competition, the present research relies on the competing premises of the consensus and interpretations of the conflict approaches to guide the study.

3. Relative to other counties in the state of Iowa, this county has been characterized as high on economic and racial inequality in terms of the percent of persons in poverty, the unwed teenage pregnancy rates, and criminal justice expenditures (Leiber, 2003). In addition, the organizational philosophy of the juvenile court has been one of accountability and intervention with an emphasis on the social control of youth (Leiber, 2003). A study of criminal justice sentencing in the state of Iowa echoes these sentiments as this county was found to send minor felons to prison more than most areas and for drug offenses nearly twice as often as the state average (Eby, 2001).

4. Similar to detention criteria across the country (Hoytt, Schiraldi, Smith, & Ziedenberg, 2002), state statute lacks specificity and provides a great deal of discretion to the police, juvenile court officers, and judges to determine whether detention is necessary (Iowa Code 2001, section 232.22, 232.52). Admission to the detention facility is controlled by the juvenile court specifically through individual juvenile court officers and a judge. Police officers that have a child in custody call a juvenile court officer and the juvenile court officer calls a judge prior to placing a youth into detention. Juvenile court officers may or may not have a recommendation for detention when contacting the judge. Recommendations and decisions to detain are based on an array of factors considered by the juvenile court officer and the judge. There is no written detention survey instrument to assist in detention decisions at this facility. Although a verbal court order can initiate placement, a written court order must be issued within 12 hours of detention. Detention can be used to minimize risk of reoffending while the current delinquent charge is determined and the case is settled, to prevent flight, and to protect the alleged offender from imminent bodily harm. Detention can also be used as a sanction for violation of court orders or probation rules or as a 48-hour or two-day dispositional placement (Iowa Code 2001, section 232.22; 232.52). A violation of probation does not entail a new crime and is generally viewed as a technical violation such as failure to obey curfew or some other condition established by the court. The 48-hour dispositional hold was passed as a judicial sentencing option in 1996.

5. The intake variable may be viewed as ordinal. An examination of the proportional odds results, however, indicated that the variable's effects on the odds of a response equal to or above category k is not the same for all k when k is the cut point parameter of the model (Agresti, 1989). The violation of the proportional odds assumption necessitates the estimate of two equations (one using the lower cut point as the reference point release and another using the upper cut point referral for further court proceedings).

6. Detention as part of the two-day dispositional sanction was included as part of the change of placement outcome at the stage of judicial disposition. The small number of youth ($n = 76$; 1 %) precluded treatment as a distinct dependent variable.

7. We were unable to differentiate the type of drug offense that youth were referred to court for. Although this is a shortcoming and a need for future research, differences in the type of drug offense can be captured to some degree by the measure crime severity.

8. A check of the collinearity diagnostic statistics and the zero-order correlations revealed acceptable levels of shared correlation among the variables (Belsley, Kuhn, & Welsh, 1980). The one exception is the high correlation between initial detention and the composite detention variable ($r = .92, p < .01$). The high correlation is not surprising given that initial detention makes up a large part of the composite detention variable. However, the over shared correlation is not a concern because initial detention is treated as a dependent variable, whereas the composite measure is treated as an independent variable, and both are never entered into the same equation. The zero-order correlations are available upon request from the authors.

9. Heckman's (1974) two-stage procedure was employed to create a hazard rate that was included in the equations to correct for possible sample selection bias (Berk, 1983). Probability estimates were also calculated by using the logistic regression coefficient and the mean of the dependent variable for each equation (Peterson, 1985). Additive models were estimated for each decision-making point of the proceedings, followed by the estimation of two-way interactions between race and each independent variable with each decision-making point. An interaction effect will be presented only if the relationship was significant at $p < .01$. When a race interaction effect meets this criterion, separate models were estimated for Whites and African Americans and are presented in the tables.

10. Re-estimations of the model for judicial disposition without the inclusion of youth waived to adult court yielded parallel results to those reported in Table 4. The one exception is that the effect of age on the dependent variable was no longer present.

11. It is important to note that the county under study has made the problem of race and detention a targeted area for reform. For example, a local disproportionate minority contact task force that includes many of the key stakeholders (e.g., juvenile court, detention personnel, police) has been formed and meets at least once a month. Other strategies that are being used in this county include the development and use of programs to divert youth away from detention, the hiring of a coordinator to educate the community on this specific issue and on disproportionate minority contact in general, and the development of a data management system for the purpose of determining who is going into detention, for what reasons, and for how long. The task force is also currently working on a detention-screening instrument to aid in the decision-making process. Greater discussion on programs and initiatives such as these and others that focus on differential offending and differential selection can be found in the *Disproportionate Minority Confinement Technical Assistance Manual* (U.S. Department Of Justice, Office of Juvenile Justice and Delinquency Prevention, 2000) and elsewhere (Bridges, Hsia, & McHale, 2004; Feyerherm, 2000; Hsia & Hamparian, 1998; Mihalic, Irwin, Fagan, Ballard, & Elliott, 2004; Pope & Leiber, in press).

REFERENCES

- Agresti, A. (1989). Tutorial on modeling ordered categorical response data. *Psychologist Bulletin*, *105*, 290-301.
- Belsley, D., Kuhn, E., & Welsh, R. (1980). *Regression diagnostics identifying influential data and source of collinearity*. New York: John Wiley.

- Berk, R. A. (1983). An introduction to sample selection bias in sociological data. *American Sociological Review*, 48, 386-398.
- Bishop, D. (in press). The role of race and ethnicity in juvenile justice processing. In D. Hawkins & K. Kempf-Leonard (Eds.), *Our children, their children: Confronting racial and ethnic differences in American juvenile justice*. Chicago: University of Chicago Press.
- Bishop, D., & Frazier, C. (1988). The influence of race in juvenile justice processing. *Journal of Research in Crime and Delinquency*, 22, 309-328.
- Bortner, M., & Reed, W. (1985). Race and the impact of juvenile deinstitutionalization. *Crime & Delinquency*, 31, 35-46.
- Bridges, G., Hsia, H., & McHale, R. (2004). *Disproportionate confinement—2002 update*. Washington, DC: Office of Juvenile Justice and Delinquency Prevention.
- Bridges, G., & Steen, S. (1998). Racial disparities in official assessments of juvenile offenders: Attributable stereotypes as mediating mechanisms. *American Sociological Review*, 63, 554-570.
- Bureau of the Census. (2000). *2000 census of population: General population characteristics*. Washington, DC: Author.
- Chambliss, W. (1995). Crime control and ethnic minorities: Legitimizing racial oppression by creating moral panics. In D. Hawkins (Ed.), *Ethnicity, race, and crime: Perspectives across time and place* (pp 235-258). Albany, NY: State University of New York Press.
- DeJong, C., & Jackson, K. (1998). Putting race into context: Race, juvenile justice processing, and urbanization. *Justice Quarterly*, 15, 487-504.
- Division of Criminal and Juvenile Planning and Statistical Analysis. (2004). *Youth development approach for Iowa's children and families*. Des Moines, IA: Author.
- Eby, C. (2001, February 25). Black Hawk sentences among the state's toughest. *Waterloo Courier*, pp. A1, A7.
- Engen, R., Steen, S., & Bridges, G. (2002). Racial disparities in the punishment of youth: A theoretical and empirical assessment of the literature. *Social Problems*, 49, 194-220.
- Feld, B. (1988). In Re Gault revisited: A cross-state comparison of the right to counsel in juvenile court. *Crime & Delinquency*, 34, 393-424.
- Feld, B. (1999). *Bad kids: Race and the transformation of the juvenile court*. New York: Oxford University Press.
- Feyerherm, W. (2000). Detention reform and over-representation: A successful synergy. *Corrections Management Quarterly*, 4(1): 44-51.
- Frazier, C., & Bishop, D. (1985). The pretrial detention of juveniles and its impact on case dispositions. *The Journal of Criminal Law & Criminology*, 76, 1132-1152.
- Frazier, C., & Bishop, D. M. (1995). Reflections on race effects in juvenile justice. In K. Kempf-Leonard, C. E. Pope, & W. Feyerherm (Eds.), *Minorities in juvenile justice* (pp. 16-46). Thousand Oaks, CA: Sage.
- Frazier, C., & Cochran, J. (1986). Detention of juveniles its effects on subsequent juvenile court proceedings. *Youth and Society*, 17, 286-305.
- A generation in prison editorial. (2000, December 30). *Des Moines Register*, p. 19.
- Guevara, L., Spohn, C., & Herz, D. (2004). Race, legal representation, and juvenile justice: Issues and concerns. *Crime & Delinquency*, 50, 344-371.
- Hawkins, D., & Kempf-Leonard, K. (Eds.). (in press). *Our children, their children: Confronting racial and ethnic differences in American juvenile justice*. Chicago: University of Chicago Press.
- Heckman, J. (1974). Shadow prices, market wages, and labor supply. *Econometrica*, 42, 679-694.
- Henretta, J., Frazier, C., & Bishop, D. (1986). The effect of prior case outcomes on juvenile justice decision making. *Social Forces*, 65, 555-562.

- Hindelang, M. (1978). Race and involvement in common law personal crimes. *American Sociological Review*, 43, 93-109.
- Hsia, H., Bridges, G., & McHale, R. (2004). *Disproportionate confinement—2002 update*. Washington, DC: Office of Juvenile Justice and Delinquency Prevention.
- Hsia, H., & Hamparian, D. (1998). *Disproportionate minority confinement: 1997 update*. Washington, DC: Office of Juvenile Justice and Delinquency Prevention.
- Hoytt, E., Schiraldi, V., Smith, B., & Ziedenberg, J. (2002). *Reducing racial disparities in juvenile detention: Pathways to juvenile detention reform*. Baltimore, MD: The Annie E. Casey Foundation.
- Justice Policy Institute. (2002). *Reducing disproportionate minority confinement: The Multnomah County, Oregon success story and its implications*. Washington, DC: Justice Policy Institute.
- Kempf-Leonard, K., & Sontheimer, H. (1995). The role of race in juvenile justice in Pennsylvania. In K. Kempf-Leonard, C. E. Pope, & W. Feyerherm (Eds.), *Minorities in juvenile justice* (pp. 98-127). Thousand Oaks, CA: Sage.
- Leiber, M. (1994). A comparison of juvenile court outcomes for Native Americans, African Americans, and Whites. *Justice Quarterly*, 11, 257-279.
- Leiber, M. (2002). Disproportionate minority youth confinement (DMC): An analysis of the mandate and state responses. *Crime & Delinquency*, 48(1), 3-45.
- Leiber, M. (2003). *The contexts of juvenile justice decision making: When race matters*. Albany, NY: State University of New York Press.
- Leiber, M., and Jamieson, K. (1995). Race, decision making and the implications of context in juvenile justice proceedings. *Journal of Quantitative Criminology*, 11(4), 363-388.
- Leiber, M., & Mack, K. (2003). The individual and joint effects of race, gender, and family status on juvenile justice decision-making. *Journal of Research in Crime & Delinquency*, 40(1), 34-70.
- Leiber, M., & Stairs, J. (1999). Race, contexts, and the use of intake diversion. *Journal of Research in Crime and Delinquency*, 36, 56-86.
- McCarthy, B., & Smith, B. (1986). The conceptualization of discrimination in the juvenile justice process: The impact of administrative factors and screening decisions of juvenile court decisions. *Criminology*, 24, 41-64.
- Mihalic, S., Irwin, K., Fagan, A., Ballard, D., & Elliott, D. (2004). *Successful program implementation: Lessons from blueprints*. Washington, DC: U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention.
- North East Iowa Juvenile Detention Center. (2004). *Annual report*. Black Hawk County, IA: Author.
- Peterson, T. (1985). A comment on presenting results from logit and probit models. *American Sociological Review*, 50, 130-131.
- Pope, C. E. (1995). Equity within the juvenile justice system: Directions for the future. In K. Kempf-Leonard, C. E. Pope, & W. Feyerherm (Eds.), *Minorities in juvenile justice* (pp. 201-216). Thousand Oaks, CA: Sage.
- Pope, C. E., & Feyerherm, W. (1992). *Minorities and the juvenile justice system: Full report*. Rockville, MD: U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention, Juvenile Justice Clearing House.
- Pope, C. E., & Leiber, M. (in press). Disproportionate minority contact (DMC): The federal initiative. In D. Hawkins & K. Kempf-Leonard (Eds.), *Our children, their children: Confronting racial and ethnic differences in American juvenile justice*. Chicago: University of Chicago Press.

- Pope, C. E., Lovell, R., & Hsia, H. M. (2002). *Synthesis of disproportionate minority confinement (DMC) research literature (1989-1999)*. Washington, DC: U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention.
- Quinney, R. (1970). *The social reality of crime*. Boston: Little, Brown.
- Sampson, R., & Laub, J. (1993). Structural variations in juvenile court processings: Inequality, the underclass, and social control. *Law & Society Review*, 27, 285-311.
- Snyder, H., & Sickmund, M. (1999). *Juvenile offenders and victims: A national report*. Washington, DC: Office of Juvenile Justice and Delinquency Prevention.
- Stahl, A. (1999). *Delinquency cases waived to criminal court, 1987-1996* (Fact Sheet No. 99). Washington, DC: Office of Juvenile Justice and Delinquency Prevention.
- Steinhart, D. (2001). *Special detention cases: Strategies for handling difficult populations pathways to juvenile detention reform*. Baltimore, MD: Annie E. Casey Foundation.
- Thornberry, T., & Christenson, R. L. (1984). Juvenile justice decision making as a longitudinal process. *Social Forces*, 63, 433-444.
- Tittle, C., & Curran, D. (1988). Contingencies for dispositional disparities in juvenile justice. *Social Forces*, 67, 23-58.
- Tracy, P. E. (2002). *Decision making and juvenile justice: An analysis of bias in case processing*. Westport, CT: Praeger.
- U.S. Department Of Justice, Office of Juvenile Justice and Delinquency Prevention. (2000). *Disproportionate minority confinement technical assistance manual*. Washington, DC: Author.
- Weber, M. (1969). *Max Weber on law in economy and society* (M. Rheinstein, Trans.). Cambridge, MA: Harvard University Press.
- Wordes, M., Bynum, T., & Corley, C. (1994). Locking up youth: The impact of race on detention decisions. *Journal of Crime & Delinquency*, 31(2), 149-165.
- Zatz, M. (1987). The changing forms of racial/ethnic biases in sentencing. *Journal of Research in Crime & Delinquency*, 24, 69-92.