The Kalamazoo County Juvenile Home's Foster Shelter Care Unit: Toward an Evaluation

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THE KALAMAZOO COUNTY JUVENILE HOME'S
FOSTER SHELTER CARE UNIT: TOWARD AN EVALUATION

by
Michael John Underwood

A Thesis
Submitted to the
Faculty of The Graduate College
in partial fulfillment of the
requirements for the
Degree of Master of Arts
Department of Sociology

Western Michigan University
Kalamazoo, Michigan
December 1986
A formative evaluation of the Foster Shelter Care Unit was conducted in order to analyze the success/failure of the program during its first year of operation. Data on 77 cases were analyzed, and nine independent variables and one dependent variable were bivariately tested in order to provide a theoretical explanation of the success/failure rate.

The evaluation was conducted in order to supply the Foster Shelter Care Unit with recommendations to enhance its success/failure rate and to modify its existing policies.

The success rate for the unit was 48.1%, and it was found that the only significant association with this rate was the type of offense the youth committed. Thus, delinquent offenders were more likely to succeed in the disposition than status offenders.

From this conclusion, it was recommended that the court use the Foster Shelter Care Unit to detain more medium-risk delinquent offenders, as well as status offenders bound for foster care.
ACKNOWLEDGEMENTS

I wish to thank my wife, Lisa, for providing me with the strength and patience I needed to complete this task. I also wish to thank my mentor, Dr. Paul C. Friday, for allowing me to make my own mistakes and learn from my errors and for providing me with the type of support I needed. Finally, I wish to thank Jimmy Buffett for providing me with inspiration through his songs.

Michael John Underwood
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CHAPTER I

INTRODUCTION

Statement of the Problem

Each year a large percentage of youths are held in juvenile detention facilities while awaiting processing by the juvenile court. In essence, these facilities are jails where youths are held until they are adjudicated as delinquents or status offenders. The practice of preventive detention is justified under the common law principle of Parens Patriae, which allows the state the authority to intervene in a child's life under the guise of providing protection or guidance (Abadinsky, 1979).

Within this context, the juvenile justice system is assigned the difficult task of detaining youths to protect the community, while trying to fulfill the lofty goals implied in the doctrine of Parens Patriae. What has resulted is a confused system of justice, operating under different assumptions and guidelines which are invoked as necessary in order to justify their practices. More often than not, the objective of detention facilities is to detain youths at the expense of the child's best interest (Costin & Rapp, 1984).

While the practice of Parens Patriae has yet to be successfully challenged in a court of law, many of the practices justified under this doctrine have been criticized and struck down. The most prominent example of this is the Gault decision. According to Pepinsky
and Jeslow (1984), *In re Gault* demonstrated how the practice of Parens Patriae was "empty rhetoric" by which youths were being detained for excessive periods of time under the guise of protecting their best interests. The result of *Gault* was that children being detained are now allowed a limited application of the basic constitutional rights of adults detained under similar circumstances. While *Gault* brought about some changes, however, many of the rights afforded adults are still denied to children in detention. These include the right to open hearings, independent legal counsel and the right to confront their accusers.

Since *Gault*, both the philosophies and practices of the juvenile court have been under the scrutiny of the public and the government. While the majority of the investigations have centered on the legal and extralegal factors associated with the adjudication and/or dispositional process, only a small proportion of the research has been focused on the practice of detention. This is not to imply that literature does not exist on detention, but to show that research on detention and its function is sparse and not popular among criminological researchers.

Currently it appears that there are two distinct perspectives on the detention process. The first perspective, critical in nature, aims to critique ideologically any attempts by society to enforce social control (Barlow, 1984; Taylor, Walton & Young, 1973). Writers using this perspective claim that the official agents of social control act only for the benefit of those with power and capital and to effectively suppress the working and lower classes (Sinclair, 1983).
Any attempt to enforce social control is seen by these writers as reinforcement of the values of those in power and categorical denial to the lower classes of full participation in society (Greenberg, 1981; Taylor et al., 1973).

The second perspective, less ideological in nature and more pragmatic in its orientation, accepts the premise of social control rejected by critical theorists and contends that some elements of the society must be sanctioned because of their disruptive, destructive and/or antisocial behavior (Barlow, 1984; Empey, 1984; President's Commission on Law Enforcement and the Administration of Justice [PCLEAJ], 1967). This perspective, while not condoning the current deteriorating nature of contemporary correctional policies and practices, maintains that some individuals must be punished for their behavior. It is also asserted that punishment, no matter what its form, should be administered in the most humane manner possible (Barlow, 1984; Fogel, 1974). In theory, therefore, people are to be sent to prison as punishment and not for additional punishment.

Regardless of the connotations of either perspective, the criminological literature shows that the criminal career of the adult offender begins in adolescence (Zawitz, 1983). Given this, it only seems logical that in order to correct individual criminality, intervention must occur in adolescence. While this issue is still the cause of debate, it has been suggested that the rehabilitation strategies of the past have not been successful in meeting the public's demand for effective correctional programming (Dinitz, 1978; Schwartz, Clear, & Travis, 1980; Zawitz, 1983).
Even though rehabilitation has been abandoned as a societal goal, the juvenile justice systems of many states still operate under the premise of rehabilitation. This has brought about a wide variety of structural changes in the administration of juvenile justice. In Massachusetts, Miller totally restructured that state's system by deinstitutionalizing status offenders and incorporating community-based correctional strategies into the dispositional process. In California, the California Youth Authority was established to rehabilitate youthful offenders by utilizing a sociopsychological treatment perspective. As with most innovative practices, these programs were gutted or abandoned because of budgetary and political constraints (Carter, McGee, & Nelson, 1975; Peoples, 1975).

Notwithstanding, the juvenile justice system has been faced with another problem: how to handle the wide variety of offenders whose actions necessitate detention. The criminological research of the 1960s and 1970s has shown that there exists a multitude of offender types in the delinquent and status offender population. The major typologies identified include the repetitive status offender, the recidivating criminal offender, the serious offender, the nonserious offender, the combined status and criminal offender, and any other combination thereof (Barlow, 1984; Wolfgang & Sellin, 1972; Zawitz, 1983).

From these typologies, a variety of correctional and detential policies and programs were devised which sought to provide the necessary treatment(s) for each offender type. While new programs were being devised and implemented, program administrators were becoming
aware that, given the nature of delinquent populations, it was not economically or practically feasible to implement a variety of programs for each offender type (Roesch & Corrado, 1981). This was justified because it was recognized that the majority of juvenile crimes committed in a community, or specific jurisdiction, were being committed by a small minority of offenders who did not always fit a particular offender typology (Zawitz, 1983), and it was not, therefore, feasible to construct new programs for a small proportion of offenders who represented a wide variety of typologies (Roesch & Corrado, 1981).

The problem then became: how do you handle a wide range of youthful offenders, within the purview of their constitutional rights to treatment and guidance, while at the same time trying to protect the community from predatory juvenile offenders? A variety of jurisdictions have decided to separate delinquent and status offenders; others have tried to separate serious from nonserious offenders, while others have made no attempt to alter the nature of their services (Finckenauer, 1984).

The Function of Detention

Regardless of the nature and extent of juvenile services available in a jurisdiction, one thing remains constant: the use of preventive detention for youths who are homeless or who present a danger to themselves and/or the community. While this practice has been in use for years, many critics contend that it is archaic and detrimental to a youth's moral, social, and psychological develop-
Criticisms aside, the primary responsibility of a juvenile detention facility is to provide safe and humane care for youths who are awaiting adjudication or disposition as formal court wards. It is not the responsibility of a detention facility to provide any type of sociological or psychological treatment, or to induce behavioral change, but to provide the youth with the basic necessities of life: food, shelter, clothes, education, and supervision (Carter et al., 1975). In some jurisdictions detention centers, in conjunction with court caseworkers, may provide some types of social casework for either the offender and/or his/her family, but this is not required by law. In most cases, the only services available to a youth are medical examinations and treatment, intelligence testing, educational assessment and placement, and psychological assessment and screening, in addition to food, clothing and shelter (Abadinsky, 1979). In reality, these functions parallel those of adult jails, and in most cases juvenile detention facilities are little more than scaled-down versions of adult lockups (Carter et al., 1975; Finckenauer, 1984).

Thus, juvenile detention facilities serve as jails by incarcerating a youth until the court can determine which type of disposition or sanction best fits the prescribed needs of the youth. The dispositions available to the court are probation or institutionalization. A ward placed on probation can be: (a) returned to the parent's/guardian's home, (b) placed in foster care or group home, (c) placed in a community-based treatment facility, (d) placed with a relative, and/or (e) required to attend outpatient treatment services.
Generally, institutionalization includes the court-ordered placement of the youth into a state-funded reformatory, private residential treatment facility or hospital, or an adult correctional facility (Carter et al., 1975). In some jurisdictions youths are being given determinate sentences to be served in a detention facility as a replacement for institutionalized treatment.

Since most detention facilities also act as placement centers, they play a dual function in the juvenile justice system. Thus they provide shelter and then prepare the youth for his/her court-ordered disposition. Many times this includes providing the youth with an adequate wardrobe, intervening in family disputes, enrolling the youth in social welfare programs, assisting the youth in obtaining employment and/or education, and planning a treatment strategy (Abadinsky, 1979; Carter et al., 1975; Finckenauer, 1984). While these services have traditionally been the responsibility of a probation officer, the staff of detention facilities either assist in this process or make these arrangements under the authority of the officer.

The Changing Nature of Delinquency

While the overall arrest rates for juveniles declined during the late 1970s, there has been an increase in the arrest rates for youths who have committed serious and violent crimes (Zawitz, 1983). Even though this increase has been followed by a decrease in the number of youths detained for status offenses, the trend suggests
that youths are committing more criminal acts and fewer status offenses.

The reason for this is twofold. First, the number of youths in the society has decreased, causing a shift in the demographics of the society, while the number of minority and lower-class youths has increased (Costin & Rapp, 1984). Second, more youths are now engaged in committing serious property offenses; therefore, youths are now being overrepresented in the FBI's Uniform Crime Reports (1983), while the number of status offenders has decreased. Given these factors, the juvenile system is being forced to adjust its policies, programs, and functions in order to meet the demands and needs of the offender population (Zawitz, 1983).

Since status offenses are defined as acts that are not illegal for adults but are illegal for juveniles, some youths who are held in detention facilities are not criminogenic per se. Instead, society has held that these actions are disruptive both to society and to the normal development of the child, and therefore it is the responsibility of the court, under the doctrine of Parens Patriae, to intervene in the child's life. Many youths thus become formally identified as "minors in need of supervision" because of their repeated interactions with the court. Over time, and as the frequency of their offenses increases, the court becomes more and more involved in the child's life until it formally assumes the role of the parent. It is generally assumed, however, that status offenders are not a real threat to the community but only to themselves and their families (Costin & Rapp, 1984).
In contrast, delinquent offenders are youths who have committed criminal offenses, much like adults, but are not convicted but rather adjudicated as delinquents in need of supervision. Under this label the court can intervene in a child's life as it sees fit.

While the disposition of status offenders has been undergoing gradual change, the handling of juvenile delinquents is undergoing drastic structural change. This is represented by an ABC news poll that contends that society believes the main purpose of the juvenile court to be provision of rehabilitation services and not punishment, while many states, including Michigan, are reviewing legislation which would lower the age of criminal culpability for juvenile offenders (U.S. Department of Justice, 1984).

Given the changing nature of juvenile delinquency and the public perception, the juvenile justice system is now faced with how to handle the new juvenile offender. The question now is whether or not the juvenile court should retain jurisdiction over all youthful offenders, or should the system be changed so that criminal offenders and status offenders receive different treatment? Or should the court reform its internal structure in order to meet the needs of the different offender types without reformulating the underlying doctrine of the juvenile court?

Within this context, the juvenile justice system is currently faced with a dilemma: how does it deal with youths who have committed serious, predatory, criminal offenses, while fulfilling its obligations to provide for the basic needs of status and nonviolent offenders?
Regardless of whether or not juvenile justice systems change, one thing remains constant: the majority of youths who are locked up in detention facilities are there because they have committed status or nonviolent offense. The primary responsibility, therefore, of the juvenile justice system is still to provide for the needs of minors in need of supervision.

Yet in order to meet this obligation, the juvenile justice system is still required to devote time, energy, and economic resources to the violent or serious offender. Because of this dual function, it is not always in the best interest of either offender type to be housed in the same facility, given the effects of labeling, institutionalization, and the survivalist tendencies of an incarcerated population; a problem exists, therefore, in how to differentiate between offender types and the nature of service delivery and/or treatment given.

The Kalamazoo County Foster Shelter Care Unit

In order to address this inequity, the Probate Court, Juvenile Division, in Kalamazoo, Michigan, has separated its detention facility into two different units. The first and primary unit is a secure detention facility. The detention unit functions in the traditional manner associated with detention facilities. The second unit is a medium-security facility called the Foster Shelter Care Unit (FSCU). The FSCU functions as a temporary shelter for youths who are nonserious criminal offenders or status offenders awaiting formal court-ordered disposition or placement.
The purpose of this study is to provide a formative evaluation of the Foster Shelter Care Unit's first year of operation in order to document the unit's evolution and to provide a theoretical explanation of the failure and/or success rate of the unit's population. From this the unit will be able to determine its impact on its population and plan future policies.

The Evaluation of the Foster Shelter Care Unit

The evaluation has two distinct components. First, a case study will be presented to demonstrate the evaluability of the unit, given the data available to the researcher, and to discover which variables are associated with success and/or failure in the unit's dispositional process. Second, and based on the factors identified in the first component, a theoretical explanation will be given to explain the success/failure rate so that the unit can alter its program if deemed necessary.

Aside from the pragmatic applications of this study, it will also address some of the broader issues that surround the juvenile justice system and its attempt to deal with the ever-present and ever-changing nature of juvenile delinquency. The first issue to be addressed will be the utility of using nonsecure detention for medium- to low-risk offenders. The second issue will be the repetitive nature of youth crime and delinquency among youths who have been classified as such. In addition, the use of out-of-home dispositions such as foster care will be addressed.
Rationale of the Study

With the demise of the Law Enforcement Assistance Administration during the Carter Administration, the nature and scope of criminal justice and criminological research in both the adult and juvenile justice systems has been drastically changed. In the wake of this problem, neither the crime nor the delinquency rate has been drastically reduced (Zawitz, 1983). This has led to the implementation of detention programs that have not been researched at the experimental or theoretical level, resulting in a return to the school of "doing what feels good" to program administrators and not the implementation of programs shown to be effective.

While a small proportion of studies have been completed in the field of juvenile detention, very few studies have been directed at the aspects of temporary detention, aside from the negative labeling and stigmatization that occurs during any type of incarceration (Walker, 1980). Instead, detention has been viewed as a necessary evil in the society.

It is the express purpose of this study to present a formative evaluation of a new type of detention program that has the potential for eradicating some of the negative aspects of detention and replacing them with progressive changes that benefit not only the administration of the juvenile court but also the children whose lives are impacted.
CHAPTER II

REVIEW OF THE LITERATURE

The History of Juvenile Detention

In 1838 the English common law philosophy of Parens Patriae was promulgated into case law, via precedent, through the landmark case of Crouse v. the State of Pennsylvania (Pisciotta, 1982). Sixty-one years later the first juvenile court was established in Cook County, Illinois, under this precedent and provided the entire country with a conceptual framework of how juvenile justice could be separated from its adult counterpart.

This separation resulted in the abolition of criminal offense categories for youthful offenders and children and the development of state juvenile courts. The juvenile court system was created to provide social work services to youths who by virtue of their age or their parents' inability to control their behavior were seen by the court as "in need of supervision" (Abadinsky, 1979; Carter et al., 1975). Given Parens Patriae, the court had a legal right and responsibility to intervene in the child's life and act as parent(s). In order to achieve the ideals of this doctrine, the juvenile court adjudicated youths instead of convicting them, rendered dispositions instead of imposing sentences, and held youths in protective custody rather than incarcerating them (Abadinsky, 1979; Costin & Rapp, 1984).

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While the reform movements of the late nineteenth and early twentieth centuries have taken credit for the evolution of the juvenile court system, it has yet to be proven that the separation of juveniles from adults is real or artificial in its effects on juveniles (Empey, 1979; Pisciotta, 1982; Sinclair, 1983). Sinclair (1983) maintains that the covert function of the reformers' movement was to increase the social distance and boundaries between the working class and the aspiring middle class by singling out the children of the working class as in need of supervision and guidance. The consequence of this was a tighter and more authoritarian control of working class children by socially constructed delinquency.

Empey (1979) supports Sinclair's thesis and asserts that the concept of childhood, as well as that of delinquency, is a social construction that was propagated by the child-savers. Empey points out that children, regardless of class, have traditionally been singled out by society for extraordinary punishments and subhuman treatments. History has shown that children have never been seen as worthy of civil rights or obligations. Empey cites the examples of infanticide and the abandonment of children which were established practices in European and Asian societies.

Given this context, it appears that delinquency is not the fault of the juvenile or of the parents but is attributed to the socialization process. It is, therefore, necessary for the court to intervene and correct the problem(s) by providing the delinquent youth with proper supervision and guidance. The goal is to rehabilitate, or habilitate, the youth to the predominate middle-class
values and not to punish, because these youths cannot be held responsible for their actions (Finckenauer, 1984). The court, thereby, under the promise of Parens Patriae, becomes the guardian of the child and supersedes the authority of the parent(s).

While this philosophy is based on humanitarian ideals, in reality the nature of the court's intervention has been less than ideal. Critics and scholars alike agree that the evolution of the juvenile system has not been able to maintain its humanitarian nature. Instead, the juvenile system has become little more than a scaled-down version of the adult system, with minijails and reformatories where punishment, not rehabilitation, is meted out (Carter et al., 1975; Schwartz et al., 1979).

It is not the intention of this thesis to show that the juvenile system has not tried to evolve. Indeed, the juvenile system has followed, and has sometimes surpassed, the evolution of the adult system. But while it is obvious that both systems have progressed past the stage of corporal punishment, the pace of change can always be accelerated. To the contrary, a wide range of supporters feel that the goal of the justice systems should revert to retributive punishment (Mackie, 1981). With regard to juveniles, this perspective has found added support because of the increased participation of juveniles in violent crimes (Galvin & Polk, 1983).

While the objectives of any justice system can be typologized into seeking retribution, incapacitation, deterrence, and/or rehabilitation for the convicted, the overriding goal of any system is to reduce crime among its population (Abadinsky, 1979; Barton & Turn-
bull, 1979; Dressler, 1951). This goal is not to be confused with crime prevention but should be seen as correcting criminal behavior in people already identified as criminal. The goal is to correct or change the defects in the individual, and not in society, that lead to crime. This is supported by the underlying philosophy of the United States that assumes that individuals are responsible for their behavior. The individual, therefore, must be corrected so that he/she refrains from committing future criminal acts (PCLEAJ, 1967).

Given this context, all sentencing or dispositional objectives are designed to meet the goal of corrections. Rehabilitation strategies aimed at the individuals' perceived inadequacies were seen by most as the most promising and effective correctional strategy (Hatcher, 1978; Olson-Raymer, 1983). Rehabilitation was to be achieved by applying the medical model of disease to criminals and criminality (Abadinsky, 1979; Hatcher, 1978). The most promising method for which this was to be applied was through community-based programs (Carter et al., 1975; Finckenauer, 1984).

Community-based programs were popularized by their low cost, effectiveness, and the promise that clients would be able to maintain their positive ties with the community (Finckenauer, 1984; PCLEAJ, 1967). As a result, the Massachusetts juvenile justice system was totally restructured by Jerome Miller into the Child's Service Bureau to take advantage of this new strategy (Carter et al., 1975; Finckenauer, 1984).

During the late 1970s and the early 1980s, the rehabilitation model was virtually abandoned, while a more punitive form of correc-
tions was advocated (Schwartz et al., 1979). The impact of this reversal has been misleading. While rehabilitation is no longer the accepted correctional strategy, it still remains an accepted part of the system. This is demonstrated by the explicit labeling of correctional components in a therapeutic vein and the acceptance of the rehabilitation nomenclature. Thus we have correctional institutions instead of prisons, inmates are now called residents or clients, and guards are now correctional officers or guidance workers. In essence, the real impact of rehabilitation was to change the vernacular and semantics of the system into less threatening terms. While rehabilitation had an impact on the labels that were applied to individuals in the justice system, however, most critics contend that this was its only impact. Even though names and labels were replaced with more humanitarian ones, it is asserted that the internal structure of the system did not change. Instead, programs were renamed in order to present the facade of rehabilitation (Dinitz, 1978).

In the field of juvenile justice, rehabilitation has always been seen as the goal. Yet, as in the adult counterpart, rehabilitation has been carried out in name only and not in practice (Pisciotta, 1982; Sinclair, 1983). This assertion is supported by the historical accounts of the multitude of abuses over the years in reformatories and detention facilities (Empey, 1984; Krisberg, 1978).

While a variety of special programs have been instituted at the federal, state and local level to rehabilitate delinquent youth, the most frequent response has been detention, followed by probation. Even though the law stipulates that youths must be detained differ-
ently than adults, many jurisdictions do not have separate juvenile facilities and treat juveniles much like adults (Abadinsky, 1979; Carter et al., 1975; Finckenauer, 1984).

It can thus be clearly seen that regardless of the nature of reform in the juvenile justice system, the old habit of using preventive detention is still the most frequently used method of handling juveniles. Even though detention is still used, however, it does not necessarily follow that retributive punishments should be exchanged for the humanitarian ideals of Parens Patriae. Instead, these labels can be accomplished by the creative application of detentional strategies.

It can be seen how juvenile detention and correctional policies have followed the punitive orientation of the state and the adult system. This can be attributed to two factors. First, the values of the society have changed over time and have caused the nature of the criminal justice system to change. Second, no society has yet been able to live up to the lofty ideals of Parens Patriae.

The Social Construction of Delinquency

Even though it has been over 80 years since the inception of the juvenile court, many states still do not have separate detention facilities for juvenile offenders (Carter et al., 1975). While the President's Commission on Law Enforcement and the Administration of Justice (1967) mandated all jurisdictions to maintain separate detention facilities for delinquent and status offenders, to this day many jurisdictions still do not have separate facilities. Instead, many
adult jails maintain separate cells for juveniles, but the youth is still treated as an adult and expected to act accordingly (Carter et al., 1975; Fisher & Grinnel, 1976). Within this context, Pisciotta (1982) contends that historically juveniles have always been treated as adults regardless of their special status defined by law.

While many justifications and rationalizations can be given for this, the most prominent and logical explanation has been offered by Empey (1979; 1984). Empey asserts that childhood, and consequent status as a juvenile, is a socially constructed phenomenon which is a consequence of industrialization and urbanism. What resulted was a disruption of traditional agrarian society which caused the family structure to undergo drastic changes, and with this disruption the status of the family and the internal roles within the family were radically altered, and it was no longer necessary for the entire family to engage in subsistence farming. Children and the extended family were no longer necessary to sustain the family, because farming was replaced by industrial wage labor.

The major consequence of this institutional reorganization was that children were removed from their productive roles in the family and society and were negated into serving a secondary, nonproductive role. In response to this, the role of childhood and adolescence was created. With these new roles came new tasks, such as compulsory education, forced idleness, and unemployment. The reform movements of the late nineteenth and twentieth centuries enhanced these new roles by sponsoring legislation to protect children from the "evils" of urban society and industrialization (Bremner, 1970; Empey, 1979).
These actions, in effect, served to increase the child's nonproductive role in the society (Freeman, 1981; Levine, 1978; Sinclair, 1983).

This is not to say that child labor laws and similar juvenile justice reforms did irrevocable harm to children. In effect, the role of the child expanded into a new area, and adolescence was created. Prior to this period, youngsters sought to attain independence during the teenage years and did so through marriage, land ownership, and moving out of the parental home. With the expanded role of childhood and adolescence, teenagers lost their independence and were confined to their family's control because of the new laws (Empey, 1979; Freeman, 1981; Galvin & Polk, 1983).

Given this context, it must be seen that even though children and teenagers have ideally been protected and differentially treated under the law, in reality youths were sanctioned for their behaviors and punished by the court while the court operated under the guise of providing guidance and supervision. This becomes more evident when one realizes that it was not until 1967 that youths were afforded the rights of due process under the Gault decision. Prior to this, youths were not allowed the same rights as adults and were victims of physical and emotional abuse in reformatories, workhouses, detention facilities, and adult jails (Carter et al., 1975; Freeman, 1981; Pisciotta, 1982). It can be asserted, therefore, that regardless of the protections of Parens Patriae, juveniles have always been held responsible for their actions and have had a wide range of sanctions directed against them. The most current example
is that in Kalamazoo, Michigan, youths are now being sentenced to serve hard time in detention centers as part of an overall rehabilitation strategy for criminal offenders.

The primary reason for the return of retributive punishment for juveniles can be attributed to the rise in serious youth crime. The United States Department of Justice (1983) reports that the percentage of youths committing Part One offenses has increased. It was shown that violent personal crime has increased by 31% and serious property crime by 112%. While the number of youths arrested has declined, due to the decrease in the number of youths aged 11 through 17 years old, the overall crime rate for juveniles has increased (Zawitz, 1983).

Since the crime rate for juveniles is expanding while the relative number of youths is declining, it naturally follows that a large proportion of these crimes are being committed by a relatively small proportion of the juvenile population. This trend was first uncovered by Wolfgang and Sellin (1972) in their study of delinquency in a birth cohort in Philadelphia. They found that once a juvenile was arrested and identified as a delinquent, the probability of re-arrest was 53%. As arrests increased, the probability of re-arrest also increased until the recidivism rate stabilized at 71% for youths who had three or more arrests (Zawitz, 1983).

While recidivists account for a large proportion of all youth crime, juveniles generally do not limit their delinquent behavior to one type of offense. Instead, most youths identified as delinquent commit a wide variety of criminal and status offenses (Zawitz, 1983).
The only determinate of the type of crime a youth might commit is sex. Males are disproportionately represented in the counting of serious offenses, while females are more apt to commit nonserious property or status offenses. Even though this trend is historically verified, females are starting to commit more serious crimes. Since 1971, female participation in serious crimes has increased by 29% (Zawitz, 1983).

Because of these trends, the public is demanding that the serious offender be punished for his/her actions. The result has been the demise of the rehabilitation ideal and the return to a retributive system of justice (Galvin & Polk, 1983; Rabow & Manos, 1979).

The Move Toward Retributive Punishments

Despite the movement toward retribution, it has yet to be shown if rehabilitation policies are effective. Rabow and Manos (1979) contend that the current dissatisfaction with rehabilitation is due to inadequate research by social scientists. They assert that correctional research has not been focused on the philosophies of therapeutic interventions and treatment but has only looked at the sociological factors associated with delinquency theories. Given the preoccupation with sociology, effects of individual treatment and therapy were ignored.

Juvenile justice officials and practitioners have not abandoned treatment and rehabilitation strategies because of the ideology of Parens Patriae. Yet at the same time punitive sanctions are now
being applied to the juvenile offender within the context of rehabilitation. These punitive sanctions include restitution and community service programs.

Notwithstanding, juvenile justice can be seen as a continuum, with three main goals. At one end is retributive punishment, at the other end Parens Patriae, while in the middle is rehabilitation (Hatcher, 1975). At any one time, the juvenile justice system can be seen in these terms or any combination thereof. Pisciotta (1982) best illustrates this point by showing that while the early juvenile courts expounded the philosophy of Parens Patriae, they did so with the "iron hand" of punishment.

Thus it can be seen that the juvenile justice system has three distinct methods, or combinations thereof, by which to administer corrections: (1) protection and guidance via Parens Patriae, (2) retribution, and (3) rehabilitation.

Recidivism

Recidivism has yet to be defined in a manner that is acceptable to all researchers (Webb, Hoffman, Wakefield, & Snell, 1976). Instead, recidivism is defined by each researcher to coincide with his/her own theoretical orientation or needs. Generally, recidivism can be typologized into two categories, clinical or statistical (Hemple, Webb, & Reynolds, 1982). Clinical measures of recidivism are subjective in nature and personalized in order to look at factors which can be attributed to an individual's tendency to recidivate. Statistical, or sociological, recidivism is concerned with the
broader social, economic, and demographic variables that appear to be associated with recidivism in a sample or population. Thus clinical recidivism is psychogenic and statistical recidivism sociogenic in nature.

While recidivism can be typologized into these two broad categories, researchers will define recidivism to meet their own needs. Wolfgang and Sellin (1972) based their definition of recidivism on police incident reports. Glueck and Glueck (1962) used a broader conception of social factors, while the California Youth Authority developed the California Personality Inventory based on clinical and statistical definitions of recidivism (Cartwright, Kelly, Taylor, & Cameron, 1972; Friedmann & Mann, 1976; Kucab, 1977).

Given the broad range and combinations of factors that are associated with recidivism, many types of definitions are possible. Cartwright et al. (1972) attempted to determine which factors were the most reliable and valid in determining recidivism. In order to increase the level of prediction, recidivism was operationalized into four categories: (1) criminal violations, (2) probation violations, (3) penetration into the criminal justice system, and (4) a success rating scale. These four categories were analyzed with regard to both sociogenic and psychogenic factors, and it was found that minority group membership, family disorganization, and relatively lower socioeconomic membership were the most frequent sociogenic factors associated with recidivism. The most frequent psychogenic factors were lack of control, tension and social anxiety, and low
intelligence. Cartwright et al. conclude that personality factors are by far the most powerful predictors of recidivism.

Despite this contention, however, a review of the criminological literature shows that social, economic, and demographic variables are used more frequently than personality factors (Barton & Turnbull, 1979; Hawkins & Cassidy, 1977; Lloyd & Joe, 1979, Schmidt & Witte, 1980). One justification for the use of social factors is that criminal justice agencies rarely include information regarding the personality of offenders in their reports and rely predominately on giving social and demographic descriptions. Another reason is that personality characteristics are considered too subjective and more difficult to define than social factors.

The major problem with using social factors to predict and/or analyze recidivism is found in the nature of the criminal justice system's record-keeping procedures. It has been shown through self-reported delinquency studies that the rate of crime among juveniles is underreported in the official statistics (Inciardi, 1984). Given this, it logically follows that the nature and extent of criminality, and hence recidivism rates, among juveniles are not an accurate measure of delinquency (Friedmann & Mann, 1976).

One other criticism is that the official identification of delinquency among youth may in fact be a more powerful predictor of recidivism than any other (Schur, 1979). This has been demonstrated by labeling theorists and is legitimized by Lemert's (1979) conception of primary and secondary deviation (Schur, 1979). Walker (1980) also contends that the effects of incarceration lead to being
negatively labeled as a delinquent and that the individual is then expected to act in a criminal or delinquent manner. Thus once an individual has been identified as a delinquent, or criminal, he/she is expected to act accordingly.

Prediction Scales

As noted previously, the problems of using or developing prediction scales are closely related to the researcher's definition of recidivism. If recidivism is operationalized as a new police contact, then recidivism is based on the ability of the individual to evade police contact and not necessarily on the individual's conformance to the law. On the other hand, if recidivism is based solely on the person's conviction for a new offense and not on probation/parole violations, the recidivism rate for the person is seen to be more realistic (Barlow, 1984).

Given this context, recidivism and the ability to predict it are theoretically and conceptually linked. As with recidivism, the majority of research on prediction has been focused on sociogenic and psychogenic factors (Barton & Turnbull, 1979; Hemple et al., 1982; Schmidt & Witte, 1980).

Sociological criminologists and criminal justice academicians have traditionally relied on sociological indicators, while psychological criminologists have used psychogenic factors. The primary motivating factor is based entirely on academic preference and not on the scientific validation of either perspective.
Regardless of the perspective, Hawkins and Cassidy (1977) argue that even though predictor scales can be empirically validated and found to be reliable, they cannot be universally applied because of the constantly changing nature of society. The utility of recidivism rates and prediction scales, therefore, is limited to one point in time and is not applicable to either the original offender or to the community being researched. Given this logic, it appears that prediction scales and recidivism rates are not worthwhile measures for either the clinician or the academician.

Yet a review of the criminological literature over the years continues to show that recidivism among certain groups can be predicted. Dressler (1951) contended that age, sex, race, marital status and prior recidivism were the most accurate predictors of probation/parole success. Nettler (1984) reported that Braithwaite found that race, sex, and socioeconomic status were correlated with present and future criminal behavior. Friday (1973) found in an international study of probation that employment was the most powerful predictor of failure or success on probation.

In the late 1960s and the early 1970s, radical criminologists administered self-report studies to youths and determined that the commission of crime and delinquency was a universal phenomenon, regardless of the social status or race of the perpetrator. This led to the conclusion that crime is underreported and that the lower class is singled out for selective law enforcement. Thus prediction is only effective for lower-class criminality and does not look at middle- and upper-class criminality.
Evaluation

The process of evaluation research arose out of the demands of taxpayers that the federal government become accountable for its actions and the disbursement of tax dollars. While the methods of evaluation research arose in the field of education, it was not until the late 1950s and early 1960s that evaluation research became an accepted practice in the federal government to assess the effectiveness of social programs (Rossi & Freeman, 1982; Rutman, 1980).

In the past 20 years, evaluation research has become an accepted practice in a variety of disciplines. Traditionally, evaluators have looked for causal relationships among program components or interventions and have been satisfied with discovering a cause-effect relationship. Over the years, evaluation has expanded to include a wide variety of nonexperimental and quasi-experimental designs. The purpose of evaluation is no longer to establish cause and effect but to examine why and how programs work, if they are meeting their goals, if the target population is being reached, if the program is cost-effective or beneficial, etc. (McSweeney & Hawkins (1981); Patton, 1980; Rossi & Freeman, 1982; Rutman, 1980).

In criminal justice or criminological research, evaluation has been limited to recidivism studies, needs assessments, and cost/benefit studies. Rarely have programs been evaluated using strict experimental designs, and more frequently quasi-experimental designs and case histories have been used to demonstrate or document the success or failure of a program (Roesch & Corrado, 1981). When
Experimental designs have been used, critics have contended that the manipulation of treatment variables is unethical and violates the rights of subjects by denying them their constitutional right to treatment. One other criticism of criminal justice evaluation is that the majority of evaluations of treatment programs are conducted in order to advance the proposition that rehabilitation and similar programs did not work. Roesch and Corrado (1981), on the other hand, cite attempts by governmental agencies to suppress studies that challenged the efficacy of rehabilitation programs because of the ramifications that could occur if the public believed that treatment did not work. The effect of governmental censorship increased the perceived validity of such studies and is believed to be the major reason behind the move toward retributive punishment.

Regardless of the nature of evaluations, research in criminal justice agencies provides the practitioner and the public with an idea of what occurs in the field. It also serves to demonstrate the effectiveness of various programs. Yet an evaluation cannot be fully comprehended until the person reading the study is well versed in the problem that was studied.

In the field of criminal justice, an evaluation cannot be fully appreciated until the reader understands the phenomenon of crime in society and the theoretical perspective of the researcher. Once these are understood, the results can then be appreciated. The best examples of this are the sociological evaluations of rehabilitation programs that concluded that rehabilitation did not work.
While these studies showed that rehabilitation did not work for all prisoners, they failed to show that for certain groups of offenders, specific rehabilitation programs did work. What this represents is a difference in perspective and not the total reality of the situation (Fogen, 1974; Roesch & Corrado, 1981; Schwartz et al., 1979).

The evaluation of rehabilitative or correctional programs, therefore, can be classified into two broad categories. These are sociological evaluation and social psychological evaluation. Sociological evaluations attempt to provide a generalized conception of a program and to show the effect of the program on reducing the crime rate. This shows the overall effect of the program but does not look at its effect on the individuals treated. This is done by broadly typologizing the treatment population into abstract categories that do not reflect the individual characteristics in the population. Thus if a program is successful for only 40% of the population, it is considered a failure.

On the other hand, social psychological evaluations focus on the individuals in the treatment population and concentrate on the success of individuals, not groups. Thus if 4 out of 10 people are treated successfully, the program works.

Regardless of the perspective of the evaluator, evaluations are formally classified into two types, formative and summative. Formative evaluations are defined by Rossi and Freeman (1982) as those evaluations conducted prior to the implementation of a program in order to determine in which direction(s) the program should be
directed. The major objective is to determine if there is a demonstrated need for the program and to assess the best way to meet this need.

Summative evaluations are conducted after a program has been implemented in order to demonstrate the success or failure of the program. Summative evaluations are used to establish a causal chain of events and to detect intervening or confounding variables, as well as to establish the degree of effectiveness of a program. In effect, summative evaluations attempt to discover the cumulative effects of a programmed intervention (Rossi & Freeman, 1982).

Case Studies

While case studies have been made out to be the bastard child of psychology, they have continued to exist and have established themselves as an accepted research strategy in limited settings. Regardless of the nonpositivistic nature of case studies, their application in sociology and political science has been beneficial in establishing or discovering social problems, phenomena, and behavior. The most illustrative example of this is Whyte's participant observation study on "The Street Corner Society " (cited in Yin, 1984).

Yin (1984) contends that case studies provide social scientists with a multidimensional research tool that can be used to meet the demands of many types of social research. Case studies can be used to make or change public policy, study formal organizations, facilitate decision-making for governmental planning and budgeting, as well as in thesis or dissertation research (Yin, 1984).
The major justification for conducting this type of research over other designs is that it provides an empirical investigation of events as they occur in the real world without the inhibiting factors associated with experimental designs. Thus events and/or behaviors are explained in a situational context that serves to establish the underlying theoretical basis for the event(s) (Yin, 1984).

The major criticism of case studies is that the events under investigation are not kept under control but are allowed to fluctuate and change over time. What this implies is that scientific generalizations cannot be made on the basis of the research because it did not follow scientific methods, and therefore the results cannot be generalized to the entire population (Yin, 1984).

Yin (1984) points out that the objective of case studies is not to test for causality or etiology but to provide a theoretical framework from which explanations of phenomena can be constructed. The main objective is to provide theoretical explanations or testable propositions that can be used to build new theories of behavior.

Accordingly, there do not exist any rigid or limiting qualifications for case study research. Instead, Yin (1984) maintains that case studies should meet several broad criteria. First, they should provide an explanation of the process or system under investigation. Second, they should uncover theoretical linkages with the concepts or designs under investigation. Structurally, a case study should include a narrative, research questions and testable propositions, and definitions of the concepts and the unit(s) of analysis, and it should provide the reader with an underlying sense of logical
Medium-Risk Offenders

It is an accepted fact that the majority of crime is committed by a small minority of adult and juvenile offenders (Barlow, 1984; Zawitz, 1983). Rojeck and Erickson (1982) found that in Pima County, Arizona, 26% of all juvenile offenders over a three-year period were one-time, nonrecidivating offenders, while the remaining 74% committed between 2 and 30 recidivating offenses each during the same time period. They also found that, contrary to popular belief, youths do not specialize in any one type of offense. Thus multiple offenders commit a wide range of offenses, from status to criminal to delinquent, a fact which does not lead to any linear trend of prediction.

In the Kalamazoo County Juvenile Court, medium-risk offenders are defined as youths who do not represent a security risk to themselves or to the community but by the nature of their acts need some type of security, guidance, and/or control. Violent offenders are rarely classified as medium-risk offenders unless they do not have a prior history of delinquent offenses.

While medium-risk offenders do not constitute a direct security threat, they are responsible for committing a wide range of repetitive delinquent and status offenses that are disruptive to the community. The only major determinate of these offenders is sex. Males traditionally are predisposed to committing violent offenses,
while females are limited to committing status and petty property offenses (Zawitz, 1983).

It follows that medium-risk offenders will have a higher rate of failure because of their random approaches to crime and the repetitive nature of their actions. This is supported by Wolfgang and Sellin's (1972) findings that as re-arrests increase, so does the probability of recidivism.

Dispositions

Formally adjudicated court wards have traditionally been placed on probation in their custodian's home, placed in foster care, or remanded into an institution. All of these dispositions have a unique history in the United States. Probation was first used in the United States and was based on the common law practice of "benefit of clergy," which allowed offenders to escape punishment by the state in exchange for a life of service to God (Abadinsky, 1979). John Augustus implemented formal probation in Boston in the mid-1800s, and since then probation has become an accepted and formal part of the criminal justice system (Abadinsky, 1979; Hatcher, 1978).

Dressler (1951) defined probation as:

a treatment program in which final action in an adjudicated case is suspended so that he [the offender] remains at liberty, subject to conditions imposed by or for a court, under the supervision or guidance of a Probation Officer (p. 16).

He further contends that at any time the court can revoke probation and require that the offender serve all or part of the original
sentence. In most cases the court will not revoke probation until the offender is in violation of the probation order or has committed a new offense. Overall, probation is seen as being 75% successful in most cases (Abadinsky, 1979; Carter et al., 1975).

Foster care was first used in colonial America to house youths who were dependent or indentured (Abadinsky, 1979; Dressler, 1951). The court, community, or church would place a youth with a family to abide by their rules (Brenner, 1970). Today foster care remains virtually unchanged in its methods. The only major difference is that foster care homes must be licensed by the state, and the court subsidizes the family for housing the child.

Foster care is used to provide a stable environment for a youth without the structural constraints of an institution or detention facility (Deinnate & Longmans, 1975; Katkin, Hyman, & Kramer, 1976). The underlying theory is that youths need structured guidance and supervision if they are to be properly socialized in the society.

Even though foster care has been used for years, there does not exist any evidence that it works. In most cases the foster care placement of a youth is unsuccessful, and the child is transferred from one foster home to another until the he/she is able to adapt. Thus youths are left to drift in the system and do not receive the structured environment desired (Costin & Rapp, 1984). Overall, less than 50% of all foster care placements are successful in providing a stable home for the child (Dinnate & Pringle, 1967; Finckenauer, 1984).
Institutionalization is defined as removing the child from the home and placing him/her in a state-owned or private reformatory or hospital where the youth can receive help in a rigidly structured environment. These include reformatories, training schools, psychiatric and children's hospitals (Tays, 1983).
CHAPTER III

METHODOLOGY

In order to conduct the formative evaluation, it was necessary to compile a case study of the Foster Shelter Care Unit (FSCU) during its first year of operation. From this, the FSCU can be evaluated with regard to its overall evaluability, and a theoretical explanation of the success/failure rate can be given. While formative evaluations are usually conducted prior to the implementation of a program, in many instances in the field of criminal justice programs are devised and implemented on the basis of someone's perception of need and not on an empirical justification (National Advisory Commission on Criminal Justice Standards and Goals (NACCCJSG, 1976). The stated problem or system implemented, therefore, is sometimes not real or conceivable given the reality of the situation. Thus programs are implemented under admirable goals or procedures but cannot be followed through given the nature of the population to be served, the agencies' constraints, jurisdiction, and/or economic and personnel resources (Rutman, 1980).

Given these factors, and the fact that the researcher was not involved in the theoretical conception of the program, the case study will be used to show the structure of the unit during its first year and to describe the nature of the population served. Thus the case study will be used as a formative evaluation and will document the program structure and population. From this the success/failure rate
will be analyzed, and a theoretical explanation will be given for the success/failure rate of the youth in his/her disposition.

Since a case study design was chosen, it was unnecessary to construct an experimental design utilizing control groups, random assignment and/or selection, or pre- and posttest, because the primary objective of the research was to describe the functions of the FSCU and not to infer generalizations to the entire population of juvenile delinquent and status offenders. The research will focus, therefore, on the associations present in the cohort and those factors associated with being detained in the FSCU.

The case study consisted of a description of the operations and programmatic structure of the FSCU and its location in the overall hierarchy of the juvenile court. Then a descriptive analysis of the population was given, and the factors traditionally associated with recidivism among juvenile delinquent and status offenders were analyzed to determine if any of those factors were associated with failure/success in the population of the FSCU.

In order to guide the case study and its objectives, a series of research questions were devised. They are as follows:

1. What is the function of the FSCU?
2. What is the nature of the population served, and how closely does it resemble the intended population?
3. What is the success/failure rate for dispositions?
4. Which court-ordered dispositions are the most successful, and why?
(5) Is there an association between the demographic and crimi­
nological variables and the success/failure rate?

(6) Can the success rate be enhanced?

From these questions, specific, directional hypotheses were
formulated for questions (4) and (5) in order to analyze the nature
of successful or failed dispositions in the cohort. They are as
follows:

(1) Blacks are more likely to fail than whites.
(2) Males are more likely to fail than females.
(3) Older wards are more likely to fail than younger wards.
(4) The greater the amount of prior offenses, the greater the
probability of failure.
(5) The greater the number of prior offenses, the greater the
probability of failure.
(6) Status offenders are more likely to fail than criminal
offenders.
(7) The more time spent in secure detention prior to admis­s­
tance to FSCU, the greater the probability of failure.
(8) The longer a ward was detained in FSCU, the greater the
chance of success.
(9) Foster care is more likely to have a higher success rate
than probation or institutionalization.

The Case Study Design

The case study and formative evaluation were constructed as
follows. First, a narrative was written that described the FSCU,
its programmatic structure, facilities, goals and objectives, and its position in the juvenile court administration. When necessary, the unit was compared to its counterpart, the secure detention facility.

With this as a preface, a series of descriptive statistics were generated in order to show the demographic and criminologic nature of the cohort. These statistics were then used to analyze the success/failure rate in order to see which variables were associated with this rate. The final chapter will use all the information gathered to present a theoretical explanation of the success/failure rate.

The Variables

The Dependent Variable

The dependent variable used for analysis was the success/failure rate of the disposition. A successful disposition was when the youth remained in his/her disposition for a period of over 90 days. A disposition was considered a failure if the ward committed a new status or criminal offense, violated the conditions of probation, ran away from the FSCU prior to disposition, was transferred from the disposition to the secure detention facility, or was placed under court order and released from the disposition until a new hearing could take place. Thus the dependent variable was dichotomized into: successful or failed dispositions.
The Independent Variables

The independent variables were collected from the Juvenile Court's computerized data bank (JUMIS) and consisted of five nominal variables and five ordinal variables. The independent variables were:

(a) race;
(b) sex;
(c) age;
(d) number of prior offenses;
(e) number of prior dispositions;
(f) current offense;
(g) time spent in secure detention prior to FSCU;
(h) time spent in FSCU prior to disposition; and,
(i) disposition.

For the purposes of analysis, the variables were operationalized as follows. Race was trichotomized into white, black, and other. Sex was defined as male or female. Age was defined as the chronological age of the youth when first admitted into the FSCU.

Prior offenses were defined as the number of offenses that the youth had committed, and which were officially recorded by the court, prior to the commission of the current offense. This was later operationalized into two categories for the testing of the hypotheses: (1) 0-5 offenses, and (2) 6-24 offenses. Prior dispositions were defined in the same manner and were dichotomized as: (1) 0-9, and (2) 10 or more prior dispositions.
Current offense was typologized into two broad categories, status or criminal offenses. Status offenses were defined as those offenses which, if committed by adults, would not be considered illegal or criminal. Criminal offenses were defined as those acts which would be illegal for any person to commit, regardless of age.

The variables "time spent in secure detention" and "time in FSCU" were dichotomized using the mean average as the cutting point. The values for "time in secure detention" were: (1) 0-24 days, and (2) 25 or more days. Values for "time in FSCU" were: (1) 1-24 days, and (2) 25 or more days.

The dispositions were divided into five typologies:

(1) in home on probation;
(2) foster care;
(3) institutionalization;
(4) alternative community placement; and,
(5) runaway from FSCU.

The last category was included because when a child ran away from the unit and later returned, that child was considered programmatically as a new admittance and was required to start the program over. If the child ran away from the unit, therefore, it was considered a failed placement in order to indicate the percentage of children who successfully completed the program and were given a formal disposition.
The Data Collection

The quantitative and qualitative data were acquired from three sources: (1) the court's computerized data bank (JUMIS), (2) the court's annual reports, and (3) interviews with staff members and observations of the unit.

The data from JUMIS were said to be 92% accurate for the years 1980 through 1984. The reason for the 8% inaccuracy was attributed to caseworkers who had not given the data-processing unit complete information about their clients for the years prior to 1980, so that some cases did not contain full background information for wards who had prior court records for those years. Since the data-processing unit has become fully operational, this situation has been remedied. JUMIS now contains over 3,500 individual case histories which include demographic, offense, disposition, and family information.

While the FSCU processed 84 wards during its first year, only 77 cases were used for this study. Two cases were deleted because the wards were runaways from other jurisdictions and were awaiting transportation home, and the remaining five cases had incomplete files that did not contain the information needed for the study.

The information from JUMIS was transferred onto a preconstructed instrument that listed all the variables in the study. In order to ensure the confidentiality of the wards, all names or other types of identification were deleted by the head of the data-processing unit before the information was given to the researcher.
The data collected from the annual reports were used extensively in the literature review and in the case study in order to clarify the goals and objectives of the unit, to identify the internal programmatic structure, and to compare the unit with the secure detention unit. This information was then supplemented by interviews with the staff and administrative personnel.

The Analysis

Given the structure of the study, it was necessary to conduct several different analyses. First, the case study was constructed to serve as a narrative and to provide the context for the research. Second, a descriptive analysis was conducted in order to define the nature of the population studied and to allow for the operationalization of the variables to be used in testing the stated hypotheses. Then the hypotheses were tested in order to determine if there were any significant associations between the independent variables and success/failure in the disposition.

The case study described the goals and objectives of the unit, provided a description of the unit's programmatic structure and physical setting, and described the nature of the cohort. The narrative compared the unit with the available literature on detention and shelter care. The descriptive analysis of the cohort consisted of frequency distributions for all the variables which were used to operationalize the variables for the hypothesis testing.

The bivariate testing of the hypotheses was designed to show whether or not any of the independent variables were associated with
the success/failure rate. A chi-square test of association was used, with cross-tabulation contingency tables, to test for significant differences in the percentages of the variables (Freund, 1984). A significant relationship was said to exist if the chi-square was significant at the .05 level.

The chi-squared statistic is used to make a comparison between the real, observed frequencies of a variable and a theoretical table of frequencies. In order to test for associations, it is hypothesized that there exists a statistical relationship between the two variables. The hypothesis of association is then compared statistically to the null hypothesis, which states that there is no significant association between the variables. The chi-square statistic is used to determine if the differences between the hypothesis and the null hypothesis are due to a statistically significant association between the variables or to random fluctuations in the sample used. If the chi-square is found to be significant, the hypothesis is accepted, and the null is rejected. If the association is not significant, the test refuses to reject the null hypothesis of no difference (Hopkins & Glass, 1978).

For the purposes of this study, the level of significance was set at the .05 level. This means that the researcher accepts a 5% chance of making a Type 1 error and accepting the null when it should be rejected and vice versa.

While statistical significance is seen as the most important factor in determining the strength of an association between variables, its value in this study is of limited utility because of the
descriptive nature of the evaluation. All relationships, therefore, will be presented, regardless of their significance, so that the reader can see the nature of the associations in the cohort. At no time will the researcher attempt to make generalizations to the population from the analysis. Instead, the associations are given as a descriptive device only.
CHAPTER IV

CASE STUDY AND FINDINGS

Introduction

The case study and analysis are presented in four separate sections. In the first section, the narrative describes the functions of the FSCU and critiques these functions with regard to the prevailing literature. The second section describes the cohort with regard to the demographic and criminological variables traditionally associated with recidivism. The third section tests the bivariate hypotheses constructed from the research questions in Chapter III in order to see which factors are associated with the success/failure rate. The last section presents the conclusions and findings of the first three sections.

Since the FSCU does not exist in a vacuum but is an integral part of the Kalamazoo County Juvenile Court, it must be remembered that any evaluation of the FSCU must be taken in context. It must be understood that the unit is dependent on the court for its clients and for their dispositions.

Because of the exploratory and formative nature of the study, all findings will be presented regardless of their statistical significance. This will be done to provide the reader with a greater understanding of the nature and function of the FSCU.

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The Case Study and Analysis

The case study is presented as a narrative and has two basic functions. First, it provides a documentation of the intended and actual purpose of the FSCU. Second, it describes the internal functions of the unit in the hierarchy of the court and provides a comparison with the secure detention facility when applicable.

The Goals and Objectives of the Foster Shelter Care Unit

The official statement of purpose of the FSCU is as follows:

The Foster Shelter Care Unit of the Kalamazoo County Juvenile Home is to provide, in a nonrestrictive setting, temporary care for those delinquent youth pending court adjudication or those delinquent youth ordered into the unit through court disposition.

The unit serves as an assessment facility for youth pending foster care, institutional placement, youth returning from institutional care and/or those ordered into the unit for observation, study, and treatment. The primary goal is the early return of the minor to the custodial home parent when evaluated appropriate, either directly from the unit or following other placement.

The unit, through various personnel, provides supervision, physical care, educational and recreational services, psychological evaluation, nutritional needs, and an opportunity for positive social and behavioral growth. (Tays, 1983)

It is the duty of the FSCU to provide shelter for youths, classified as medium-risk offenders by the court, who do not represent a security risk to themselves or to the community. This category is determined by the nature and extent of the youth's criminal and/or status offense history. For example, if a youth had no prior record
and attempted to poison his mother, he could be classified as a medium- to low-risk offender because he did not have a prior record.

Traditionally, shelter care has been used by departments of social services to house youths on a temporary basis until a permanent placement could be found. In Michigan the Department of Social Services has been quite successful in establishing shelter care homes for children who have been victims of child abuse and/or neglect (State of Michigan, 1978). During the past few years several counties have adopted the use of shelter care homes for medium-risk offenders whose actions do not necessitate secure detention (State of Michigan, 1976). In other jurisdictions, shelter care facilities are private residences, supervised by houseparents or married couples who serve to provide the youths with a structured, family-like environment. Since these are homes, and not institutions, they are non-secure and do not use any type of physical or environmental restraint to keep the youth from leaving or running away (State of Michigan, 1978). Instead, the youth's behavior is monitored and controlled through structured activities and intensive supervision.

Thus the primary purpose of a shelter care is to provide emergency, temporary shelter for youths in need. The shelters are not designed to provide psychological treatment or to act as rehabilitation centers, but simply to provide the youth with the basic needs to survive. Even though shelters were not designed to act as detention facilities, however, they have been used as such to meet the needs of specific delinquent and/or status offender subpopulations. Thus in Kalamazoo, the Shelter Care Unit was designed to
protect the child and to provide treatment if necessary prior to a dispositional placement.

While the FSCU meets the basic goals of providing temporary shelter, it was envisioned to provide the court with evaluations of wards prior to the disposition. The evaluation of the child's behavior was to be used to facilitate the youth's adjustment to the disposition.

The evaluation component is achieved through subjective and objective methods. Objectively, all wards are tested on psychological, educational, and vocational indicators and assessed according to their level of skill, ability, achievement, and proclivity. From these factors they are placed in an in-house educational program that is tailored to each child's needs and abilities. If any type of specific counseling or therapy is indicated, the youth is referred to the proper court agency or social service.

Subjectively, each ward's behavior is monitored by the child guidance workers and recorded in a ledger. Each day a staff meeting is held to discuss each ward's behavior and progress in the program. The discussion includes an assessment of the ward's current behavior, coping mechanisms, any problems that have occurred, and whether or not the youth is making significant progress in adhering to the rules and structure of the program.

The Facility

The Michigan Department of Social Services (1979) and the Michigan Juvenile Services Reports (1977) define shelter care units
as residential, homelike facilities that attempt to replicate a family environment. The Kalamazoo FSCU does not meet this criterion. Instead, the FSCU is located in the old wing of the detention facility and emulates an institutional structure which also shares services with the secure detention unit. Even though the youths are not held under lock and key per se, the living situation is more representative of a detention facility and not a home. Each ward is assigned to a room, which used to be a cell, and is sometimes given a roommate. Boys are assigned to the west wing and girls to the east wing. All meals are eaten in a small cafeteria off the kitchen, and the residents are paid to work in the kitchen to help serve the meals for youths in secure detention. Most activities are centered around the detention center, and the residents are not allowed outside the building unless they are supervised by a staff member or have a pass.

While the wards in the FSCU are supposed to be kept separate from the wards in secure detention, this is not in fact the case, because both units share the same recreational and educational facilities. This problem is further compounded by the interchange of staff members from detention to FSCU and vice versa. The primary reason for this interplay can be attributed to the fact that the FSCU and the secure detention facility are funded through the same budget and administered by the same supervisory staff. Given this, it only follows that the programs are only distinguishable by the level of security used and the type of offender houses, not by their internal functions.
The Programmatic Structure

The programmed intervention strategy implemented in the FSCU is twofold. First, the unit is designed to provide a stable, structured environment whereby wards are able to interact freely, without any extraneous pressures from parents or peers, within the established rules of the unit. Once some type of behavioral stability is achieved, the second component is instituted—screening and assessment. The screening and assessment phase is used to determine which dispositions are appropriate for the ward or which behaviors must be modified in order to ensure a successful disposition.

Behaviors are to be modified and/or controlled through a token economy system of reinforcement. The system is composed of four stages of responsibility and privileges. As a ward progresses through the system, he/she is awarded extra responsibilities and privileges consummate with the stage. If the youth does not meet the demands of the stage, he/she is destaged to the next lower level.

Upon arrival at the FSCU, the juvenile is automatically assigned to Stage One. At Stage One the youth is given the basic responsibilities and rewards that are allowed any incarcerated youth. These include food, shelter, education, visitation, and the right to counsel. They do not include phone privileges, weekend passes, or outside employment, all of which must be earned by progressing through the stages.
Over time, and through conformity to the program structure, the wards are allowed to accumulate points in exchange for performing floor jobs, cleaning their rooms, maintaining a high standard of personal hygiene, and exhibiting proper behavior throughout the day. As the ward's point average increases and he/she has exhibited an appropriate attitude, he/she can advance to Stage Two.

At Stage Two increased responsibilities and self-reliance are rewarded and reinforced by less restrictive custody and increased floor privileges. The ward is allowed to use his/her points to buy phone calls, trips to the store, and other nonrestrictive privileges not normally awarded youths in custody. If the youth continues to progress and exhibits improved behavior, he/she is advanced to Stage Three.

At Stage Three the ward is allowed even more freedom, while at the same time he/she is expected to exhibit behavior which can provide good role modeling for others. If the ward cannot meet these expectations, he/she is destaged to the previous stage.

The last stage is designed to allow the youth to experience self-reliance and individual decision-making in order to replicate the conditions associated with probation, foster care, or less restrictive supervision.

Theoretically, all wards should move from Stage One to Stage Four before being released to their dispositions. In reality, this practice is not firmly adhered to, because in the time it takes to advance through the stages (28 days), the majority of the youths have already been placed in their dispositions.
Given these factors, the token economy is not used to alter specific behaviors per se, but to control the residents' behavior while in the unit. This is accomplished by providing the youths with a structured environment, where rewards and punishments are meted out with certainty and swiftness, which allows the youths to choose whether or not they wish to conform to the rules or be punished.

While the goal is to prepare a ward for the disposition, the nature of the token economy sets up a dependency situation where the wards are dependent on the immediate responses and rewards of the staff. While this is not realistic, it does provide the ward with some sense of control over his/her actions. The only problem with this type of system is that the staff have a tendency to award negative sanctions as punishment and lead youths to believe that behaviors are wrong, not just different. The token economy, therefore, becomes a powerful tool which can reinforce negative labels and lead the youths to believe that they are "losers" and not winners.

FSCU Administration

The FSCU is a part of the Placement Services Division of the Probate Court of Kalamazoo County. The unit is under the direction of a supervisor who reports directly to the Superintendent of the detention facility. Included within the administration of the unit are a program director and seven fulltime and four parttime child guidance workers. Any special services, e.g., psychological assess-
ments or medical treatments, are conducted by the detention center's clinical staff.

Dispositional Placements

Youths who are sent to the unit generally are classified into one of four types of dispositions. These are: (1) foster care, (2) institutionalization, (3) probation in the parental home, or (4) an alternate community placement. Foster care homes are state-licensed private homes where wards are boarded because they cannot return to their own homes. The foster parents are reimbursed for expenses incurred by the ward and have custody of the child.

Institutions are long-term treatment facilities where the youth is incarcerated for an indeterminate time period so that a treatment program can be implemented or until a determinate sentence is served. Institutionalization is usually reserved for chronic offenders who have exhibited a specific behavioral disorder which is best treated in an intensive residential setting. These can include substance abuse, antisocial behaviors (e.g., violence, rape, homosexuality, etc.), and emotional illnesses. The institutions used by the FSCU are either public, state-funded facilities or private treatment centers.

The disposition to the parental home is informally known as probation. A return to the home is characterized by a probationary period in which the youth's behavior and the relationship of the child with the parents and siblings are carefully monitored to ensure that appropriate supervision and guidance is being received.
The last type of disposition, alternative community placement, is a generic term used to describe dispositions other than the preceding categories. These include placement in the home of grandparents, other relatives, group homes, or other community placements, under the same probationary terms used for the parental home.

Funding

All funding for the FSCU is appropriated from the operating budget of the Juvenile Detention Center. The unit does not have a separate operating budget, so it is dependent on the Detention Center for funds, services, and personnel. The Juvenile Detention Center is funded through the Child Care Fund of Kalamazoo County, which is responsible to pay for services for children under the jurisdiction of the Juvenile Court removed from their homes and placed in the County's Juvenile Home, foster homes, or institutions.

The Juvenile Court's Child Care Fund is a subaccount of the Kalamazoo County's Child Care Fund. The activities of the fund include: salaries, employee benefits, staff materials and supplies, food, laundry and medical supplies and equipment, and building utilities and maintenance. (Tays, 1983, p. 52).

The budget does not include outside psychological, psychiatric, or other types of treatment services. The reason for this is the Detention Center is not a residential treatment facility but is responsible for detaining youths to adjudication and/or disposition. Any other services would be inappropriate because the facility is not licensed for treatment, nor are the staff members qualified or
licensed to administer treatment services. Since the FSCU is part of the Detention Home, these restrictions apply to them as well.

**Comparison to Secure Detention**

In order to understand the function of the FSCU, it will be compared to its predecessor, secure detention. The comparison is designed to show the similarities and differences between the two units and to determine if the differences are significant to the operation of the FSCU or just a modification of the program used in detention. The comparison will look at the programmatic structures, the level of detention, and the personnel.

Both units are designated as "preplacement centers" by the court. While this label implies a departure from detention services, in reality the terms are synonymous. Thus both units are lockups for youths who are awaiting adjudication and/or disposition as delinquent or status offenders. Both are staffed by detention workers who are trained to work in both units, but the nature of the training is in the differences in the programmatic structure and does not constitute any radical departure from the token economy system used in the detention unit.

The staff members are not required to hold any special skills or undergo any type of special training. The major requirement for employment is a minimum of two years of college, preferably in the social sciences, and experience in working with children. What this shows is the inability of the Juvenile Home to attract qualified criminal justice personnel. The primary reason for this is that the
Juvenile Home is a part of the county government and cannot discriminate on the basis of education or experience. It can only set broad and general minimum standards.

The second commonality between the units is in the method of control used with the wards. Both units rely on a token economy to control behavior. While the application of the token economy is different in each unit, the intent and basic framework are the same.

A third similarity is the objective screening and assessment process. The units share diagnostic services and personnel, and the methods of assessment are left to the discretion of the clinical staff.

The only major difference is in the degree of custody used. The detention unit is a maximum-security facility, whereas the FSCU is a medium-security facility. Maximum security is characterized by strict physical security and control, while medium security uses less restrictive types of control and does not rely entirely on physical restraints. Instead, wards are allowed a wide range of behaviors that would be considered inappropriate in a maximum-security facility. These include staff-supervised outings off the facility grounds, weekend passes, and freedom of movement within the facility.

Overall, the similarities between the units outweigh the differences. The only real difference between the units is in the type of security and not in the administration of the units per se.
Discussion of the Case Study

The first and foremost conclusion that can be made is that the FSCU does not meet the generalized conception of shelter care that exists in the literature. The physical description of the unit is the same as a detention facility or institution and does not resemble a homelike environment. Instead, wards are housed in an institutionalized setting, with a minimal amount of freedom and control over their actions. While this is advantageous to the physical control of the unit, it stands in the way of the ward's liberty and does not necessarily meet the best interests of the child.

Within this context, the absence of houseparents or a central authority figure denies the youth any consistency or continuity of treatment. Instead, the youth must tailor his/her behavior in accordance with the personality of each staff member if he/she wishes to conform to the general rules of the unit. While this teaches a ward to conform to institutional authority, it does so in a schizophrenic manner which can inhibit the normal development of the youth.

In conjunction with these limitations, the youths are limited in their exposure to the community. One of the basic tenets of shelter care is to allow the youths to remain in their community. The FSCU does not meet this objective because the youths are not allowed off the grounds unless they are supervised by a staff member. It seems contradictory to maintain such strict control over youths.
who are viewed by the court as possessing a minimal risk to the community.

Aside from these limitations, there does not appear to be any structure or programming in the unit which is differentiated from detention and can be used to facilitate the disposition. Since the unit was designed to do this task, it would seem that the programming of the unit would be substantially different from a detention facility. Instead, the institutional structure mimics detention and is best used for the control of the wards and not to facilitate the disposition.

From these conclusions, it is asserted that the FSCU is limited in its ability to meet its goals and objectives. The primary reason for this is that the institutional structure of the unit is not conducive to meeting the qualifications of a shelter care. The second reason for this is that the programmatic structure does not coincide with the goals and objectives of the unit and exists primarily to control the behavior of wards during their stay.

The Population

Introduction

The FSCU is designed to provide temporary shelter to wards awaiting adjudication or disposition as "minors in need of supervision." All wards must be classified as medium-risk offenders who do not represent a risk either to the community or to themselves. Given this definition, a youth classified as such can meet a variety
of different offender typologies. For example, a medium-risk offender can be a first-time offender with a major felony or a ward who has a history of prior status offenses.

Given this ambiguous definition, it was necessary to compile a descriptive analysis of the first-year cohort in order to uncover the characteristics of the population and to compile a typology of the medium-risk offenders who were housed in the FSCU. First the demographics will be discussed, then the criminological variables, and then the typology will be given.

Race and Sex

When the race and sex of the 77 cases were analyzed, it was found that 77.9% (60) of the wards were white, and 22.1% (17) were black. Males accounted for 59.7% (46) of the cohort, and females accounted for 40.3% (31). When these two variables were cross-tabulated, it was found that 45.5% (34) were white males, 32.5% (25) were white females, 14.3% (11) were black males, and 7.8% (7) were black females. (See Table 1.)

From these figures it is apparent that the proportion of whites admitted into the unit is greater than that of blacks admitted. This distinction is further enhanced when race and sex are cross-tabulated. One interpretation of these figures is that blacks are less likely than whites to be considered for detention in the FSCU, since the proportion of blacks in detention is higher than in the FSCU. Another possible interpretation is that the admission proce-
<table>
<thead>
<tr>
<th>Race</th>
<th>n</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>White</td>
<td>60</td>
<td>77.9</td>
</tr>
<tr>
<td>Black</td>
<td>17</td>
<td>22.1</td>
</tr>
<tr>
<td>Total</td>
<td>77</td>
<td>100.0</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Sex</th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Males</td>
<td>45</td>
<td>59.7</td>
</tr>
<tr>
<td>Females</td>
<td>31</td>
<td>40.3</td>
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<tr>
<td>Total</td>
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<table>
<thead>
<tr>
<th>Age</th>
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</tr>
</thead>
<tbody>
<tr>
<td>11 years</td>
<td>1</td>
<td>1.3</td>
</tr>
<tr>
<td>12 &quot;</td>
<td>2</td>
<td>2.6</td>
</tr>
<tr>
<td>13 &quot;</td>
<td>7</td>
<td>9.1</td>
</tr>
<tr>
<td>14 &quot;</td>
<td>22</td>
<td>28.6</td>
</tr>
<tr>
<td>15 &quot;</td>
<td>25</td>
<td>32.5</td>
</tr>
<tr>
<td>16 &quot;</td>
<td>17</td>
<td>22.1</td>
</tr>
<tr>
<td>17 &quot;</td>
<td>3</td>
<td>3.9</td>
</tr>
<tr>
<td>Total</td>
<td>77</td>
<td>100.0</td>
</tr>
</tbody>
</table>
duplicates for the FSCU may be biased against admitting black children into the unit.

While the data contained in this study cannot prove conclusively why this difference in racial composition exists, several speculations can be made. The first possible reason for the overrepresentation of whites in the cohort could be that the majority of foster care homes licensed by the court are run by white families. A second reason could be that the caseworkers responsible for recommending dispositions to the judge recommend whites more frequently than blacks. A final reason could be that the Juvenile Court, like a variety of jurisdictions, is structurally biased against black offenders. Regardless of the nature of the speculations, it remains to be seen why blacks are overrepresented in the crime statistics in the county but underrepresented in the FSCU population.

When sex was examined alone, it was found that the percentage of females admitted into the unit is approximately the same as the percentage in detention. The only exception is with black females.

While these figures appear to be representative of the overall trends in juvenile justice, one thing remains questionable: Why aren't more females kept in the FSCU? Is it because of the non-seriousness of female delinquency? While most studies show that the majority of the female juvenile offenders are in detention for status and nonserious delinquent offenses, would it not appear that the FSCU is designed primarily for females?
Age

The average age for the cohort upon admission to the unit was 14.7 years old. The most frequently occurring age group was 15 years old, and the range was from 11 to 17 years of age. Fifteen-year-olds accounted for nearly one-third (32.5%) of the population, 14-year-olds 28.6% (22), 16-year-olds 22.1% (17), and the remaining groups accounted for only 16.9% (13) of the total. These figures are supported by Department of Justice (1984) statistics for juvenile offenders.

Criminal Career

The majority of the wards (94.8%) had a history of prior offenses in Kalamazoo County, and 76.6% (59) had a prior record of at least one formal court-ordered disposition. The average ward had committed 3.7 prior offenses. The range was from zero to 21. Nearly two-thirds of the cohort had committed four or more offenses, 29.9% (23) had committed three or fewer offenses, and only four (5.2%) had no prior offense history. (See Table 2.)

While only 5.2% did not have a prior offense history, the data showed that 23.4% (18) did not have any history of a prior court-ordered disposition. This is explained by the fact that the Juvenile Court and police agencies try to divert first-time petty offenders out of the formal system; therefore, the number of prior offenses and dispositions need not match.
Table 2
Nature of Delinquency in the Population

<table>
<thead>
<tr>
<th>Frequency Distributions of the Criminological Variables</th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Prior Offenses</td>
<td>n</td>
<td>%</td>
</tr>
<tr>
<td>0-5</td>
<td>38</td>
<td>49.4</td>
</tr>
<tr>
<td>6-24</td>
<td>39</td>
<td>50.6</td>
</tr>
<tr>
<td>Totals</td>
<td>77</td>
<td>100.0</td>
</tr>
<tr>
<td>Prior Dispositions</td>
<td></td>
<td></td>
</tr>
<tr>
<td>0-9</td>
<td>41</td>
<td>53.2</td>
</tr>
<tr>
<td>10-21</td>
<td>36</td>
<td>46.8</td>
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<tr>
<td>Totals</td>
<td>77</td>
<td>100.0</td>
</tr>
<tr>
<td>Current Offense</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Status</td>
<td>56</td>
<td>72.7</td>
</tr>
<tr>
<td>Criminal</td>
<td>18</td>
<td>23.4</td>
</tr>
<tr>
<td>Other</td>
<td>3</td>
<td>3.9</td>
</tr>
<tr>
<td>Totals</td>
<td>77</td>
<td>100.0</td>
</tr>
</tbody>
</table>

**Current Offense**

Almost three-quarters of the cohort were charged with a status offense, and 23.4% (18) were being held on delinquent charges. Three wards were placed in the unit for protective custody. When the
offense categories were analyzed by specific offense types, it was found that 40.3% (31) had been charged with running away from home, foster care, or secure detention, while incorrigibility accounted for 27.3% (21) of the total. These two categories accounted for two-thirds (67.3%) of all delinquent offenses and 91% of all status offenses. No other offense type came close to representing more than 5% of the cases.

The reason the population of delinquent offenders is so low in the cohort is that the Juvenile Court generally classifies runaways and incorrigible wards as low- to medium-risk offenders and delinquents as high-risk offenders. Status offenders, therefore, are more likely than delinquent offenders to be detained in the unit. The only inconsistency with this logic is the assumption that wards charged with running away are medium security risks. While their actions do not support the assumption that they are serious offenders, their actions do support the assertion that they are security risks in an open setting.

The General Criminological Variables

Wolfgang and Sellin (1972) have been credited with uncovering the criminological variables that are most commonly associated with recidivism in delinquent populations. In this section a descriptive analysis will be made of the criminological variables present in the cohort. From these descriptions the variables will be operationalized in order to test the bivariate hypotheses.
Time in Detention Prior to Time in Foster Shelter Care Unit

The researcher was under the impression that the majority of youths detained in the FSCU were sent directly to the unit upon arrest or apprehension. When the data were analyzed, however, it was found that 62.3% (48) of the cohort had been held in detention prior to admission to the FSCU. Of the total cohort, 48% (37) spent 11 or more days in detention, 3.9% (3) 5-10 days, and only 10.4% (8) spent fewer than four days in detention.

These data suggest that the FSCU is not autonomous or independent in its operations or functions but is dependent on detention to supply them with their population. This interrelationship also shows that the FSCU violates the assumption that shelters should operate independently of detention facilities.

Time in Foster Shelter Care Unit Prior to Disposition

Upon admittance to the unit, the median length of stay was 20 days. The range was from one to 100 days, while the mean average stay was 8.8 days. When the data were analyzed, it was found that 24% (19) of the wards spent up to ten days in the unit, 26% (24) were held from 11-20 days, 13% (10) spent 21-30 days in FSCU, 14.3% (11) were there 31-41 days, and 19.5% spent over 41 days in the unit before their disposition.

Michigan law requires that no youth should be detained for over 42 days without a hearing. Normally a youth will be detained until
Table 3

Frequency Distributions of the General Criminological Variables

<table>
<thead>
<tr>
<th>Time in Detention</th>
<th>n</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>0 days</td>
<td>29</td>
<td>37.7</td>
</tr>
<tr>
<td>1-4 &quot;</td>
<td>8</td>
<td>10.4</td>
</tr>
<tr>
<td>5-10 &quot;</td>
<td>3</td>
<td>5.9</td>
</tr>
<tr>
<td>11 or more days</td>
<td>37</td>
<td>48.0</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>77</td>
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<table>
<thead>
<tr>
<th>Time in FSCU</th>
<th>n</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>1-10 days</td>
<td>19</td>
<td>24.0</td>
</tr>
<tr>
<td>11-20 &quot;</td>
<td>24</td>
<td>26.0</td>
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<tr>
<td>21-30 &quot;</td>
<td>10</td>
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<td>31-41</td>
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<td>42 or more</td>
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</table>

<table>
<thead>
<tr>
<th>Dispositions</th>
<th>n</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Foster Care</td>
<td>23</td>
<td>29.9</td>
</tr>
<tr>
<td>Probation</td>
<td>23</td>
<td>29.9</td>
</tr>
<tr>
<td>Institution</td>
<td>9</td>
<td>11.7</td>
</tr>
<tr>
<td>Community</td>
<td>5</td>
<td>6.5</td>
</tr>
<tr>
<td>Detention</td>
<td>3</td>
<td>3.9</td>
</tr>
<tr>
<td>Runaway</td>
<td>14</td>
<td>18.2</td>
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<tr>
<td><strong>Total</strong></td>
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a preliminary examination can be held. If it is determined in the hearing that the youth is "in need of supervision," he/she can be held in detention until an adjudication and dispositional hearing can take place.

Theoretically the court has 84 days in which to decide upon a disposition for the ward. In reality, the court does not make a habit of detaining youths for extended periods of time unless a disposition cannot be arranged or agreed upon. In the case where a ward cannot be given an expedient disposition, the court has the power to enact Public Act 150, which makes the youth a ward of the state under the jurisdiction of the Department of Social Services and orders a permanent dispositional placement. The ward can be held indefinitely until an appropriate disposition can be made.

While this may explain why it is possible to detain youths for extended periods of time, it does not explain why a temporary shelter should be used as such. The only saving grace of using the FSCU to house wards for extended periods of time is that the unit is less stigmatizing than placing them in detention.

Dispositions

The two most frequently occurring dispositions were foster care and probation in the custodial parent's home. These placements accounted for 59.8% (46) of all the dispositions rendered and accounted for 29.9% (23) of the dispositions respectively. The second most frequent disposition was institutionalization with 11.7% (9). Of these, 6.5% (5) were given community-based dispositions, and
3.9% (3) were transferred to secure detention. In addition, 18.2% (14) of the wards ran away from the unit or committed a recidivating offense which voided the disposition.

While this shows that over half of the population went either to probation or foster care, almost 20% ran away before the effect of the disposition could be felt.

From these statistics a failure rate was computed (see Table 4). A youth was said to have failed in his/her disposition if he/she did not remain in the disposition for more than 90 days or if he/she ran away from the unit or disposition. It was found that 51.9% (40) of the youths failed in their dispositions, while 48.1% (37) were successful. When the previous category of runaways was eliminated, the success rate was elevated to 62.3% (37), and the failure rate dropped to 37.7% (26).

Table 4
The Failure Rate

<table>
<thead>
<tr>
<th>Frequency Distribution of the Failure Rate</th>
<th>n</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Successful</td>
<td>37</td>
<td>48.1</td>
</tr>
<tr>
<td>Failed</td>
<td>40</td>
<td>59.1</td>
</tr>
<tr>
<td>Totals</td>
<td>77</td>
<td>100.0</td>
</tr>
</tbody>
</table>

While a failure rate of 51.9% is not considered unreasonable for a program that is targeted toward repetitive offenders, the purpose
of the FSCU was to facilitate dispositions by decreasing the number of failures. Also, given the fact that 18.5% (14) of the failure rate is due to runaways from the unit, it does not appear that the unit has been successful in meeting this goal. This is supported by the assertion that foster care is considered successful 50% of the time and probation 75% of the time.

**Discussion of the Population**

When the real population of the FSCU was compared to its intended population, it was found that it was able to meet all its expectations except one: it processed more probation-ordered wards than anticipated. Thus the unit processed as many probationers as foster care-bound wards. Regardless of this, the average FSCU resident was a white male, 14.7 years old, who had committed a status offense (either running away or incorrigibility) and who was detained 23.7 days in the unit and recidivated during the disposition. Aside from these factors, the average ward had also committed 6.34 prior offenses and had been given 2.76 prior dispositions by the court.

Given this case study, it must be restated that the FSCU does not meet the qualifications for shelter care outlined earlier, nor does it meet its own goals of facilitating foster care dispositions. Thus it is not possible to evaluate the FSCU with regard to facilitating successful placements. The evaluation can only look at those factors present in the unit which can be related to success or failure.
By redirecting the evaluation, the last part of the study will examine those factors which are associated with the success or failure of the ward in the disposition.

The Bivariate Testing of the Hypotheses

The data presented earlier attempted to answer the first three research questions:

1. What is the function of the FSCU?
2. What is the nature of the population served, and how closely does it resemble the intended population?
3. What is the success/failure rate for the dispositions?

From the answers to these questions, specific hypotheses were constructed in order to answer question (4) and (5) regarding the association(s) between success/failure in the cohort and the independent variables. The original questions were:

4. Which court-ordered dispositions are the most successful, and why?
5. Is there an association between the demographic and criminologic variables and failure?

These questions were operationalized into the following bivariate hypotheses:

1. Blacks are more likely to fail than whites.
2. Males are more likely to fail than females.
3. Older wards are more likely to fail than younger wards.
4. The greater the amount of prior offenses, the greater the probability of failure.
(5) The greater the number of prior offenses, the greater the probability of failure.

(6) Status offenders are more likely to fail than criminal offenders.

(7) The more time spent in secure detention prior to admission to FSCU, the greater the probability of failure.

(8) The longer a ward was detained in FSCU, the greater the chance of success.

(9) Foster care is more likely to have a higher success rate than probation or institutionalization.

Table 5
Significant Results of the Hypotheses Testing

<table>
<thead>
<tr>
<th>Failure/Success by Independent Variable</th>
<th>$x^2$</th>
<th>$p$</th>
</tr>
</thead>
<tbody>
<tr>
<td>Race</td>
<td>0.135</td>
<td>.71</td>
</tr>
<tr>
<td>Sex</td>
<td>2.49</td>
<td>.114</td>
</tr>
<tr>
<td>Age</td>
<td>1.64</td>
<td>.685</td>
</tr>
<tr>
<td>Prior Offenses</td>
<td>0.32</td>
<td>.57</td>
</tr>
<tr>
<td>Prior Dispositions</td>
<td>0.13</td>
<td>.71</td>
</tr>
<tr>
<td>Current Offense</td>
<td>5.4</td>
<td>.019</td>
</tr>
<tr>
<td>Time in Detention</td>
<td>0.0</td>
<td>1.0</td>
</tr>
<tr>
<td>Time in FSCU</td>
<td>0.45</td>
<td>.79</td>
</tr>
<tr>
<td>Disposition$^a$</td>
<td>21.17</td>
<td>.0001</td>
</tr>
<tr>
<td>Disposition$^b$</td>
<td>5.5</td>
<td>.06</td>
</tr>
</tbody>
</table>

$^a_{n=77}$ $^b_{n=63}$ (excludes runaways)
Race and the Success/Failure Rate

Whites composed 77.9% (60) of the cohort and blacks only 22.1% (17) of the group. The failure rate for whites was 40% (30) and 58.8% (10) for blacks. While it was hypothesized that blacks were more likely to fail in the disposition, the chi-square statistic of .135 with one degree of freedom was not statistically significant at the .05 level; therefore, the null hypothesis of no association failed to be rejected, and it was concluded that there does not exist any association between race and success/failure.

Sex and the Success/Failure Rate

Males comprised 59.7% (46) of the cohort and females 40.3% (31). When sex was cross-tabulated with the dependent variable, it was found that 43.5% (20) of the males failed in the disposition, whereas 64.5% (20) of the females failed. The corrected chi-squared statistic was 2.49 with one degree of freedom and was not significant at the .05 level. Thus the association between sex and success/failure is not seen to be statistically significant, but the trend in the unit is for females to have a slightly higher rate of failure than males.

Age and the Success/Failure Rate

In order to perform the chi-square hypothesis test, it was necessary to operationalize age into two categories: (1) 11-14 years and (2) 15-17 years, or, in other words, early and late adolescence.
When the recoded variable was analyzed, it was found that 41.5% (32) of the group was 14 or younger and that the remaining 58.5% (45) was 15 or older. When these categories were cross-tabulated, it was found that 56.3% (18) of the first group and 48.9% (22) of the second group failed in the disposition. The corrected chi-square was .164 with one degree of freedom and was not found to be statistically significant; therefore, the null hypothesis failed to be rejected, and no association was found.

Criminal Career

Prior Offenses and the Success/Failure Rate

The literature shows that as a youth's involvement with the criminal justice system increases, so does the propensity to recidivate. In order to test for this association, the independent variable was operationalized into two groups: (1) 0-5 prior offenses, and (2) 6-24 prior offenses. The failure rate for the first group was 47.4% (18) and 56.4% (22) for the second group. The cross-tabulations showed that wards who had zero to five prior offenses were less likely to fail in the disposition, but the chi-square of .32 with one degree of freedom was not found to be statistically significant at the .05 level. Thus there did not exist any association between prior offenses and success/failure in the cohort.

Prior Dispositions and the Success/Failure Rate

It was hypothesized that wards with more prior dispositions
were more likely to fail in the current disposition than wards with fewer prior dispositions. For the purpose of analysis, prior dispositions were operationalized into two classifications: (1) 0-9 and (2) 10 or more. The failure rate for the first group was 48.8% (20), and 55.6% (20) for the second. The corrected chi-square for the cross-tabulation was .13 with one degree of freedom and was not significant. Thus there did not exist any significant difference between the percentages in both categories and the success/failure rate.

**Current Offense and the Success/Failure Rate**

It was hypothesized that status offenders, because of the interpersonal nature of their offenses, would be more likely to recidivate than criminal or delinquent offenders. Status offenders had a failure rate of 60.7% (34), and delinquent offenders had a rate of 22.4% (5). The cross-tabulation showed a chi-square of 5.41 with one degree of freedom, which was significant at the .019 level; therefore, the null hypothesis was rejected, and the statistics prove that status offenders were more likely to recidivate than criminal offenders.

**Time in Secure Detention and the Success/Failure Rate**

It was hypothesized that since the FSCU was to be independent of the detention unit, the longer the youth was held in detention, the greater the chance of failure in the dispositional placement. This
variable was operationalized into: (1) 1-24 days, and (2) 25-98 days in detention. It was found that the failure rate for the first group was 52.5% (21) and 51.4% (19) for the second group. The chi-square for this association was 0.0 with one degree of freedom and was not found to be significant. Thus it can be concluded that the time spent in detention did not have any effect on the success or failure.

Time in FSCU Prior to Disposition and the Success/Failure Rate

It was hypothesized that the longer a youth spent in the FSCU, the greater the chance of success in the disposition. To test for this association, the independent variable was operationalized into two categories: (1) 1-24 days, and (2) 25-98 days. The failure rate for the first group was 53.3% (24), and 51.7% (15) for the second, while the success rate was 46.7% (21) and 48.3% (14) respectively. The chi-square statistic, .45 with one degree of freedom, was not found to be significant; therefore, there does not exist any association between the length of time in the FSCU and the probability of success or failure.

These statistics show that the amount of time a youth spends in the unit does not have an effect on the disposition. This suggests that the programmatic structure of the program does not facilitate the dispositional placement.

Disposition and the Success/Failure Rate

The last hypothesis looks at which disposition is most effective
in reducing failure in its group. For the purposes of analysis, the variable was operationalized into three groups. These were: (1) in-home dispositions, (2) foster care, and (3) institutionalization. Home dispositions include the original categories of probation and alternative community placements, while the other categories remained unchanged. Also, the total number of cases was reduced because wards had run away from the disposition, or the unit was excluded from the analysis. Thus 14 cases were subtracted from the original 77, and the new total became 63. The failure rate for in-home dispositions was 25.9% (7), foster care 58.3% (14), and institutionalization 41.7% (5). The chi-square was 5.5 with two degree of freedom and was significant at the .06 level.

While this statistic is not seen to be significant, it does show that there is a trend in the cohort for probationers to be more successful in the disposition than children placed in foster care. It also shows that the trend for probation to be successful 75% of the time and foster care to be successful 50% of the time holds out in the cohort, regardless of the impact of the FSCU's program on the youth.
CHAPTER V

CONCLUSIONS

In this concluding chapter, a theoretical explanation of the success/failure rate will be offered, based on the prevailing literature and the findings presented in Chapter IV. While any interpretations and conclusions must remain speculative, some policy statements will be offered, and a few recommendations will be made to the FSCU in order to increase the success rate.

In order to reach this goal, the research questions will be restated and followed by an explanation of the answers. From this recommendations will be made in order for the unit to redirect its efforts.

Research Questions and Explanations

The first question to be answered was, "What is the function of the Foster Shelter Care Unit?"

It was found that the FSCU acts as a medium-security detention facility for medium-risk offenders who do not represent a security risk to themselves. While it does not follow the guidelines for shelter care facilities outlined in the literature, it does serve as a less restrictive and inhibiting environment for youths whose actions do not necessitate secure detention.

Even though the institutional structure of the unit does inhibit the child's liberty to a degree, it does so in order to provide the
child with a structured environment so that the child can be protected and can receive guidance under the precept of *Parens Patriae*.

While it is often thought that the deprivation of liberty is the worst punishment a free society can levy against an individual, it must be remembered that children are not allowed the full range of rights awarded to adults (Christie, 1981). Detention, therefore, is justified as a necessary evil in order to protect the best interests of the child.

When the FSCU is examined in this context, its functions and programmatic structure serve to limit the negative effects of secure detention by allowing the children to express themselves and their identity within a limited context. Moreover, the unit is seen by the children as a reward, or sanctuary from the rigors of secure detention, even though the behavior modification system is more extensive and requires greater restraint and control.

The unit's function in the court, therefore, has been altered from its original goals, and it has evolved into an innovative, medium-secure detention facility.

The second question that was examined was, "What is the nature of the population served, and how closely does it resemble the intended population?"

The analysis of the cohort showed that while the characteristics of the population of the FSCU were representative of its goals, the population of foster care-bound wards was smaller than anticipated. The primary reason for this was that the Juvenile Court reduced the number of foster care dispositions by 50%. In the past the court had
maintained at least 100 children in foster care a year, while in 1983 it reduced this number to 47. In the first year of operation, therefore, the FSCU had a significant proportion of its intended population reduced. Because of this the unit was forced to admit youths who were to be returned home on probation and not destined for foster care.

While this may not seem to be a significant factor, the redistribution of wards by virtue of their dispositions can be seen as a motivating factor for the FSCU to change its programmatic structure to meet the needs of its population. The FSCU thus has the potential to add to the court's repertoire of programs designed to deal with status and delinquent offenders.

The third question to be answered was, "What is the success/failure rate for the dispositions?"

The analysis showed that the unit had a success rate of 48.1% and a failure rate of 51.9% when all wards were counted. When the 14 runaways were excluded, the success rate was enhanced to 62.3%, and the failure rate dropped to 37.7%.

While the inclusion of runaways in the original rate may be seen as misleading, since these youths were not formally discharged from the unit, it must be noted that the unit has a dual function in the court, serving both as a detention center and as a placement service. It must, therefore, be evaluated from all perspectives if it is to be evaluated fairly. The primary responsibility of the unit is detaining youths, and its second responsibility is preparing youths for their dispositions.
Given this, the unit can be seen as successful in detaining youths prior to the disposition, but its failure rate for the disposition needs to be examined in the future.

The fourth question was, "Which court-ordered dispositions are the most successful, and why?"

The analysis showed that in-home placements had a 74.1% (20) success rate, foster care 41.7% (10), and institutionalization a 58.3% (7) rate. While these figures were not statistically significant, they do suggest that children given in-home dispositions were more likely to succeed than children placed in foster care. What this trend suggests is that the FSCU has not been able to offset the low failure rate for foster care that was demonstrated in the literature.

While the FSCU is not seen as being successful in facilitating foster care placements, it must be recognized that the unit does not have any control over the wards once they leave the unit. It is an unrealistic expectation, therefore, that the unit can facilitate foster care placements when they do not have any direct contact with the youths once they leave. This factor is further compounded when it is realized that the unit does not have any real input on the selection of youths bound for foster care.

The fifth question was, "Is there an association between the demographic and criminological variables and the success/failure rate?"

When the bivariate hypotheses were tested for significant relationships between the success/failure rate and the independent vari-
ables, only one significant association was found. It was found that status offenders were more likely to fail than criminal or delinquent offenders. What this suggests is that status offenders, because of their special status in the Juvenile Court (e.g., incorrigibility, running away, truancy, etc.) and the repetitive nature of their actions, cannot adapt to the structured environment offered by the unit and the disposition.

This leads to an interesting dilemma whereby the population that was supposed to be helped by the unit failed, while the population not intended for the unit was successful. This trend shows that medium- to low-risk criminal offenders do not necessarily need to be detained in maximum-security facilities but can be kept in medium-security facilities without posing a risk to the community.

While this suggestion makes common sense, it may still be politically unpopular. Yet when one examines the rate of failure for status offenders, one is frustrated by the evidence that this program cannot prevent their failure. The failure of the program to have a positive impact on status offenders may, however, not be the fault of the unit but may be caused by the Juvenile Court's response to status offenders.

This line of logic has become popular in the literature over the past few years and may lead to a reformulation of the Juvenile Court's response to status offenders. Be that as it may, the results of this study reinforce the belief that medium-risk criminal offenders can be held in medium-security facilities without any adverse reaction from the community.
The last question to be answered was, "Can the success rate be enhanced?"

The answer to this last question must be examined with the context of the answers to the previous questions. Given the results of the study, the success rate could be increased if the unit abandoned its goal of facilitating foster care placements and accepted medium-risk criminal offenders bound for in-home dispositions only. While this could enhance the unit's success rate, it would do so by ignoring the needs of foster care wards.

If the unit wants to continue to provide services to foster care wards, the program must be reexamined and its goals redefined to meet the needs of these youths. One of the best ways to accomplish this is to prescreen the interaction between foster parents and their assigned wards by introducing wards to foster parents and home in incremental steps. What this would entail would be daily visits or passes to the foster home so that the child could be exposed to the home and the parents on a trial basis without feeling that he/she was being thrown into a no-win situation. While this method may be time-intensive, it is not that different from the screening process youths go through when they are bound over to an institution. Regardless of the method used, trial visits to the foster home, with proper counseling afterwards, may increase the success rate of foster care wards and help the unit meet its original goals and objectives.

Conclusion

It has been shown that during its first year of operation the
FSCU was not able to attain a 50% success rate. The major reasons for this were not due to the demographics of the wards detained in the unit or to any identifiable factors in the programmatic structure. From these conclusions only speculative statements can be made as to why the unit was not able to succeed.

The most logical speculation is that by virtue of the dispositions, foster care wards are more likely to fail than youths returned to the custodial home. If this is the case, the FSCU is powerless to change the phenomenon unless it takes a more active role in the placement process. One of the major obstacles to this is the traditional structure of the Juvenile Court.

The decision to place a ward into foster care is the responsibility of the court. More often than not, the youth is not placed into the FSCU until the decision has been made. This trend can be documented by examining the amount of time a ward spends in detention before being transferred to the unit.

Since spending time in detention was not associated with the success/failure rate, it naturally follows that it would not be detrimental to the youth to be first placed in detention and then allowed to work his/her way out of detention and into the FSCU. With this as a goal, the unit could become a major component of the Kalamazoo Juvenile Justice System by preparing youths for their dispositions regardless of destination.

This goal is seen to be achievable, given the fact that the FSCU was more successful with status offenders and probationers. By changing the focus of the unit, the Foster Shelter Care Unit
could meet the overall goal of a detention facility and placement service by acting as a halfway house for both status and delinquent offenders.
BIBLIOGRAPHY


