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The Problem of Differential Treatment of Males and Females in Juvenile Court

Nancy A. Woods
Western Michigan University

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THE PROBLEM OF DIFFERENTIAL TREATMENT
OF MALES AND FEMALES
IN JUVENILE COURT

by

Nancy A. Woods

A Thesis
Submitted to the
Faculty of The Graduate College
in partial fulfillment
of the
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While I am alone responsible for this thesis, all these people have been instrumental in its completion, and I thank them.

Nancy A. Woods
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CHAPTER I
THE PROBLEM AND ITS BACKGROUND

Statement of the Problem

Introduction

During the past century, public attention has at various times been focused on inequalities between the sexes. Women's movements have arisen periodically during this time and have been directed toward several goals. The actions they have taken or provoked were often the result of action taken on behalf of ethnic minorities. Women's suffrage followed black male suffrage. The civil rights movement of the 1960's enabled women to compare their station in society and stereotyped attitudes toward them with those of other minority groups. The attitudes toward women and treatment resulting from them are currently being questioned and often challenged (Banner, 1974).

The focus of the women's movement today is no longer directed at a single goal, as was the suffrage movement. Rather, women, along with many male supporters, are examining virtually every area of American culture and society. The examination is to determine areas of differential treatment based on gender, and then to challenge such treatment where it is found. The changing values which prompt such action are evident in the actions themselves, the epitome of which is the proposed Equal Rights Amendment to the United States Constitution. That these values are widespread is clear; only four more states are...
Definition of the Problem

According to Rubington and Weinberg (1971), a social problem is considered to be "an alleged situation which is incompatible with the values of a significant number of people who agree that action is necessary to alter the situation" (1971:6). Using this definition, differential treatment of females is a social problem, complete with a popular label: sexism.

Social scientists may choose any part of the above definition for study: "an alleged situation" -- what is being alleged, what is the actual situation, where does the situation exist; "incompatible with the values" -- what values, whose values, how many values and to what extent; "a significant number of people" -- how many people, what kinds of people, why those people; "who agree that action is necessary" -- what action, at what societal level, action of a drastic and sustained or minimal and periodic nature, directed at what? The list could go on. The point is that there are many facets of a social problem and many issues involved in studying each.

In the area of women's rights, the first part of the definition, "an alleged situation", remains central to an examination of differential treatment based on a person's gender. Because the women's movement is concerned with differential treatment which may occur at any point in time or place in American society, examination of actual situations becomes a monumental task. Accordingly, experts or authorities in nearly every academic area are needed and are essential for
studying the existing situations, e.g. labor relations, social security, family and marriage relations, political science, advertising, management, etc., etc.

As a sociologist, there are many "alleged situations" related to this problem which one might pursue. A prioritization procedure for determining key situations may include: (a) the degree of impact the situation has at this point in time and cultural development, (b) the numbers and types of citizens being affected by the situation, (c) the potential impact or consequences of the present situation, (d) the amount of and degree to which the situation influences other situations, (e) the weight of importance or significance assigned to the situation by decision makers as well as the general public, and (f) the researcher's own expertise and interest in the situation.

Based on these considerations, I have chosen to examine the "alleged situation" of differential treatment of females in the judicial system -- namely, the role sex plays in the determination of a sentence or adjudication. This issue is timely because of growing public concern with the judicial system as well as with women's rights, the impending ratification of the Equal Rights Amendment, and the growing numbers of females involved in crime (Gibbons, 1968:104).

The citizens involved are significant because of the rising numbers of women coming into contact with the criminal justice system, and women's growing awareness of their rights in general. Also, this investigation may provide information related to another social problem, differential treatment of traditionally defined minority groups.
The potential impact of court decisions is sizeable regarding the offender's reaction to treatment, which is considered to be a factor in recidivism (Chiricos, Jackson and Waldo, 1972). The very nature of the judicial system makes changing established practices a long and difficult process; and the degree to which the situation affects other areas of society is significant indeed, given the extent to which laws and court actions based on those laws affect every area of American society.

The problem to be examined in this study is, then, the question of whether or not courts differentially sentence or adjudicate offenders on the basis of their sex. The situation which is alleged to exist is that sex is a factor influencing a judge's or juvenile court official's decision regarding any particular offender. The theories put forth and the supporting data available at this time are conflicting in both the determination of the actual situation, does sex affect court decisions, and, in the determination of the effect an offender's sex has on his or her sentence, if any.

This study must emphasize the need to examine and clarify the actual situation. Then one may postulate the reasons behind differential treatment, if it occurs, and begin to study them.

Previous Research

Introduction

Previous research in the area of female criminality shows a general agreement that females are differentially treated in the
judicial system. Unfortunately, there is no general agreement as to the nature of that differential treatment. What may be considered traditional research and theory posits female offenders are treated less severely than male offenders, especially in terms of the sentences they receive, when convicted of the same offense.

Another body of literature contends females, most notably adolescent females, receive more severe sanctions than males when convicted of the same offense. The existence of an "alleged situation" of sexual inequality is confirmed by all research; the effects of inequality, however, as measured by severity of sentence, are disputed.

A review of the literature shows support for both propositions.

The Concept of Chivalry and Related Assumptions

The traditional criminological theory regarding differential sentencing based on the sex of the offender holds that females receive less severe sanctions at all points in the criminal justice process. The concept of "chivalry" was introduced by Otto Pullak (1950) as an explanation for the large differences between male and female crime rates:

One of the outstanding concomitants of the existing inequality...is chivalry, and the general protective attitude of man toward woman...Men hate to accuse women and thus indirectly to send them to their punishment, police officers dislike to arrest them, district attorneys to prosecute them, judges, and juries to find them guilty, and so on (1950:151).

Pollak's terminology and assumptions have been repeated by many criminologists. Reckless and Kay (1967) and Ward, Jackson and
Ward (1969) used the concept of chivalry to explain the variance between the male-female arrest ratios and the male-female conviction ratios. Reckless and Kay found a substantial discrepancy in the treatment of male versus female offenders between the juvenile and adult levels:

At the court level, the ratio of male to female delinquents is 4 to 1, much lower than the estimated ratios for adult male and female offenders. At the institutional level, the ratios of juvenile male to juvenile female is still lower, namely 33 to 1. This ratio is seven times smaller than the ratio of male to female adult offenders admitted from courts to adult prisons (1967:12).

Looking at California data for 1966, Ward, Jackson and Ward found that "while one out of every seven persons arrested for serious crime was a female, only one female is confined in our state and federal prisons for every 22 males" (1969:845). This difference is accounted for with the assumption that "as female offenders move through the criminal justice system, prosecutors, judges and juries manifest reluctance to deal with them in the same manner that they deal with males" (1969:845). Further,

The norms and traditions in American society which prescribe the manner in which women and girls are supposed to behave is also a part of the explanation of the differential response of the community and organized criminal justice agencies to the female offender -- namely, that women are more to be pitied and protected than punished and that imprisonment is to be used only as a last resort (1969:846).

Official statistics do appear to support these kinds of assumptions. For example, data compiled by the Federal Bureau of Investigation for 1971 to 1972 (the year under analysis in this study) indicates a percentage change in arrests for all offenses of +0.5%
for males and +1.9% for females. Arrests increased nearly four
times more for females than for males. In contrast, the Federal
Bureau of Prisons Statistical Report for 1971 and 1972 indicated all
sentenced commitments to Federal Bureau of Prisons institutions
increased +5.5% for males and only +1.0% for females. This is the
total trend for all offenses, 1971 to 1972.

Prima facie evidence such as this supports literature stating
female offenders are given less severe sentences than comparable
male offenders. There are many problems in supporting this stance,
and these will be discussed in a later chapter. Regardless of
arguments presented against generalizing from official statistics,
statements like "Our society is disproportionately soft on the female
offender after she gets caught and throughout the whole legal process"
(Reckless, 1957:2), continue to be made.

Two studies using data of the type presented in this present
study also find female offenders receive less severe sentences than
comparable male offenders. Stuart Nagel (1966) presented an article
based on raw data gathered by the American Bar Association from state
trial court dockets for 1962. A sample of 11,258 cases from 194
counties in all 50 states was used, along with the complete universe
of 36,265 federal criminal cases decided in 1963. Nagel used only the
two most-representative crimes, larceny and assault, for his analysis
of "unequal defendants". Using sex as one of many variables, Nagel
asked, "Are women discriminated against in criminal proceedings as in
other walks of life?" (1966:295). While his findings are inconclusive
because of the small numbers involved, "what differences do emerge seem to be in favor of women, especially in sentencing" (1966:295).

Nagel goes on to postulate:

"It is apparently assumed that women cannot -- or, chivalrously, should not -- endure as much as men. On the other hand, it is possible that women can be persuaded to give up their rights more easily and that procedures with them tend to be less formal...Studies in women's prisons have shown that women develop fewer defenses against the pain of incarceration than men and perhaps suffer more, and it is possible that judges and juries know or sense this. Or perhaps they simply find the idea of women in prison away from their families, offensive" (1966:295).

Sieverdes (1973) hypothesized "there is a stronger positive relationship between legal gravity of offense type and severity of case disposition, for males than for females" (1973:75). The finding, from juvenile court and juvenile probation officers' records in a city of 150,000 was "males are consistently given more severe dispositions than females...males have 38 percent of their most recent cases dismissed,...and the females have a 73 percent dismissal rate" (1973:75). For females, who had 75 percent of their felonies dismissed, the hypothesized relationship of gravity of offense and severity of disposition did not hold. It did hold true for males. Sieverdes suggests that since "males commit offenses with greater gravity---they are subsequently treated more severely" (1973:77).

Thus, literature supporting the hypothesis that female offenders are less harshly sanctioned than comparable male offenders is usually based on official statistics which show a lowering male-female ratio from arrest to conviction and sentence. This literature repeatedly
uses chivalry as the assumed cause, although a few studies suggest other factors may be operative.

Research Confronting the Old Assumptions

A second set of literature contends female offenders receive more severe sentences than comparable male offenders. Some of this literature calls directly into question the concept of chivalry and/or the accuracy of the picture reflected by official statistics. This is the literature most responsible for implying that an "alleged situation", or problem, exists -- the problem being the harsher sanctioning of females than males when convicted of the same offense.

Two 1970 studies, one by Yona Cohn and another by Robert Terry found female adolescent offenders to be subject to more severe censure than their male counterparts.

"A negative relationship of significant magnitude was found between the "maleness" of the offender and the severity of juvenile court dispositions, indicating that females are more likely to be institutionalized than males" (Terry, 1970:86). Controlling for degree of involvement with the opposite sex and with adult offenders reduced the strength of the relationship while controlling for previous offenses increased its strength. Also pertinent to this study was the finding that "girls are heavily over-represented among offenses for which informal supervision is most like to be accorded" (1970:86). So, girls were found slightly less likely to be referred to juvenile court, but were significantly more likely to be institutionalized once the juvenile court stage was reached. These findings
were based on police reports in a Midwestern city of slightly less than 100,000 for the period of 1958 to 1962.

Yona Cohn's study (1970) dealt with 175 pre-sentence investigation reports presented to the judge of the Bronx Children's Court for the first six months of 1952. Her findings were:

While girls made up only one-sixth of the total, they constituted nearly half of the group recommended to an institution; restated as a proportion, this means that three times as many girls as boys were recommended for institutionalization (1970:193).

Meda Chesney-Lind (1973) used data consisting of the case records of adolescents referred to the Honolulu Juvenile Court during the years 1929-1930, 1939-1940, 1950, and official court reports for the years 1954 to 1964. She found that in the area of pre-trial detention, girls were more apt to be sentenced to pre-trial detention than boys and "spent, on the average, three times as long in these facilities as did their male counterparts" (1973:57). A new judge began, in 1950, to greatly reduce the number of children placed in institutions, but,

Greater leniency toward males is still apparent. Twenty-five percent of the males referred to the court, but only 10 percent of the females, were immediately released, and only 3 percent of the males brought before the court were institutionalized, compared to 9 percent of the females. For the entire 1929-1950 period, proportionately three times as many females as males were institutionalized... A record of commitments to the State Training Schools (1954-1964) shows that females were consistently overrepresented in the institutionalized populations (1973:58).

Peter Kratcoski (1974) sampled 20 percent of all juvenile court cases in a Midwestern county for 1971 and compared dispositions...
received by males and females, along with the types of offenses committed and family characteristics for each sex. He found that "although a much larger proportion of the boys than of the girls committed delinquent acts (69% to 44%), a higher proportion of the girls than of the boys were placed in the juvenile court detention center. Thirty-one percent of the females in the sample were held in detention, compared with 24% of the males" (1974:20). Kratcoski also found that "in general the girls in the sample were referred to the court for less serious offenses than were the boys" (1974:19).

The differential treatment of adolescent offenders appears to be due in part to a tendency to place them in categories having a sexual connotation, even when arrested for a separate offense. For example, in the study conducted by Margery Velimesis of the correctional treatment of female offenders in Pennsylvania, it was found that incorrigible and promiscuous girls were sentenced to institutions "far more frequently than...girls who are accused of shoplifting or larceny" (1969:15). And, Kratcoski points out that "different law enforcement standards for male and female offenders may result in females being brought to court and even institutionalized for offenses that might be overlooked if committed by males. This is particularly true with regard to offenses related to sex and ungovernable behavior (1974:17).

The evidenced attention paid to "juvenile status" offenses of females by law enforcement personnel does not refute the chivalry concept for adult offenders. It does suggest another force is operative at the juvenile level; one which may result in more severe
treatment of females than males.

Limitations of Previous Research

Problems with Traditional Assumptions

Additional literature related to this study points out a number of problems with some traditional assumptions regarding the female offender. The concept of chivalry, for example, requires a female be defined as a "lady" in order to receive chivalrous treatment in this culture. The present definition of a lady derives from the same source as chivalry (medieval Europe) and excludes women from various ethnic groups and the lower class, precisely those origins most common to female offenders. We may have answered the question posed by the black crusader Sojourner Truth, "And ain't I a woman?", with "Yes, but you ain't no lady":

He (Pollak) assumes that there is chivalry in the criminal justice system that is extended to the women who come in contact with it. Yet the women involved are likely to be poor and Third World women or white middle-class women who have stepped outside the definitions of femininity to become hippies or political rebels, and chivalry is not likely to be extended to them. Chivalry is a racist and classist concept founded on the notion of women as "ladies" which applies only to wealthy white women and ignores the double sexual standard. These "ladies", however, are the least likely women to ever come in contact with the criminal justice system in the first place (Klein, 1971:23).

Another problem with the chivalry concept is that while it may be applicable as a partial explanation of male-female arrest and conviction ratio differences for violent crime offenses, such a concept does not explain the lack of such differences in other areas, e.g., waywardness, run away, ungovernability, truancy and shoplifting;
essentially, those crimes most frequently committed by female minors (Reckless and Kay, 1967).

An experimental study conducted by Rose and Prell (1955) demonstrated chivalry may not be operative. They found that in criminal cases, males in the experiment favored male defendants and females favored female defendants, as evidenced by their awarding lighter sentences to defendants of their own sex. Interestingly, the female correlation existed to a lesser degree than the male correlation.

While Rose and Prell's study was experimental, another study using civil case records tends to support their findings. Nagel and Weitzman (1972) related the sexual composition of juries to variances in settlements awarded to plaintiffs of each sex. They show that male-dominated juries favor male plaintiffs, and female-dominated juries favor female plaintiffs, the female correlation again existing to a lesser degree:

Male-dominated juries gave awards to male plaintiffs that averaged 12 percent above the average for the type of injury, medical expenses and lost wages; whereas male-dominated juries gave female plaintiffs awards that averaged 17 percent below the average expected (1972:11).

As Nagel and Weitzman (1972) point out, juries, to say nothing of the bench, are traditionally male-dominated. The implication is that chivalry is insufficient to account for differential sanction received by females who are actually convicted, or appearing as a plaintiff in a civil suit.

**Implications of Laws**

Another source of information which does not support the
literature claiming females receive less severe sentences is actual
laws. This source is in direct opposition to the position that women
receive less severe sanctions than men when convicted of the same
offense. These laws mandate different sentences for males and females
convicted of the same offense:

If the sentencing statutes had merely been different
they might have not been such a problem. The difficulty
(arises) from the fact that either on their faces or in
practical application they have resulted in women getting
longer sentences than men. In fact, in the early twentieth
century, it was thought that the ideal sentence to a
woman’s reformatory should be "indeterminate with no limits
at all on the minimum and maximum terms that an inmate
should be forced to serve. Fortunately, most states put
some limit on the maximum sentence -- usually the maximum
term prescribed by law for the particular offense (Temin,

Lois Frankel has done an extensive work on sex discrimination
in the criminal law as it would be affected by passage of the Equal
Rights Amendment. In the area of differential penalties, she found
two theories and corresponding statutes:

The first theory posits that all women offenders can be
reformed and therefore correctional authorities should
be able to subject the female offender to the rehabili-
tation process as long as necessary to rehabilitate her.
This philosophy has been incorporated into sentencing
statutes which provide longer sentences for women than
for men who commit the same crime. Pennsylvania and
Connecticut have struck down such statutes...New Jersey
has recently upheld a discriminatory sentencing law.
A number of other jurisdictions still have such laws.

The second theory underlying discriminatory sen-
tencing is the familiar double standard which suggests
men be penalized more heavily than women when the
victim of the crime is a woman (1973:503).

1. Massachusetts, Iowa, Maine, Maryland, and New York have had cases
appealed based on the constitutionality of such laws (Temin, 1973).
The second theory would imply less harsh treatment of women; subsequent statutes, however, would only be applicable to that assumption when both the offender and victim are women. Also, the second theory is applied in fewer jurisdictions than the first.

A thorough search of Michigan Compiled Laws (1973) revealed several minor areas of discrepancy in sentencing for males and females. One area was not minor, however; the provisions for sentencing to the Ionia reformatory for males and to the Detroit house of correction for females are quite different. Any female may be sentenced to the house of correction who is "not more than 15 years of age...there to remain and be kept until they are 21 years of age" (1973:8889). There is no similar statute for males. In fact, males sentenced to the reformatory must be over 15 years of age (1973:8845). Age requirements for commitment to boys and girls training schools are identical.

In addition to being subject to incarceration at an earlier age, females may be detained longer than males. Males are released from the reformatory upon completion of their sentence, or granting of parole or pardon. Girls may be kept in the house of correction until 21 years of age, or released according to the rules and regulations developed by the institution's authorities -- another example of the preference for indeterminate sentences for females.

Problems in Interpretation of Secondary Data

The last issue related to traditional assumptions for less severe
sentencing of females confronts those studies which use government agency generated statistics as data. Chivalry is used as a causative rationale accounting for differential treatment of females most often when these types of data are cited. Reasons other than the chivalry factor, however, may account for the wide statistical discrepancies between male and female arrest, conviction, and sentencing ratios.

For example:

There is no reason to believe that arrest is used equally against both male and female suspects. In fact, it seems plausible that the reason the conviction ratio for males is higher in comparison to their arrest rates is that female accomplices may be picked up without sufficient evidence (Hoffman-Bustamante, 1973:120).

Or, as Nagel (1966) pointed out, it may be that women give up their rights more easily than men; or women may be arrested for minor crimes more often than men; or, women may "turn state's evidence" more often than men; or, women may plead guilty more often and thus receive lighter sentences. We cannot assume chivalry is the major reason for large discrepancies in arrest and commitment ratios between the sexes before examining other possible explanations. Official statistics cannot provide background information about the questions posed above. Appropriate types of data can be gathered, however, and must be so that the questions concerning the existence and/or effects of chivalrous treatment of females by the judicial system can be adequately answered.

Summary

The review of literature and research in the area of female
criminality reveals two major themes concerning the existence of and theoretical explanations for differential sentencing of females. The traditional and most widely held position holds female offenders receive less severe sentences than male offenders when convicted of the same offense. This is perceived as being due to a chivalrous attitude on the part of the male-dominated criminal justice system.

The second, and relatively new, position holds that female offenders receive more severe sentences than male offenders when convicted of the same offense. Various alternatives to the concept of chivalry as the operative factor are presented. These include paternalistic and vengeful attitudes on the part of justice officials.
CHAPTER II
THEORETICAL ORIENTATION
Presentation of Hypotheses

Introduction

From evidence presented in the review of literature, it appears plausible that females are treated differently than males when convicted of the same offense. It also appears plausible, however, that this differential treatment is not identical for adult and adolescent female offenders. The studies reviewed which found females to receive less severe sentences used only data dealing with adults, with the exception of Kratcoski's (1974) work. Studies finding females receive more severe sentences (adjudications in this instance) dealt only with adolescent offenders. While other sources of information which supported harsher sentencing of adult females than males were cited (e.g. statutes, experimental studies, civil case records), actual research does not support the implications of those sources. After examining these considerations and the following theoretical explanations, the hypotheses offered are:

Hypotheses

1. Adult females are likely to receive less severe sanctions than comparable males when convicted of the same offense.

2. Adolescent females are likely to receive more severe sanctions than comparable male offenders when convicted of the same offense.

3. Adolescent females are less likely than adolescent males to proceed into a hearing stage of sanction, but are more likely to be
formally sanctioned once the hearing stage is reached.

This study will not attempt to test the first hypothesis. Although originally planned to be tested, problems with the available data prevented implementation. These included changes in census tracts with no record kept of codes used before the changes, missing data, various key punch codes which are no longer in use and have no record of interpretation, and indecipherable data in computer files. The hypothesis is presented here as a logical extension of the review of literature. Possible theoretical explanations are also presented for the first hypothesis as a contribution to the literature.

Theoretical Orientation

The theoretical orientation for presentation of these hypotheses stems from the observations of a number of criminologists and related professionals. Beginning with the adolescent female offender, one finds several possible explanations for the application of more severe sanctions.

1. Adolescent female offenders are treated more severely than males because their behavior is viewed as constituting a larger threat to society.

The most dominant rationale supporting this contention is related to the concept of female crime being an expression of their sexuality and subsequent court action being based on that assumption. This follows from findings in the literature that girls who commit delinquent acts against sexual taboos are heavily overrepresented in institutionalized populations (Cohn, 1970; Terry, 1970; Chesney-Lind,
Court officials are not alone in their tendency to view female crime, especially juvenile female crime, as an expression of sexuality. The leading traditional criminologists have also supported this contention (See: Pollak, Freud, Thomas, Davis, Konopka as reviewed in Klein, 1973).

One may postulate that while the crimes committed by females are in themselves a threat to society (as society would consider any criminal act), female crimes pose a more severe threat because of the sexual connotations associated with them. The result would plausibly be more severe sanctions for female offenders, especially adolescent female offenders, since they are the future "sexual objects" i.e. wives and mothers, of the society:

Many law enforcement and judicial officials feel that once a young woman "goes wrong" she will be irrevocably damaged, unless firmly and coercively shown the error of her ways. "Going wrong" applies to expressions of over-sexuality outside the traditional marriage or fidelitious courting relationships. More generally, "going wrong" refers to broad behavioral patterns violating the cultural stereotype of a young woman as a passive, polite, attractive, but reasonably chaste object (Goldman, 1971:34).

One finds also that girls may often be adjudicated for acts different than those for which they were referred to the court. Hoffman-Bustamante (1973) postulates that prostitution and run away "are probably used often in place of other charges, i.e. larceny, vagrancy, prostitution, disturbing the peace, drunkenness" (1973:131).

Chesney-Lind provides this explanation for such phenomena, which she calls "sexualization" of offenses:
It is the symbolic threat posed by female delinquency to (societal) values that best explains (1) why the juvenile court system selects out aspects of female delinquency which violate sex role expectations rather than those that violate legal norms; and (2) why female delinquency, especially sexual delinquency, is viewed as more serious than male delinquency, and is, therefore, more severely sanctioned (1973:54).

A second possible explanation is,

2. Adolescent female offenders are subject to a brand of paternalism which often results in more severe treatment.

A paternalistic attitude toward female offenders on the part of juvenile court officials is most probably based on facts as well as predispositions. Girls referred to the court are more likely to come from broken homes (Wattenburg and Sanders, 1954; Gibbons and Griswold, 1957; Kratcoski, 1974). In addition, girls referred to the court more often come from families with little love for her or a history of neglect and abuse (Kovar, 1968; Konopka, 1974).

Prevailing attitudes regarding the rehabilitative treatment necessary for females are similar to those for the mentally ill or incompetent. They need care, sympathy, extended treatment (Chesney-Lind, 1973:57). This is supported by the early belief which motivated longer sentences for women; namely, women should be imprisoned for as long as it takes to rehabilitate them (Temin, 1973:358). Recent court decisions supporting discriminatory sentencing also cite the need for (and that women deserve) "more effective rehabilitation" (Temin, 1973:363) which translates to longer periods of incarceration.

Such attitudes regarding the rehabilitation of female offenders
would be likely to result in longer and more frequent institutionalization of female delinquents. It appears that juvenile courts are attempting to place female juveniles back on the approved behavior path at an early age. The only methods the court has for doing so often constitute "harsher treatment". We may also assume the courts' available reactions to a poor family environment result in a classification of "harsher treatment". This leads us to another theory.

3. Treatment of adolescent female offenders is often labeled "harsher" than that for boys because juvenile courts seek to treat females more often for family situations. Institutionalization may often be the court's only alternative to returning a female to her family.

If juvenile court officials view female delinquency as more serious and in need of more drastic treatment, they would be more likely to attempt some sort of treatment. This treatment would be limited to the alternatives available.

When a girl comes before juvenile authorities, for an offense or other reasons, and it is deemed that a poor family environment is contributing to her problems, there exists a limited number of possibilities for court action. Preferably, the girl would be given a home with relatives or placed in a foster home. These options are not always available, however, and the only alternative to them is placement in a detention home or other institution. Court officials and police often feel that institutionalization protects girls from their own families' abuse and/or influences (Kratcoski, 1974:20; Velimesis, 1969:15).

Girls are also more likely than boys to be referred to the
authorities by their own families, most of whom claim they cannot control their child (Kratcoski, 1974:20). As Velimesis said, "We punish the girls for not having families who will assume responsibility" (1969:15).

Whatever the factors on which the court may base its decision to institutionalize an adolescent female, the results of a statistical analysis of adjudications would place such institutionalization in the category of severe sanctions.

Turning to possible theoretical explanations for the less severe sentencing of adult female offenders, we find two possible explanations in addition to chivalry.

1. The familial responsibilities of adult female offenders may evoke less severe sentences.

As Nagel (1966) suggests, judges and juries may be adverse to the separation of a mother and her children, especially for long periods of time. If the mother is also the head of the household, courts may take into consideration the expense to the public of maintaining her family while the mother is unable to, or, the adverse effect on the children of being placed in foster homes or institutions.

2. The married women offender's behavior may be viewed as more the husband's responsibility than that of the state.

If adult female criminal behavior is seen as an expression of her sexuality, and again this contention is supported by traditional criminologists and appellate court decisions, such an expression may be viewed as having more implications for her husband than for society. Adolescent females do not "belong", sexually, to any one person.
Therefore society must protect her as sexual property for some future holder. The married female offender does "belong" to one person -- her husband -- and he may be viewed as not only the most affected by her behavior but also as the most responsible for her behavior.

Men have traditionally been assumed to have more responsibility for their wives than women for their husbands, and occasionally men are given responsibility for their wives behavior. For example, in all but three states (Georgia, Mississippi and New York) a man may be held criminally responsible for desertion and non-support of his wife. A woman has the same criminal responsibility only in New Hampshire (Frankel, 1973:477). Such statutes "are based on the theory that a 'woman's place is in the home'...and that a man must be the breadwinner for his family" (1973:477). On the other hand, an able-bodied man who lives off his wife's earnings may be penalized as a tramp or vagrant in eight states (1973:482).

Regarding the responsibility of women for their own behavior, married women are not always seen as "able to commit an offense and... held criminally responsible for it" (1973:490). A married woman is not responsible for acts done as a result of her husband's coercion (cases in six states), and for acts committed in her husband's presence (cases in seven states, 1973:490).

So we see that laws and precedents do exist which differentiate between the responsibilities and behavior of married males and married females. These lend credence to the opinion that married females are not given sole responsibility of their conduct by the courts, which
may constitute a partial explanation for women receiving less severe sentences.

The following rationale is given in support of the third hypothesis:

Criminal justice authorities may treat female offenders chivalrously only up to the point at which they plead or are found guilty. For juvenile offenders, this point would be reached at a formal adjudication stage.

Men are more likely to give women the "benefit of the doubt", or, as other writers have said, be loathe to arrest and prosecute them (Pollak, 1950; Nagel, 1966). When confronted with the reality of a woman's guilt, however, men may react as though her behavior is an affront to their trust: "When young women attempt to confront and break through traditional patterns of feminine behavior, shocked judges often react with extreme harshness" (Goldman, 1971:35). This situation would result in more severe sentences for females but more severe sanctions only for those who reach the sentencing stage.

Also, procedures involving delinquent females may tend to be handled more informally than those for delinquent boys. If this were so, girls selected out of the process (and given whatever form of treatment) before a formal hearing was held would be categorized as receiving less severe dispositions. This rational, therefore, would support the third hypothesis, but reject the second.

Should none of the above theoretical orientations be supported, two possible explanations are given:

1. The literature and studies supporting the hypotheses may not be generalizable from one jurisdiction to another.
The particular philosophy and political climate within which any court may operate are factors in defining the types of sanctions applied to any offender. For example, it is interesting to note that the one study which found juvenile females to receive less severe sanctions was the only one found using data from a southern state (Mississippi; Sieverdes, 1973). If the hypotheses being tested in this study are not supported, it would be difficult to generalize to other jurisdictions based on this problem alone.

2. The correctional alternatives available to both adult and juvenile courts may vary from one jurisdiction to another, resulting in an inability to compare "less severe" and "more severe" sanctions across jurisdictional lines.

Naturally if one juvenile or adult court has correctional facilities such as half-way houses, community day treatment centers, voluntary first offender programs, and so forth available as alternatives to incarcerations, those jurisdictions would be rated as applying less severe sanctions to offenders referred to such facilities. If jurisdictions having such alternatives available sentenced more female than male offenders, or vice versa, to them, the jurisdiction would not be comparable to others having limited facilities as regards the severity of sanctions applied.

Summary

The hypotheses offered are supported by recent research and theoretical orientations contained in that research as well as by observations of professionals in the area of criminal justice. The hypotheses to be tested in this study are directed toward the sanctions
applied to females at the juvenile level, and present the idea that adolescent female offenders are more severely sanctioned than adolescent male offenders.

Possible explanations for this phenomenon include: (a) adolescent female offenders pose a greater threat to society than males because of the sexual connotations assigned to both their behavior and its consequences, (b) adolescent female offenders are more likely than males to be treated paternalistically due to the realities of their family environment or the traditional male view of females as helpless, mentally incompetent, or otherwise needing protection, (c) adolescent female offenders who need treatment or help are often institutionalized because of the courts' lack of alternatives in dealing with a detrimental family situation, and (d) adolescent female offenders who reach a formal stage of adjudication are treated more severely than males because of a shocked, reactionary approach on the part of court officials.
CHAPTER III

THE RESEARCH DESIGN

Method of Data Collection

Introduction

This section of the chapter presents the research setting, sample design, and data collection technique. The second section of the chapter presents the statistical analysis used for the study.

Research Setting

The data used for this study were gathered from juvenile court records. The juvenile court is located in a midwestern city of approximately 90,000 and serves a county of approximately 200,000 inhabitants. The juvenile court processes nearly 6,000 referrals annually.

Records kept by the juvenile court were filed in several different places and according to various criteria. Descriptions of each records component and the information available from each source are presented here to aid the reader in understanding the data collection process.

The intake log. An intake log was kept with information related to every referral to the juvenile court. This log was arranged chronologically and by type of offense. Intake logs reflect an entire year’s referrals.

Information contained in the log includes the offense serial
number assigned to the referral by police, the juvenile's name, age, sex, race, school attended, and the initial action taken (intake disposition) on the referral by the court.

Central index card file. The central index card file was arranged alphabetically by the name of the juvenile. These cards contained the address of the juvenile, the address of the juvenile's parents or guardian and their relationship to the juvenile, the date of and action taken on all offenses or other situations for which the juvenile had appeared before the court. The central index cards also gave the number of the juvenile's brief service or central file, if either had been established.

Brief service files. Arranged numerically, the brief service files contained information related to the incident which prompted referral, if the referral was made by the police or sheriff. Other information could be included, such as minutes of any hearings held, correspondence to the court from parents or teachers, or correspondence from the court.

Central files. These files were also arranged numerically. Usually each file contained the records of one juvenile. Records of siblings were occasionally placed in one file. When a central file was established, any records kept in a brief service file were transferred to the new file. In addition, central files could contain caseworker's reports describing the juvenile, his or her school experiences and family environment, and the caseworker's recommendations.

Brief service and central files were not established for every
juvenile referred to the court. Brief service files are established when a formal hearing is held; central files are established when a caseworker is assigned, or when records become too numerous for the space allotted brief service files.

The four records locations -- intake log, central index card file, brief service files, and central files -- described above made data collection a tedious process. The research setting did allow insights into the juvenile court which could not otherwise have been gained.

The Sample Design

A random sample was drawn from police department offense records. A computerized printout of police department juvenile arrest data was utilized as the source for drawing the sample. Numbers were assigned to the offense serial numbers of offenses selected for analysis, and those assigned numbers were randomly drawn. Offense numbers were not randomly drawn themselves because an offense serial number could be assigned to more than one offender. The offense serial numbers were then matched to those in the juvenile court's intake log.

The sample was stratified by the sex of the offender so that a proportionate sample of offenses committed by each sex could be drawn. Only those offenses indicated as referred to the juvenile court were sampled, and the year of analysis, 1972, was chosen because both police and juvenile court records for that year were complete and
readily accessible.

The sample thus drawn from police data consisted of 50% of all assault and shoplifting offenses referred to the juvenile court by the police department in 1972. The offenses of assault and shoplifting were chosen for sampling primarily because they contained an adequate number of referrals to the juvenile court for both sexes. Another consideration was the inclusion of both felony and misdemeanor level offenses. Table 1 delineates all offenses referred to the juvenile court by police during 1972.

Table 1
Offenses Referred to the Juvenile Court by Police: 1972

<table>
<thead>
<tr>
<th>Offense</th>
<th>Males</th>
<th>Females</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Aggravated assault</td>
<td>65</td>
<td>13</td>
<td>78</td>
</tr>
<tr>
<td>Arson</td>
<td>6</td>
<td>-</td>
<td>6</td>
</tr>
<tr>
<td>Assault and battery</td>
<td>88</td>
<td>39</td>
<td>127</td>
</tr>
<tr>
<td>Attempted rape</td>
<td>1</td>
<td>1</td>
<td>2</td>
</tr>
<tr>
<td>Auto theft</td>
<td>11</td>
<td>-</td>
<td>11</td>
</tr>
<tr>
<td>Burglary</td>
<td>102</td>
<td>1</td>
<td>103</td>
</tr>
<tr>
<td>Controlled substance use, possession, or sale</td>
<td>26</td>
<td>5</td>
<td>31</td>
</tr>
<tr>
<td>Curfew violation</td>
<td>50</td>
<td>6</td>
<td>56</td>
</tr>
<tr>
<td>Disorderly conduct</td>
<td>15</td>
<td>9</td>
<td>24</td>
</tr>
<tr>
<td>Fraud</td>
<td>5</td>
<td>1</td>
<td>6</td>
</tr>
<tr>
<td>Illegal entry</td>
<td>26</td>
<td>1</td>
<td>27</td>
</tr>
<tr>
<td>Illegal possession or use of weapons</td>
<td>2</td>
<td>-</td>
<td>2</td>
</tr>
</tbody>
</table>

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### Table 1 Continued

<table>
<thead>
<tr>
<th>Offense</th>
<th>Males</th>
<th>Females</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Larceny (excluding shoplifting)</td>
<td>119</td>
<td>12</td>
<td>131</td>
</tr>
<tr>
<td>Liquor law violation</td>
<td>11</td>
<td>-</td>
<td>11</td>
</tr>
<tr>
<td>Possession of or receiving stolen property</td>
<td>31</td>
<td>-</td>
<td>31</td>
</tr>
<tr>
<td>Robbery</td>
<td>24</td>
<td>-</td>
<td>24</td>
</tr>
<tr>
<td>Sex offenses (other than rape)</td>
<td>12</td>
<td>2</td>
<td>14</td>
</tr>
<tr>
<td>Shoplifting</td>
<td>137</td>
<td>104</td>
<td>241</td>
</tr>
<tr>
<td>Trespassing</td>
<td>6</td>
<td>-</td>
<td>6</td>
</tr>
<tr>
<td>Truancy</td>
<td>32</td>
<td>8</td>
<td>40</td>
</tr>
<tr>
<td>Vagrancy</td>
<td>4</td>
<td>2</td>
<td>6</td>
</tr>
<tr>
<td>Vandalism</td>
<td>80</td>
<td>7</td>
<td>87</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td>853</td>
<td>211</td>
<td>1,064</td>
</tr>
</tbody>
</table>

The sample planned for data collection was 50% of all assault and shoplifting offenses referred to the court in 1972, or 224 offenses. Eight central index cards could not be located, resulting in a reduction to 217 offenses. After data were collected, 41 cases were dropped from the sample because of the disposition they received. Dispositions of dropped cases were: Protective Service referrals (35), voluntary first offender program (5), and placement in a foster home (1).

Protective Service and foster home dispositions were not included as they reflected considerations by the court resulting from...
circumstances other than the original reason for referral, the offense. Most generally, these additional factors were related to the juvenile's family environment. Also, Protective Service referrals resulted in a transfer of all files to that agency.

Since the first offender program was voluntary, it did not constitute action taken by the court.

The final sample used in statistical analysis was 175 offenses. A review of the sample selection and reduction process is provided in Table 2.

Table 2
Sample Selection and Reduction

<table>
<thead>
<tr>
<th>Offense</th>
<th>Referrals</th>
<th>50%</th>
<th>Sample*</th>
</tr>
</thead>
<tbody>
<tr>
<td>Aggravated assault:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Males</td>
<td>65</td>
<td>33</td>
<td>25</td>
</tr>
<tr>
<td>Females</td>
<td>13</td>
<td>7</td>
<td>5</td>
</tr>
<tr>
<td>Assault and battery:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Males</td>
<td>88</td>
<td>44</td>
<td>35</td>
</tr>
<tr>
<td>Females</td>
<td>39</td>
<td>20</td>
<td>16</td>
</tr>
<tr>
<td>Shoplifting:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Males</td>
<td>137</td>
<td>68</td>
<td>53</td>
</tr>
<tr>
<td>Females</td>
<td>104</td>
<td>52</td>
<td>41</td>
</tr>
<tr>
<td>Total</td>
<td>446</td>
<td>224</td>
<td>175</td>
</tr>
</tbody>
</table>

* Data could not be collected on eight offenses due to missing records. Elimination of Protective Service, first offender program, and foster home referrals as dispositions resulted in a loss of 41 offenses (see above).
Data Collection

Data were collected from the intake log and central index cards for sampled offenses. Data were also gathered from brief service and central files, when such files had been established. Because 42% of the juveniles in the sample had not had these files established, the data collected from them was not used in analysis. An additional reason for their exclusion was that much of the pertinent data, such as parental and sibling arrest record, contained in central files was reported by a caseworker. Items such as this were reported by the caseworkers as being information volunteered by the juvenile's mother, and were very seldom verified.

In addition to court records, police records were planned for use as a source of census tract of residence data. Unfortunately, a rezoning plan which took effect during the year under analysis made accurate identification of census tracts impossible.

The data collected and used in the analysis included the demographic variables of sex, age and race. Other data included the type of offense, assault or shoplifting. Assaults were designated by the police department as either aggravated assault (assault with a dangerous weapon with intent to do great bodily harm), or assault and battery (assault by beating, wounding, or touching in an offensive manner). Shoplifting was broken down into the dollar worth of stolen property. The amounts designated by the police were $0.01 to $5.00, $5.00 to $50.00, $50.00 to $200.00, and over $200.00.

Prior record was considered an important factor in the reaching
of a disposition by the juvenile court. This information was labeled prior court contact since a juvenile may come into contact with juvenile court authorities for reasons other than breaking the law, such as parental abuse or neglect. The central index cards listed all contacts with each juvenile to date, by offense, date, offense serial number, and initial action taken by the court. The number of court contacts prior to the sampled offense was thus determined by examination of these records. (This step in the data collection also served to verify the offense serial number records in the intake log.) After the raw data was compiled, the number of court contacts prior to the sampled offense was collapsed into the categories of none, one or two, and three or more. These categories not only reflect an adequate number of cases for analysis in each, but also reflect the usual discrepancies made by court officials in considering a juvenile's prior record.

The relationship of the juvenile to the adults with whom he or she was currently residing was also considered to be a factor which would influence the type of disposition received. This variable was termed parental type, and categories used in analysis were both natural parents, one natural parent, one natural parent and one step-parent, and foster home or guardian. This information was also provided on the central index cards.

The dispositions received as the result of being referred to the juvenile court for each offense sampled were considered the dependent variables. A disposition was made at two points in the judicial
process: upon intake and the final disposition of the case.

The juvenile court has many options available when deciding what action is necessary, if any, on a referral from the police department or other source. One of the most frequently used options is no action at all, upon a review of the referral. The usual reasons for no action are the circumstances surrounding the offense and the offender's prior record. This category of "no action" is the least severe sanction applied, and, in this instance, the intake disposition and the final disposition are the same.

A second frequently used intake disposition was the referral of the juvenile to a caseworker. In most instances, the casework receiving the referral was previously assigned to work with the juvenile in question. This disposition reflects, therefore, not only the circumstances and gravity of the offense, but also the probationary status of the juvenile at the present, or a previous, time. This disposition also is the intake and final disposition.

The intake officer may decide to hold a preliminary, or intake, hearing regarding any particular referral. The two outcomes of hearings held for those in the sample were a dismissal (petition for a formal hearing denied), or a petition made for a formal hearing. The dismissal at this stage would also constitute the final disposition. If a petition is made for a formal hearing, the case then goes before a juvenile court judge.

Upon intake, then, the dispositions received by those in the sample were no action, referred to a caseworker, and a preliminary
hearing. The case could either be dismissed at the preliminary hearing, or be held over for a formal hearing.

The final disposition categories reflect the categories of the intake disposition. Final dispositions include dropped at intake, which refers to the no action and referred to caseworker intake dispositions. The dismissed at hearing category of final disposition includes those cases dismissed at both the preliminary and formal hearings. For those cases which are not dropped at any stage given above, two categories of final disposition are made: placed on probation, and placed in an institution. These two final disposition categories represent the only cases where some form of punishment or treatment was applied. The category, "placed in an institution", also includes those cases which resulted in placement in the juvenile home day school. These were included because of the small number of cases involved.

Both the intake and final dispositions were scaled by severity of sanction, in keeping with the theoretical orientation of the study. These scales were:

**Intake disposition** --
1. No action
2. Referred to caseworker
3. Preliminary hearing held, case dismissed
4. Preliminary hearing held, petition made for a formal hearing.

**Final disposition** --
1. Case dropped at intake (1 and 2 above)
2. Case dismissed at either the preliminary or formal hearing
3. Offender placed on probation
4. Offender placed in an institution.
Statistical Analysis

This study dealt with the impact of sex on the disposition received for a particular offense. The primary independent variable, sex, was considered an antecedent test factor. Offense was also viewed as an independent variable, and as a possible intervening test factor. Other variables were included as control variables to determine the consistency and strength of association between the antecedent, intervening, and dependent variables. Control variables were: (a) race, (b) age, (c) number of court contacts prior to the sampled offense, and (d) parental type.

Cross tabulations and Multiple Classification Analysis were used for statistical analysis. Chi square and various F values were computed as tests of significance.

Cross tabulations were performed with sex as the independent variable and the intake and final dispositions as dependent variables. The remaining variables of offense, race, age, number of court contacts prior to the sample offense, and parental type, were each introduced as control variables. Due to the sample size and zeros in some cells, the cross tabulations yielded more accurate information than more elaborate statistical techniques. The findings and implications presented are based on the cross tabulations, and chi square values when appropriate.

Chi square was used as a test of significance and the chi square values and significance levels for each cross tabulation are given with the tables. Since cell sizes could not be predicted, categories
were reduced whenever possible. Again, cross tabulations revealed that for variables whose categories could not be reduced in any meaningful manner, chi square values should be interpreted with caution. Chi square significance levels are given in Appendix A for tables using all control variables as independent variables.

For the interested reader, Multiple Classification Analysis (MCA), a sophisticated technique for multivariate analysis of nominal and ordinal level data, was used in preliminary data analysis attempts. The MCA model was not considered to be compatible with the theoretical orientation of the study.

MCA, which is closely linked with traditional analysis of variance techniques, is based on an additive model, and assumes dependent variables can be predicted "from an additive combination of the predictor variables" (Andrews, et al., 1971:17). Since the primary focus of this study was determining the effect of a primary predictive variable, sex, on disposition received when other intervening factors were controlled, the additive model was not suitable. Also, the MCA data requirements called for the dependent variable data to be of either an interval or dichotomized nature. While this was accomplished by collapsing both intake and final dispositions into action and no action categories, it resulted in an inability to determine the various degrees of severity of sanctions applied by the juvenile court.

For those who may be interested in data generated from the MCA, a summary table of statistics is presented in Appendix A.
Summary

Data collected through juvenile court records was analyzed to discover the relationship between sex and disposition received. Other data gathered and believed to have an effect on disposition received were offense, race, age, prior court contacts, and parental type. These data were analyzed through the use of cross tabulations and the computation of chi square values. An additive model was applied to the data, and is presented as supplemental information for the interested reader in Appendix A.
CHAPTER IV

FINDINGS

Sex and Intake Disposition

Introduction

Findings are presented separately for the two dependent variables, intake disposition and final disposition. Findings regarding intake disposition are presented in the first section of this chapter, and those regarding final disposition are presented in the second section.

The intake disposition represents the initial action taken on a referral to the juvenile court. To review the categories of intake disposition, four possibilities were found in the sampled population:

The court could elect to take no action regarding a referral of a juvenile from the police or other source. This category was considered the least severe sanction a juvenile could receive. A juvenile could be referred to a caseworker upon his or her referral to the court, and this action was considered to be only slightly more severe than the no action category. The third possible intake disposition for the juveniles sampled was the convening of an intake, or preliminary hearing. This disposition was further divided into those cases which were dismissed at the preliminary hearing, and those for which a petition was accepted for a formal hearing. Having a petition accepted meant simply that the juvenile would be subject to a second hearing, presided over by the juvenile court judge. The preliminary hearings were held by an officer of the court. Those juveniles who had preliminary hearings were
considered to have reached the third most severe stage of intake disposition, and those who had petitions accepted for a formal hearing were considered to have received the most severe sanctions applied at the intake stage.

The Relationship Between Sex and Intake Disposition

The problem examined in this study is the determination of the effect a delinquent's sex has on the disposition he or she receives. Disposition has been divided into the initial action taken by the juvenile court, or intake disposition, and the final outcome of the referral, or final disposition.

Looking first at the cross tabulation of sex as the independent variable and intake disposition as the dependent variable, (Table 3).

Table 3

<table>
<thead>
<tr>
<th>Sex by Intake Disposition</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
</tr>
<tr>
<td><strong>Males</strong></td>
</tr>
<tr>
<td><strong>N (%)</strong></td>
</tr>
<tr>
<td><strong>Females</strong></td>
</tr>
<tr>
<td><strong>N (%)</strong></td>
</tr>
<tr>
<td><strong>Total</strong></td>
</tr>
<tr>
<td>No action</td>
</tr>
<tr>
<td>49 (43)</td>
</tr>
<tr>
<td>31 (50)</td>
</tr>
<tr>
<td>80</td>
</tr>
<tr>
<td>Referred to caseworker</td>
</tr>
<tr>
<td>30 (26)</td>
</tr>
<tr>
<td>4 (6)</td>
</tr>
<tr>
<td>34</td>
</tr>
<tr>
<td>Dismissed at preliminary hearing</td>
</tr>
<tr>
<td>16 (14)</td>
</tr>
<tr>
<td>22 (36)</td>
</tr>
<tr>
<td>38</td>
</tr>
<tr>
<td>Petition accepted for a formal hearing</td>
</tr>
<tr>
<td>18 (16)</td>
</tr>
<tr>
<td>5 (8)</td>
</tr>
<tr>
<td>23</td>
</tr>
<tr>
<td>Total</td>
</tr>
<tr>
<td>113 (99)</td>
</tr>
<tr>
<td>62 (100)</td>
</tr>
<tr>
<td>175</td>
</tr>
</tbody>
</table>

Chi square = 18.98
Degrees of freedom = 3
Significant at the .001 level
the hypothesized relationship was that females would be more severely sanctioned than males. The data show that a higher percentage of the females were placed in the more severe sanction ranks of having a preliminary hearing held. Compared to males, however, in other categories, a smaller percentage of the females had petitions granted for a formal hearing, and females were slightly more likely than males to have no action taken on a referral to the court.

These findings make either support or rejection of the hypothesized relationship between sex and severity of disposition difficult. The fact that females were more likely than males to have no action taken on their referral to the juvenile court is offset by the finding that females were also more likely than males to have a preliminary hearing.

Since 20% more of the males than of the females were referred to a caseworker on intake, the finding that females were more likely than males to have a preliminary hearing should be interpreted with caution. Males may have been referred to a caseworker more often than females because more males had been on probation prior to the sampled offense. This would mean the court's alternative to no action for most females was a preliminary hearing. This point will be elaborated when prior court contact is introduced as a control variable.

Regarding sex and intake disposition, then, the data show females are slightly more likely than males to have no action taken on referral, less likely than males to referred to a caseworker, and more likely than males to have a preliminary hearing. Of those who had hearings at the intake stage, males were more likely than females to proceed into a
second stage in the court process, a formal hearing.

The Effects of Controlling for Offense

The offense for which a juvenile was referred to the court was considered to have a major impact on the disposition of the case at both the intake and final stages. While the relationship was not highly significant for either males or females, offense and intake disposition were associated.

Before examining the effect of offense on dispositions received by males and females, a data problem should be discussed. For the variable of offense, no males were included in the shoplifting category of $50.00 to $200.00, while six females were referred for shoplifting that amount. Females are also overrepresented in the shoplifting category of $5.00 to $50.00. One would expect this was due to the propensity of females to shoplift items of clothing and cosmetics, items more expensive than the cigarettes, magazines, and other "luxury" items which males usually shoplift. Because no males were referred for shoplifting over $50.00 worth of goods, the chi square values reflect a collapsing of the shoplifting categories into $0.01 to $5.00, and over $5.00. Table 5, displaying intake dispositions for females by offense, includes all three original categories of shoplifting so the reader can see the intake dispositions received by females who shoplifted goods worth over $50.00.

Findings regarding the intake dispositions received by males and females for specified offenses showed males were less likely than females to have no action taken when referred for the offense of assault.
Conversely, females were more likely than males to receive more severe sanctions for shoplifting offenses, (see Tables 4 & 5). When the

Table 4

Intake Dispositions Received by Females According to Offense

<table>
<thead>
<tr>
<th>Assault &amp; Aggravated Battery</th>
<th>Shoplifting $0.01-$5.00</th>
<th>Shoplifting $5.00-$50.00</th>
<th>Shoplifting $50.00-$200.00</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>No action</td>
<td>10 (62)</td>
<td>4 (80)</td>
<td>9 (64)</td>
<td>8 (38)</td>
</tr>
<tr>
<td>Referred to caseworker</td>
<td>0</td>
<td>1 (20)</td>
<td>1 (7)</td>
<td>2 (10)</td>
</tr>
<tr>
<td>Dismissed at preliminary hearing</td>
<td>3 (19)</td>
<td>0</td>
<td>4 (29)</td>
<td>11 (52)</td>
</tr>
<tr>
<td>Petitioned for a formal hearing</td>
<td>3 (19)</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Total</td>
<td>16 (100)</td>
<td>5 (100)</td>
<td>14 (100)</td>
<td>21 (100)</td>
</tr>
</tbody>
</table>

Chi square = 16.82
Degrees of freedom = 9
Significance level = .10

categories of shoplifting are examined, however, females have no action taken less often than males only for the $5.00 to $50.00 category, since no males were referred for shoplifting an amount worth over $50.00.

Shoplifting offenses also comprised those for which females were more likely than males to have an intake hearing (29% of the females compared to 26% of the males received intake hearings for shoplifting an amount worth under five dollars; 52% of the females compared to
23% of the males received intake hearings for shoplifting goods worth five to fifty dollars). Males were more likely in all offense categories in which they are represented to have petitions for formal hearings granted. Females had petitions for formal hearings granted only in the assault and battery and shoplifting over $50,000 categories.

Table 5

Intake Dispositions Received by Males According to Offense

<table>
<thead>
<tr>
<th></th>
<th>Assault &amp; Battery</th>
<th>Aggravated Assault</th>
<th>Shoplifting $0.01-$5.00</th>
<th>Shoplifting $5.00-$50.00</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>No action</td>
<td>11 (31)</td>
<td>14 (56)</td>
<td>16 (46)</td>
<td>8 (44)</td>
<td>49</td>
</tr>
<tr>
<td>Referred to caseworker</td>
<td>10 (29)</td>
<td>4 (16)</td>
<td>10 (29)</td>
<td>6 (33)</td>
<td>30</td>
</tr>
<tr>
<td>Dismissed at preliminary hearing</td>
<td>6 (17)</td>
<td>1 (4)</td>
<td>8 (23)</td>
<td>1 (6)</td>
<td>16</td>
</tr>
<tr>
<td>Petitioned for a formal hearing</td>
<td>8 (23)</td>
<td>6 (24)</td>
<td>1 (3)</td>
<td>3 (17)</td>
<td>18</td>
</tr>
<tr>
<td>Total</td>
<td>35 (100)</td>
<td>25 (100)</td>
<td>35 (100)</td>
<td>18 (100)</td>
<td>113</td>
</tr>
</tbody>
</table>

Chi square = 14.28
Degrees of Freedom = 9
Significance level, less than .05

The scarcity of females for all offenses in the referred to caseworker category again should be noted. Females were less likely than males to have a preliminary hearing only in the aggravated assault offense category. That category shows the least percentage of males
referred to a caseworker of any offense category.

Controlling for the variable of offense, then, shows that females are more apt than males to have no action taken on a referral to the juvenile court when referred for assault. Males were less likely than females to have a preliminary hearing when referred for a shoplifting offense.

The Effects of Controlling for Prior Court Contacts

The relationship between number of prior court contacts and severity of intake disposition was expected to be positive. As the following data in Table 6 indicates, this expectation was supported.

Table 6

<table>
<thead>
<tr>
<th></th>
<th>Males</th>
<th></th>
<th></th>
<th></th>
<th>Females</th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>N (%)</td>
<td>N (%)</td>
<td>N (%)</td>
<td>TOTAL</td>
<td>N (%)</td>
<td>N (%)</td>
<td>N (%)</td>
<td>TOTAL</td>
</tr>
<tr>
<td>No action</td>
<td>23 (66)</td>
<td>11 (46)</td>
<td>15 (28)</td>
<td>49</td>
<td>27 (75)</td>
<td>2 (12)</td>
<td>2 (20)</td>
<td>31</td>
</tr>
<tr>
<td>Referred to caseworker</td>
<td>2 (6)</td>
<td>5 (21)</td>
<td>23 (43)</td>
<td>30</td>
<td>2 (6)</td>
<td>1 (6)</td>
<td>1 (10)</td>
<td>4</td>
</tr>
<tr>
<td>Dismissed at preliminary hearing</td>
<td>8 (23)</td>
<td>4 (17)</td>
<td>4 (7)</td>
<td>16</td>
<td>7 (19)</td>
<td>10 (62)</td>
<td>5 (50)</td>
<td>22</td>
</tr>
<tr>
<td>Petition accepted for a formal hearing</td>
<td>2 (6)</td>
<td>4 (17)</td>
<td>12 (22)</td>
<td>18</td>
<td>0</td>
<td>3 (19)</td>
<td>2 (20)</td>
<td>5</td>
</tr>
<tr>
<td>TOTAL</td>
<td>35 (101)</td>
<td>24 (101)</td>
<td>54 (100)</td>
<td>113</td>
<td>36 (100)</td>
<td>16 (99)</td>
<td>10 (100)</td>
<td>62</td>
</tr>
</tbody>
</table>

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Table 6 Continued

<table>
<thead>
<tr>
<th>Chi square</th>
<th>Degrees of freedom</th>
<th>Level of significance</th>
</tr>
</thead>
<tbody>
<tr>
<td>25.70</td>
<td>6</td>
<td>.001</td>
</tr>
<tr>
<td>24.47</td>
<td>6</td>
<td>.001</td>
</tr>
</tbody>
</table>

Intake disposition and prior court contact were the most strongly associated variables for both males and females. More juveniles of both sexes had no action taken when there were no prior court contacts recorded. For those juveniles who had one or two prior contacts, males were significantly more likely than females to have no action taken by the court on the offense which was sampled: 46% of the males with one or two prior contacts had no action taken, compared to 12% of the females in that category.

Males were also more likely than females to have no action taken when three or more prior contacts were recorded, but the relationship was not as significant as that for the one or two prior contacts category.

All of the females who were petitioned for a formal hearing had been before the court on a previous date. Of the males who had formal hearings, 11% had no prior court contact.

It is interesting to note that of those juveniles who had no prior court contacts, 29% of the males compared to 19% of the females had preliminary hearings. This category of prior court contact was the only one in which females were more likely than males to have no action taken on their referral to the juvenile court.
The question raised earlier regarding the lack of female offenders in the referred to caseworker category was whether more males received that intake disposition because more males than females had had previous contact with the juvenile court. Of the males, 69% had a record of prior contact with the court, compared to 42% of the females. Nevertheless, females with a record of previous court contacts were far less likely than males to be referred to a caseworker on intake. In the one or two prior court contact category, 34% of the males had a preliminary hearing while 21% were referred to a caseworker. Of females in the same category, 81% had a preliminary hearing, and six percent were referred to a caseworker.

In the category of three or more prior court contacts, males again were far more likely than females to be referred to a caseworker. Males in this category had 43% of their cases referred to a caseworker. Females with three or more prior contacts had only 10% of their cases referred to a caseworker.

Since more of the males than of the females proceeded to a formal hearing, males may be more apt to be placed on probation than females. If this was true for prior offenses, males would be more likely than females to have a previously assigned caseworker, and thus be referred to a caseworker for the offense which was sampled more often. An indication of the truth of this hypothesis is that for the juveniles in the sample, 50% of the males had central files, compared to 31% of the females. The reader will recall that only the central files contained caseworker's reports.
Only one of the 19 females who had central files was referred to a caseworker, however, at intake. Of the 56 males who had a central file, 26 were referred to a caseworker at intake. So even those females who had central files were not as likely as males to be referred to a caseworker on intake.

In summary, the number of prior court contacts was positively associated with the severity of the intake disposition for both males and females. This association was much stronger for females than for males, and the probationary status of the juvenile prior to the offense for which he or she was sampled did not adequately account for the preponderance of males in the referred to caseworker category. Females with a record of prior court contacts were more severely sanctioned than males with a record of previous contacts.

The Effects of Controlling for Race

Differences in dispositions received by different races are well documented. In this study, the expected relationship was that blacks would receive more severe sanctions than whites, for both sexes. This was not supported for males. Nearly equal percentages of black and white males were found in every intake disposition category. Regarding the females, blacks were the only ones to proceed into a formal hearing, and were less likely than white females to have no action taken on their referral, (see Table 7).
Table 7
Intake Dispositions Received by Males and Females According to Race

<table>
<thead>
<tr>
<th></th>
<th>Males</th>
<th></th>
<th>Females</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>White</td>
<td>Black</td>
<td>White</td>
<td>Black</td>
</tr>
<tr>
<td></td>
<td>N (%)</td>
<td>N (%)</td>
<td>TOTAL</td>
<td>N (%)</td>
</tr>
<tr>
<td>No action</td>
<td>29</td>
<td>20</td>
<td>49</td>
<td>16</td>
</tr>
<tr>
<td>Referred to caseworker</td>
<td>16</td>
<td>14</td>
<td>30</td>
<td>3</td>
</tr>
<tr>
<td>Dismissed at preliminary hearing</td>
<td>9</td>
<td>7</td>
<td>16</td>
<td>10</td>
</tr>
<tr>
<td>Petition accepted for a formal hearing</td>
<td>10</td>
<td>8</td>
<td>18</td>
<td>0</td>
</tr>
<tr>
<td>TOTAL</td>
<td>64</td>
<td>49</td>
<td>113</td>
<td>29</td>
</tr>
</tbody>
</table>

Chi square = 0.27  Degrees of freedom = 3  Significance level, less than .05
Chi square = 5.98  Degrees of freedom = 3  Significance level, less than .05

Two circumstances may have had an effect on the relationship between race and intake disposition for females. First, there are slightly more blacks than whites in the female sample. Second, the shoplifting offenders who stole more than $50.00 worth of goods (six offenders) were all black females. Two of the five black females who had petitions accepted for a formal hearing were referred for that category of shoplifting. The elimination of those two cases would not, however, change the fact that black females received more severe intake dispositions than white females.
A two-way cross tabulation of offense and race revealed that more black females than white females were referred for assault offenses (46% and 21%, respectively). Female offenders in the assault categories were less severely sanctioned at the intake stage than those in the shoplifting categories, and more black females were referred for assault than white females.

Since prior court contact was highly significant as a control variable, it is presented here in an attempt to clarify the differences between the dispositions of black and white females. As Table 8 depicts, black females had a record of prior court contact more often than white females.

Table 8
Prior Court Contacts of Females by Race

<table>
<thead>
<tr>
<th></th>
<th>White</th>
<th>Black</th>
<th>TOTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>0</td>
<td>19 (66)</td>
<td>16 (48)</td>
<td>35</td>
</tr>
<tr>
<td>1-2</td>
<td>8 (28)</td>
<td>8 (24)</td>
<td>16</td>
</tr>
<tr>
<td>3 or more</td>
<td>2 (7)</td>
<td>9 (27)</td>
<td>11</td>
</tr>
<tr>
<td>TOTAL</td>
<td>29</td>
<td>33</td>
<td>62</td>
</tr>
</tbody>
</table>

Twenty percent more of the black females in the sample than white females had three or more previous contacts with the juvenile court. Although 10 (34%) of the white females had prior contact with the court, none had petitions accepted for a formal hearing. Seventeen (52%) of the black females had prior contact with the court, and 5 (15%) others had petitions granted for a formal hearing.
Therefore, the interaction of offense or prior record with race may better explain the preponderance of black females in the greater severity categories of intake disposition. These questions will be returned to in the second section of this chapter.

Black males were slightly more likely than white males to be referred to a caseworker at intake, but equal percentages of males of each race had preliminary hearings, and had petitions accepted for a formal hearing.

Less than one-half of the black females had no action taken on their referral to the court, compared to 55% of the white females. Black females had a slightly higher percentage of their number dismissed at the preliminary hearing, but again, only black females had petitions accepted for a formal hearing.

The findings for race, then, show no difference between the intake dispositions received by black and white males, but do show black females were more severely sanctioned than white females. Controlling for offense and prior court contact appear to give at least a partial explanation for this phenomenon. Black females were more often referred for offenses of greater gravity than white females, and more often had a record of prior contact with the juvenile court.

The Effects of Controlling for Parental Type

The family relationships of juvenile delinquents were considered to be an important factor influencing the juvenile court's decisions. It was expected that those juveniles residing with both natural parents
would be less likely to proceed into the more severely ranked categories of intake disposition. While parental type and intake disposition were not significantly associated for either males or females, the data are relevant for two assumptions commonly made regarding a juvenile's sex, parental type, and disposition.

From the literature, it was expected that females would be more apt than males to come from broken homes (reside with parents other than both natural parents). Actually, of the females in the sample, 60% were residing with both natural parents, (Table 10), compared to 49% of the males, (Table 9).

Table 9
Intake Dispositions Received by Males According to Type of Parents

<table>
<thead>
<tr>
<th></th>
<th>One Natural Parent</th>
<th>Both Natural Parents</th>
<th>One Step, One Natural Parent</th>
<th>Foster Parent or Guardian</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>N (%)</td>
<td>N (%)</td>
<td>N (%)</td>
<td>N (%)</td>
</tr>
<tr>
<td>No action</td>
<td>15 (42)</td>
<td>26 (47)</td>
<td>5 (29)</td>
<td>3 (60)</td>
</tr>
<tr>
<td>Referred to caseworker</td>
<td>12 (33)</td>
<td>14 (26)</td>
<td>4 (24)</td>
<td>0</td>
</tr>
<tr>
<td>Dismissed at preliminary hearing</td>
<td>4 (11)</td>
<td>10 (18)</td>
<td>2 (12)</td>
<td>0</td>
</tr>
<tr>
<td>Petitioned for a formal hearing</td>
<td>5 (14)</td>
<td>5 (9)</td>
<td>6 (35)</td>
<td>2 (40)</td>
</tr>
<tr>
<td>TOTAL</td>
<td>36 (100)</td>
<td>55 (100)</td>
<td>17 (100)</td>
<td>5 (100)</td>
</tr>
</tbody>
</table>

Chi square = 12.50
Degrees of freedom = 9
Significance level, less than .05
Another expectation was that juveniles coming from broken homes would be more likely to have some type of action taken by the court. This was supported for both males and females, as the "both natural parents" category for each sex had the largest percentage of no action intake dispositions. Females were more likely than males to have a preliminary hearing, especially in the categories of one natural parent, and, one step-parent and one natural parent. So even though the expected relationship between broken homes and more severe sanctions was supported for both males and females, it was more highly correlated for

<table>
<thead>
<tr>
<th></th>
<th>One Natural Parent</th>
<th>Both Natural Parents</th>
<th>One Step, One Natural Parent</th>
<th>Foster Parent or Guardian</th>
</tr>
</thead>
<tbody>
<tr>
<td>No action</td>
<td>8 (44)</td>
<td>21 (57)</td>
<td>1 (17)</td>
<td>1 (100)</td>
</tr>
<tr>
<td>Referred to caseworker</td>
<td>2 (11)</td>
<td>2 (5)</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Dismissed at preliminary hearing</td>
<td>6 (33)</td>
<td>13 (35)</td>
<td>3 (50)</td>
<td>0</td>
</tr>
<tr>
<td>Petitioned for a formal hearing</td>
<td>2 (11)</td>
<td>1 (3)</td>
<td>2 (33)</td>
<td>0</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>18 (99)</strong></td>
<td><strong>37 (100)</strong></td>
<td><strong>6 (100)</strong></td>
<td><strong>1 (100)</strong></td>
</tr>
</tbody>
</table>

Chi square = 10.50  
Degrees of freedom = 9  
Significance level, less than .05
females.

In summary, controlling for parental type refuted the assumption that more females in the sample would be from broken homes than males. It did support the assumption that females from broken homes would be subject to more "treatment" by the juvenile court.

The Effects of Controlling for Age

Age was not significantly associated with intake disposition for either males or females. As one would expect, the age of the offender was positively associated with the severity of sanctions he or she received, as indicated in Tables 11 and 12. Females of all ages except

<table>
<thead>
<tr>
<th>Age Group</th>
<th>N (%)</th>
<th>N (%)</th>
<th>N (%)</th>
<th>N (%)</th>
<th>TOTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>No action</td>
<td>5 (46)</td>
<td>16 (53)</td>
<td>8 (32)</td>
<td>20 (43)</td>
<td>49</td>
</tr>
<tr>
<td>Referred to caseworker</td>
<td>2 (18)</td>
<td>7 (23)</td>
<td>8 (32)</td>
<td>13 (28)</td>
<td>30</td>
</tr>
<tr>
<td>Dismissed at preliminary hearing</td>
<td>2 (18)</td>
<td>4 (13)</td>
<td>5 (20)</td>
<td>5 (11)</td>
<td>16</td>
</tr>
<tr>
<td>Petitioned for a formal hearing</td>
<td>2 (18)</td>
<td>3 (10)</td>
<td>4 (16)</td>
<td>9 (19)</td>
<td>18</td>
</tr>
<tr>
<td>TOTAL</td>
<td>11 (100)</td>
<td>30 (99)</td>
<td>25 (100)</td>
<td>47 (101)</td>
<td>113</td>
</tr>
</tbody>
</table>

Chi square = 4.32
Degrees of freedom = 9
Significance level, less than .05
Table 12
Intake Dispositions Received by Females
According to Age

<table>
<thead>
<tr>
<th>Age Category</th>
<th>N (%)</th>
<th>N (%)</th>
<th>N (%)</th>
<th>N (%)</th>
<th>TOTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>10 or under</td>
<td>1 (100)</td>
<td>12 (60)</td>
<td>8 (40)</td>
<td>10 (48)</td>
<td>31</td>
</tr>
<tr>
<td>11 to 12</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>14</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>15 to 16</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Chi square = 5.90
Degrees of freedom = 9
Significance level, less than .05

10 or younger were more likely than males to have a preliminary hearing. Juveniles aged 14 were the least apt of either sex to have no action taken on their referrals. Males in the 15 to 16 year age group were most likely to have a petitioned accepted for a formal hearing of any male age group.

Both males and females in the 14 and over age categories had a disposition of no action more often than those under 14. Those juveniles under the age of 14 were also not as likely to have a preliminary hearing: Males under 14 constituted 32% of the males who had preliminary hearings; females under 14 constituted 30% of the females who had preliminary hearings.
Summary of Findings Regarding Sex and Intake Disposition

The effect of sex on the severity of intake dispositions received was disparate. Females more often had no action taken on their referral to the court than males, but females also had a preliminary hearing more often than males. Controlling for offense, the variable considered to have the greatest effect on sanctions, showed females were most apt to have no action taken on a referral to the juvenile court when charged with assault. Males were less likely than females to have a preliminary hearing when referred for a shoplifting offense. A higher percentage of females than males were found in those offense categories for which females received the most severe sanctions: shoplifting goods worth over $5.00.

The most significant control variable was prior court contact which showed all juveniles with no previous record were the most likely group to have no action taken on a referral. Females with a prior record of court contacts were more likely than males with a prior record to have a preliminary hearing.

The interaction of offense and race was developed to help explain the predominance of black females in the more severe categories of intake disposition. Race was not a significant factor for the intake dispositions received by males.

Females were not more likely than males to come from broken homes, in opposition to what had been expected. They were more likely than males to receive more severe sanctions when not living with both natural parents.
The expected positive relationship between age and severity of sanctions was supported by the data.

Sex and Final Disposition

Introduction

The final disposition categories incorporate those of the intake disposition. While the intake disposition was considered to represent a preliminary stage of sanctioning, it constituted the only action taken for the large majority of offenders. The intake and final dispositions were, then, often identical. It may be helpful to the reader to conceptualize the final disposition as the outcome of a juvenile's referral to the juvenile court.

A review of the final disposition categories may be of assistance here: The dropped at intake category of final disposition encompasses the intake disposition categories of no action and referred to caseworker; the dismissed at hearing category includes the intake disposition of dismissed at preliminary hearing, and also those cases dismissed at a formal hearing; the placed on probation and placed in an institution categories of final disposition are not linked to any of the intake disposition categories, and were considered to be the outcome of a formal hearing.

The Relationship Between Sex and Final Disposition

The problem for this study was to determine if the final disposition received by a juvenile was associated with the juvenile's sex. Sex and
final disposition were not associated to any significant degree. Males were more often dropped at intake, and females were more often dismissed at a hearing. Nearly identical percentages of males and females were either placed on probation or in an institution.

Table 13

<table>
<thead>
<tr>
<th>Sex by Final Disposition</th>
<th>Males</th>
<th>Females</th>
<th>TOTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>N (%)</td>
<td>N (%)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Dropped at intake</td>
<td>77 (68)</td>
<td>34 (55)</td>
<td>111</td>
</tr>
<tr>
<td>Dismissed at hearing</td>
<td>23 (20)</td>
<td>21 (34)</td>
<td>44</td>
</tr>
<tr>
<td>Placed on probation</td>
<td>7 (6)</td>
<td>6 (10)</td>
<td>13</td>
</tr>
<tr>
<td>Placed in an institution</td>
<td>6 (5)</td>
<td>1 (2)</td>
<td>7</td>
</tr>
<tr>
<td>TOTAL</td>
<td>113 (99)</td>
<td>62 (101)</td>
<td>175</td>
</tr>
</tbody>
</table>

Chi square = 6.05
Degrees of freedom = 3
Significance level, less than .05

From Table 13, we see that 13% more of the males were dropped at intake, and 14% more of the females were dismissed at a hearing. Males were more likely than females to be institutionalized, but females were more likely to be placed on probation.

An interesting facet gained by comparing intake dispositions and final dispositions for each sex, (Tables 3 and 13), was that more females were placed on probation or institutionalized than had petitions accepted for a formal hearing. Of the females, eight percent were given formal hearings, and 12% were either placed on probation or institutionalized. Of the males, 16% had formal hearings, and 11% were either
placed on probation or institutionalized.

The final dispositions received by either sex, then, were not significantly different. Females were more apt than males to be dropped during a hearing stage of sanctions, but they were just as likely as males to receive some form of a "sentence."

The Effects of Controlling for Offense

Offense was considered to be the primary variable affecting the final disposition for any juvenile. Offense type was not significantly associated with the final disposition, although the low chi square values may again be due to zeros in several cells. Females were more apt than males to have a referral for assault dropped on intake, but they were less often dropped on intake when referred for a shoplifting offense. This was evident in the earlier section regarding offense and intake disposition, (Tables 4 and 5). What was not evident in the earlier section is that in terms of the final outcome of being referred to the juvenile court, females referred for assault charges received more severe sanctions than females referred for shoplifting. Males were also more severely sanctioned when referred for assault offenses rather than shoplifting offenses, but to a higher degree than females.

As depicted in Table 15, of the seven females who were either placed on probation or institutionalized, four (59%) were referred for assault. Of the 13 males in the same categories of final disposition, nine (70%) were referred for assault charges, (Table 14).
Table 14

Final Dispositions Received by Males According to Offense

<table>
<thead>
<tr>
<th>Assault &amp; Battery</th>
<th>Aggravated Assault</th>
<th>Shoplifting $0.01-$5.00</th>
<th>Shoplifting $5.00-$50.00</th>
<th>TOTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>N (%)</td>
<td>N (%)</td>
<td>N (%)</td>
<td>N (%)</td>
<td></td>
</tr>
</tbody>
</table>

Dropped at intake

| 20 (57) | 18 (72) | 25 (71) | 14 (79) | 77    |

Dismissed at a hearing

| 10 (29) | 3 (12)  | 8 (23)  | 2 (11)  | 23    |

Placed on probation

| 2 (6)   | 4 (16)  | 0       | 1 (6)   | 7     |

Placed in an institution

| 3 (9)   | 0       | 2 (6)   | 1 (6)   | 6     |

TOTAL

| 35 (101)| 25 (101)| 35 (100)| 18 (102)| 113   |

Chi square = 11.97
Degrees of freedom = 9
No significance

Females referred for shoplifting were the most likely group to be dismissed at a hearing. Only males received some type of "sentence" when referred for shoplifting goods worth between $0.01 and $5.00. In the $5.00 to $50.00 shoplifting category, males were again more likely than females to either be placed on probation or in an institution. Females were most apt to receive some type of "sentence" for a shoplifting offense in the over $50.00 category, one that has no male cases.

The effect of offense on final disposition is, then, a tendency for the court to have hearings for females more often when they are
Table 15
Final Dispositions Received by Females According to Offense

<table>
<thead>
<tr>
<th>Assault &amp; Battery</th>
<th>Aggravated Assault</th>
<th>Shoplifting $0.01-5.00</th>
<th>Shoplifting $5.00-50.00</th>
<th>Shoplifting $50.00-200.00</th>
<th>TOTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>N (%)</td>
<td>N (%)</td>
<td>N (%)</td>
<td>N (%)</td>
<td>N (%)</td>
<td>N (%)</td>
</tr>
<tr>
<td>Dropped at intake</td>
<td>10 (62)</td>
<td>4 (80)</td>
<td>10 (71)</td>
<td>10 (48)</td>
<td>0</td>
</tr>
<tr>
<td>Dismissed at a hearing</td>
<td>3 (19)</td>
<td>0</td>
<td>4 (29)</td>
<td>10 (48)</td>
<td>4 (67)</td>
</tr>
<tr>
<td>Placed on probation</td>
<td>2 (12)</td>
<td>1 (20)</td>
<td>0</td>
<td>1 (5)</td>
<td>2 (33)</td>
</tr>
<tr>
<td>Placed in an institution</td>
<td>1 (6)</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>TOTAL</td>
<td>16 (99)</td>
<td>5 (100)</td>
<td>14 (100)</td>
<td>21 (99)</td>
<td>6 (100)</td>
</tr>
</tbody>
</table>

Chi square = 11.97
Degrees of freedom = 9
No significance

referred for shoplifting, and for males more often when referred for assault. The outcome of those hearings for females and males is likely to be more severe sanctions if they are charged with assault. For shoplifting offenses, males were more likely than females to be placed on probation or institutionalized for all shoplifting categories in which both sexes were represented.

Effects of Controlling for Prior Court Contact

Prior court contact was a variable expected to be highly correlated with final disposition for both sexes. The only significant
level of association discovered was for females, who had a very high positive association between number of prior court contacts and severity of final disposition as Table 16 indicates. The data for males also showed a positive relationship between the severity of disposition and number of previous contacts, but the relationship was not nearly as strong as that for females.

A smaller percentage of the females than the males with one or two prior court contacts were dropped at the intake stage. Nineteen percent

<table>
<thead>
<tr>
<th></th>
<th>Males</th>
<th>Females</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>N (%)</td>
<td>N (%)</td>
</tr>
<tr>
<td>Dropped at intake</td>
<td>25 (71)</td>
<td>17 (71)</td>
</tr>
<tr>
<td>Dismissed at a hearing</td>
<td>9 (26)</td>
<td>5 (21)</td>
</tr>
<tr>
<td>Placed on probation</td>
<td>1 (3)</td>
<td>1 (4)</td>
</tr>
<tr>
<td>Placed in an institution</td>
<td>0</td>
<td>1 (4)</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td>35 (100)</td>
<td>24 (100)</td>
</tr>
</tbody>
</table>

Chi square = 6.14
Degrees of freedom = 6
No significance

Chi square = 29.37
Degrees of freedom = 6
Significance level = .001
of the females were in these categories, compared to 71% of the males. In the three or more prior contact category, females were again less likely than males to be dropped at intake (20% and 65%, respectively).

Males with prior court contact were less apt than females with prior contact to have a hearing. Females with previous referrals to the court were more often dismissed at the hearing than males. Of the males with a record of prior court contact, 14, or 19% were dismissed at a hearing stage. Of the females with a record of prior court contact, 14, or 54%, were dismissed at a hearing.

Even though females with prior court contact were more likely than males to be dismissed at a hearing, they were also more likely than males to be either placed on probation or in an institution. Fifteen percent of the males with one or more previous court contacts received some type of sentence, compared to 27% of the females in those categories.

Controlling for prior record, then, showed a positive relationship between the severity of the final disposition and the number of prior court contacts. This relationship was much stronger for females than for males. A significantly larger percentage of the males who previously had appeared before the court were dropped at the intake stage.

The Effects of Controlling for Race

Race was introduced as a control variable because it was expected to have significant implications for the final dispositions received
by juveniles. Results of controlling for race in the final disposition were very similar to those found when race was introduced in the intake disposition. No significant degree of association between race and final disposition was found for males, although white males had hearings slightly more often than black males, (see Table 17). Of the

<table>
<thead>
<tr>
<th></th>
<th>Males</th>
<th>Females</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>White</td>
<td>Black</td>
<td>White</td>
</tr>
<tr>
<td>Dropped at intake</td>
<td>44 (69)</td>
<td>33 (67)</td>
<td>77</td>
</tr>
<tr>
<td>Dismissed at a hearing</td>
<td>14 (22)</td>
<td>9 (18)</td>
<td>23</td>
</tr>
<tr>
<td>Placed on probation</td>
<td>4 (6)</td>
<td>3 (6)</td>
<td>7</td>
</tr>
<tr>
<td>Placed in an institution</td>
<td>2 (3)</td>
<td>4 (8)</td>
<td>6</td>
</tr>
<tr>
<td>TOTAL</td>
<td>64 (100)</td>
<td>49 (99)</td>
<td>113</td>
</tr>
</tbody>
</table>

Chi square = 1.50    Chi square = 7.29
Degrees of freedom = 3  Degrees of freedom = 3
No significance      Significance level = .10

six males placed in an institution, four were black, but equal percentages of black and white males were placed on probation.

The more severe sanctions received by black females, as noted earlier, were even more evident in the final outcome of their cases.
Black females were the only females who received some type of "sentence," i.e. were placed on probation or institutionalized. White females more often than black females were dropped on intake.

Again, it should be noted that the number of black females in the sample was slightly larger than the number of white females, and no females referred for shoplifting an amount worth over $50.00 were white. When the two black females who received "sentences" for shoplifting over $50.00 worth of merchandise are excluded, five black females remain in the placed on probation or in an institution categories.

Although two-way controls are not presented for other variables because of the small sample size, such a presentation was considered valuable in this instance. As Table 18 depicts, black females in the assault categories of offense were just as likely as those in the shoplifting categories to be placed on probation. The only female who was institutionalized was referred to the court for assault and battery. Of the black females who received some type of sentence, 12% were referred for assault, and nine percent were referred for shoplifting.

The earlier finding regarding females receiving more severe sanctions for assault charges appears to be due almost entirely to the preponderance of black females in the assault categories. Forty-five percent of the black females were referred for assault. Twenty-one percent of the white females were referred for assault.
Table 18
Offenses of Females According to Race*

<table>
<thead>
<tr>
<th></th>
<th>Assault &amp; Battery</th>
<th>Aggravated Assault</th>
<th>Shoplifting $0.01-5.00</th>
<th>Shoplifting $5.00-50.00</th>
<th>Shoplifting $50.00-200.00</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dropped at intake</td>
<td>W  B</td>
<td>W  B</td>
<td>W  B</td>
<td>W  B</td>
<td>W  B</td>
</tr>
<tr>
<td></td>
<td>2  8</td>
<td>2  2</td>
<td>6  4</td>
<td>9  1</td>
<td>0  0</td>
</tr>
<tr>
<td>Dismissed at a hearing</td>
<td>2  1</td>
<td>0  0</td>
<td>2  2</td>
<td>6  4</td>
<td>0  4</td>
</tr>
<tr>
<td>Placed on probation</td>
<td>0  2</td>
<td>0  1</td>
<td>0  0</td>
<td>0  1</td>
<td>0  2</td>
</tr>
<tr>
<td>Placed in an institution</td>
<td>0  1</td>
<td>0  0</td>
<td>0  0</td>
<td>0  0</td>
<td>0  0</td>
</tr>
<tr>
<td>TOTAL</td>
<td>4  12</td>
<td>2  3</td>
<td>8  6</td>
<td>15  6</td>
<td>0  6</td>
</tr>
</tbody>
</table>

* Cells are not given in percentages because of the small integers involved. Chi square was not computed for the same reason.

Table 8 (page 52), regarding the prior record of white and black females, implied black females received more severe dispositions because they had a higher number of contacts with the juvenile court prior to the offense which was sampled. When, however, one examines the prior record of the six black females in the "placed on probation" and "placed in an institution" categories of final disposition, this relationship is not as strong as Table 8 would lead one to believe. Four of the five black females who were placed on probation had one or two prior court contacts; the other had three or more, and the one black female placed in an institution had three or more prior contacts.
An equal number (8) of both black and white females had one or two prior court contacts, yet none of the white females with one or two prior contacts were placed on probation.

In summary, race had very little effect on the final dispositions received by males. The race of females, on the other hand, appeared to have an important effect on the final dispositions they received. The fact that black females received the most severe sanctions of any group was perceived to be linked to their overrepresentation in assault categories and the $50.00 to $200.00 shoplifting category. The higher percentage of black females with a record of prior court contact failed to account further for racial discrepancies in sentencing. Black females with a record of prior court contact were far more apt than white females with the same number of prior contacts to receive some type of sentence.

The Effects of Controlling for Parental Type

The type of parents with whom a juvenile was residing at the time of his or her referral to the juvenile court was expected to have considerable impact on the final outcome of the referral. The data revealed an association was present, but not significant. The picture provided by Tables 19 and 20, was distinctly different for males and females.

Males were most apt to have their cases dropped at the intake stage if they resided with one natural parent. Referrals of females were most likely to be dropped at intake when they resided with both
Table 19

Final Dispositions Received by Males According to Type of Parents

<table>
<thead>
<tr>
<th></th>
<th>One Natural Parent</th>
<th>Both Natural Parents</th>
<th>One Step, One Natural Parent</th>
<th>Foster Parent or Guardian</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>N (%)</td>
<td>N (%)</td>
<td>N (%)</td>
<td>N (%)</td>
</tr>
<tr>
<td>Dropped at intake</td>
<td>28 (78)</td>
<td>38 (69)</td>
<td>8 (47)</td>
<td>3 (60)</td>
</tr>
<tr>
<td>Dismissed at hearing</td>
<td>5 (14)</td>
<td>12 (22)</td>
<td>5 (29)</td>
<td>1 (20)</td>
</tr>
<tr>
<td>Placed on probation</td>
<td>1 (3)</td>
<td>1 (2)</td>
<td>4 (24)</td>
<td>1 (20)</td>
</tr>
<tr>
<td>Placed in an institution</td>
<td>2 (6)</td>
<td>4 (7)</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>TOTAL</td>
<td>36 (101)</td>
<td>55 (100)</td>
<td>17 (100)</td>
<td>5 (100)</td>
</tr>
</tbody>
</table>

Chi square = 16.87
Degrees of freedom = 9
Significance level = .10

natural parents. Both the females and the males residing with one natural parent and a step-parent most often proceeded into a hearing stage of sanctions, but the largest number of females placed on probation or in an institution resided with one natural parent only. The largest number of males placed on probation or institutionalized lived with both natural parents.

Males in all categories of parental type were more likely than females to have their cases dropped at intake. The largest discrepancy was between males and females residing with one natural and one step-parent. In this category, males had 47% of their cases dropped...
Table 20
Final Dispositions Received by Females According to Type of Parents

<table>
<thead>
<tr>
<th>One Natural Parent</th>
<th>Both Natural Parents</th>
<th>One Step, One Natural Parent</th>
<th>Foster Parent or Guardian</th>
<th>TOTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>N</td>
<td>(%)</td>
<td>N</td>
<td>(%)</td>
<td>N</td>
</tr>
<tr>
<td>Dropped at intake</td>
<td>9 (50)</td>
<td>23 (62)</td>
<td>1 (17)</td>
<td>1 (100)</td>
</tr>
<tr>
<td>Dismissed at a hearing</td>
<td>5 (28)</td>
<td>13 (35)</td>
<td>3 (50)</td>
<td>0</td>
</tr>
<tr>
<td>Placed on probation</td>
<td>3 (17)</td>
<td>1 (3)</td>
<td>2 (33)</td>
<td>0</td>
</tr>
<tr>
<td>Placed in institution</td>
<td>1 (6)</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>TOTAL</td>
<td>18 (101)</td>
<td>37 (100)</td>
<td>6 (100)</td>
<td>1 (100)</td>
</tr>
</tbody>
</table>

Chi square = 12.20
Degrees of freedom = 9
Significance level, less than .05

at intake, and females and 17% of their cases dropped at intake.

Again it is noted that 60% of the females in the sample resided with both natural parents, compared to 49% of the males.

Parental type showed females who resided with one natural parent or one step-parent and one natural parent most often had a high degree of sanctions applied. Males were most often found in the high severity of sanction categories when they resided with one natural parent and one step-parent, or, with both natural parents.
The Effects of Controlling for Age

As was expected for this variable, age showed a positive relationship with the severity of sanctions at the final disposition stage. Females in all age groups were again less likely than males to be dropped on intake, and more likely than males to have a hearing. The highest percentages of both males and females who received a "sentence" were in the age of 14 category, (see Tables 21 and 22).

Table 21
Final Dispositions Received by Males According to Age

<table>
<thead>
<tr>
<th></th>
<th>10 or under</th>
<th>11 to 12</th>
<th>14</th>
<th>15 to 16</th>
<th>TOTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>N (%)</td>
<td>N (%)</td>
<td>N (%)</td>
<td>N (%)</td>
<td>N (%)</td>
<td></td>
</tr>
<tr>
<td>Dropped at intake</td>
<td>7 (64)</td>
<td>22 (73)</td>
<td>15 (60)</td>
<td>33 (70)</td>
<td>77</td>
</tr>
<tr>
<td>Dismissed at a hearing</td>
<td>4 (36)</td>
<td>5 (17)</td>
<td>5 (20)</td>
<td>9 (19)</td>
<td>23</td>
</tr>
<tr>
<td>Placed on probation</td>
<td>0</td>
<td>3 (10)</td>
<td>1 (4)</td>
<td>3 (6)</td>
<td>7</td>
</tr>
<tr>
<td>Placed in an institution</td>
<td>0</td>
<td>0</td>
<td>4 (16)</td>
<td>2 (4)</td>
<td>6</td>
</tr>
<tr>
<td>TOTAL</td>
<td>11 (100)</td>
<td>30 (100)</td>
<td>25 (100)</td>
<td>47 (99)</td>
<td>113</td>
</tr>
</tbody>
</table>

Chi square = 11.28
Degrees of freedom = 9
No significance

The age of juveniles who are 14 appears to be relevant for the final outcome of their referral to the court. Almost exactly the
same number of females were in the two age categories of 14 and 15 to 16. While those aged 14 were not significantly overrepresented in the more severe disposition categories, they do seem to comprise a distinct group.

Table 22

<table>
<thead>
<tr>
<th></th>
<th>10 or under</th>
<th>11 to 12</th>
<th>14</th>
<th>15 to 16</th>
<th>TOTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>N (%)</td>
<td>N (%)</td>
<td>N (%)</td>
<td>N (%)</td>
<td>N (%)</td>
<td></td>
</tr>
<tr>
<td>Dropped at intake</td>
<td>1 (100)</td>
<td>12 (60)</td>
<td>10 (50)</td>
<td>11 (52)</td>
<td>34</td>
</tr>
<tr>
<td>Dismissed at a hearing</td>
<td>0</td>
<td>6 (30)</td>
<td>7 (35)</td>
<td>8 (38)</td>
<td>21</td>
</tr>
<tr>
<td>Placed on probation</td>
<td>0</td>
<td>2 (10)</td>
<td>2 (10)</td>
<td>2 (10)</td>
<td>6</td>
</tr>
<tr>
<td>Placed in an institution</td>
<td>0</td>
<td>0</td>
<td>1 (5)</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td>TOTAL</td>
<td>1 (100)</td>
<td>20 (100)</td>
<td>20 (100)</td>
<td>21 (100)</td>
<td>62</td>
</tr>
</tbody>
</table>

Chi square = 3.32
Degrees of freedom = 9
No significance

The relationship between age and severity of sanctions was stronger for males than for females. Equal numbers of females from each age category were placed on probation. Males were most often dropped at the intake stage when they were 11 to 13 years old. The majority of males who were institutionalized were 14 years old.
Summary of Findings

Data were presented to help clarify the problem of differential treatment of males and females by the juvenile court. Two levels of sanctions, the intake disposition and the final disposition, were discussed. Control variables were presented and discussed in each disposition level.

The primary finding was that females were less likely than males to proceed beyond the intake stage of sanctions, but females were just as likely as males to be placed on probation or in an institution.

Statistically important control variables were those of prior court contact and race. The severity of sanction was associated positively with the number of prior court contacts, especially for females. Race was not an important variable for males, but showed black females received the most severe sanctions of any group. This was considered to be at least partly due to the overrepresentation of black females in the offense categories of assault and battery and shoplifting over $50.00 worth of merchandise.

Interesting sidelights included the fact that females in the sample were less likely than males to come from a broken home. Also, more females were either placed on probation or in an institution than had petitions granted for a formal hearing. Although black females had a higher number of prior court contacts than white females, they were more severely sanctioned even in those instances where the number of prior court contacts was equal for black and white females.
CHAPTER V

CONCLUSIONS AND IMPLICATIONS

Introduction

The results of statistical analysis yielded a number of findings related to the theoretical orientation of this study. The problem of determining whether or not females are treated differently than males when referred to the juvenile court was not completely resolved.

This chapter will focus on the relationships between findings and the hypothesized directions of treatment for juveniles of different sexes. It will also give some suggestions for future research.

To review, the hypotheses to be examined in this study were:

1. Adolescent females are likely to receive more severe sanctions than comparable male offenders when convicted of the same offense.
2. Adolescent females are less likely than adolescent males to proceed into a hearing stage of sanction, but are more likely to be formally sanctioned once the hearing stage is reached.

Possible theoretical explanations supporting these hypotheses were also given:

1. Adolescent female offenders are treated more severely than males because their behavior is viewed as constituting a larger threat to society.
2. Adolescent female offenders are subject to a brand of paternalism which often results in more severe treatment.
3. Treatment of adolescent female offenders is often labeled "harsher" than that for boys because of the lack of alternatives available to juvenile courts which seek to treat them.
4. Criminal justice authorities may treat female offenders chivalrously only up to the point at which they plead or are found guilty. For juvenile offenders, this point would be reached at a formal adjudication stage.
Each of the hypotheses and the correlates given will be analyzed for possible support or rejection in terms of the implications of findings.

The Hypotheses: Disparate Results

Findings regarding the first hypothesis were not conclusive. Overall, females were not treated more severely than males: Twelve percent of the females in the sample were either placed on probation or institutionalized, as compared to 11% of the males -- not a very significant difference. The "alleged situation" of differential treatment of females in the juvenile court system does, however, appear to exist. The differential treatment found does not necessarily lead to the application of more severe sanctions as measured by a juvenile's status at the end of his or her court contact. Rather, differential treatment as it occurred in this sample did indicate females receive more severe dispositions of the type which do not infer a sentence, i.e. having a hearing.

Females were considerably more likely than males to have some form of hearing, especially an intake hearing (30% of the females, 44% of the males). Since females were more often placed on probation or institutionalized than had formal hearings (12% to 8%), the juvenile court's handling of female offenders may be done on a less formal basis than for males. Of males in the sample, 16% had formal hearings, and 11% were placed on probation or institutionalized.

While more females than males had no action taken on a referral to
the juvenile court, the fact is that those females who were acted on were more likely than males to have a hearing, and were just as likely as males to be placed on probation or in an institution.

A problem complicating interpretation of these findings was related to data collection. A category for the variable of intake disposition was "referred to caseworker". This category represented 26% of the male sample but only six percent of the female sample. More of the males than the females in this category had previous contact with the court, and more males than females, overall, had central files. Since only central files contained caseworkers' reports, it was assumed females were less frequently referred to a caseworker on intake because fewer of them had caseworkers assigned prior to the offense in the sample. Further investigation, however, revealed that a significantly smaller percentage of females than males who had a central file were referred to a caseworker on the intake. It was felt, therefore, that the referred to caseworker category of intake disposition did represent less severe sanctions than the preliminary hearing categories. In addition, females were viewed as having a preliminary hearing more often than males for reasons other than a lack of alternatives.

The hypothesis stipulates a difference in treatment of males and females when they are charged with the same offense. This was supported for the offenses specified. Females were most likely to be dropped at the intake stage when referred for assault, yet a higher percentage of the females than the males in the assault and battery category were placed on probation or institutionalized. This was
viewed as being at least partly due to the preponderance of black females in the assault and battery category of offense. Males were the most likely to be dropped at intake when referred for shoplifting goods worth between $5.00 and $50.00, yet they were more likely than females in the same offense category to receive some type of sentence.

In short, males and females were treated differently when charged with the same offense, but no direction of treatment could be ascertained for either sex. Females were sometimes, not always, treated more severely than males. For example, females were not as likely as males to be dropped at the intake stage (55% to 68%, respectively), and they were more apt than males to have a hearing (34% to 20%, respectively). Females had some type of sentence applied just as frequently as males (12% to 11%, respectively).

The second hypothesis, which stated females would be less likely than males to have a hearing but more likely to have formal sanctions applied once the hearing was held was not supported. Females were more likely than males to have a hearing as intake disposition, but were less likely than males to have a hearing as final disposition, as evidenced by eight percent of the females having petitions taken for formal hearings, compared to 16% of the males. Again, the finding that males and females were just as likely to be placed on probation or institutionalized has significance: Are females really less likely to receive formal sanctions if they are just as likely as males to be "sentenced"? The designation of informal and formal sanctions seems to be the problem area. The holding of a hearing may not have the same
implications for an officer of the court as it does for a researcher. The important issue is what implications holding a hearing has for the juvenile.

Implications of the Data for Theoretical Explanations

Females were expected to receive more severe treatment from the juvenile court because of the "threat to society" their behavior would be seen as constituting. This assumption was not supported by the findings. One would expect court officials to be more severe with females referred for traditionally male crimes, especially those of physical aggression, but this was not the case. Females were just as likely to be dropped on intake for assault charges as for shoplifting charges. They were placed on probation or institutionalized for assault charges slightly more often than they were for shoplifting charges. Males were definitely more severely sanctioned for charges of assault.

Since none of the juvenile status offenses commonly linked to a connotation of sexual behavior were included in this study (i.e., incorrigibility, running away, promiscuity, etc.), the "greater threat to society" rationale for more severe treatment of females was not actually tested. It may be that females were found statistically to receive more severe sanctions than males in other research because females are not well represented in offense categories which would also be crimes if committed by adults. In other words, female overrepresentation in offense categories having a sexual connotation may account for statistics showing females were more severely sanctioned than males.
That is why it becomes important to specify offenses and the representation of males and females in each category.

Studies which contend female delinquents are more likely than male delinquents to come from a broken home were not supported by this study's findings. What was supported, is the idea that when females do come from broken homes, juvenile courts are more likely to attempt some sort of treatment. Whether or not this was due to a lack of alternatives available for females whom the court feels have a poor family environment was not clearly evident from the data. It is worth noting again, though, that dispositions referring juveniles to Protective Services were excluded from the sample. Protective Service referrals are most common for those juveniles who, in the eyes of the court, have a poor family environment.

The court did not appear to be as concerned about the family environment of male delinquents: More males than females were from broken homes, but more severe sanctions were applied to those males living with both natural parents. Perhaps the court felt that boys who did not live with both natural parents had a better "excuse" for breaking society's rules, and were also more able to cope with the situation than were girls.

The finding that more males than females in the sample came from broken homes may reflect a tendency for all females to engage in delinquent behavior, regardless of their familial relationships. The much heralded "degeneration" of the American family may not be the reason for rising female delinquency rates, after all. The courts
will continue to be more paternalistic about the family situation of females than males, however, given the continuing popular focus on childhood relationships of criminals, and the Freudian approach to female delinquency.

Court officials appeared to view as more serious those offenses committed by females subsequent to their first court contact. While this was somewhat true for males also, it was true to a much lesser degree than for females. Seventy-one percent of the males with a record of one or two prior court contacts were dropped at the intake stage, compared to 19% of the females. Twenty percent of the females with three or more court contacts were dropped at intake, compared to 65% of the males.

The court does not view the first offenses of females as being as serious as those of males, but it views as being more serious a female's second or third offense.

To digress on this point for a moment, recall the dispositions received by males and females for shoplifting in amounts worth $5.00 to $50.00 (Tables 14 and 15). For a shoplifting offense of $5.00 to $50.00, males were much more often dropped at the intake stage than were females (79% and 48%, respectively). Of the 18 males in this category, 10, or 56%, had a record of prior court contact. For the 21 females in the same category, 7, or 33%, had a record of previous contacts with the juvenile court. So even in the shoplifting categories where males more often had a record of prior court contact than females, females received significantly more severe sanctions.
than males.

In the assault category, on the other hand, where males and females received approximately the same severity of sanctions, 60% of the males had prior court contacts, compared to 38% of the females.

So a correlate not discussed earlier could be; Females who have had prior contact with the juvenile court are likely to receive more severe sanctions than males who have had prior contact with the juvenile court.

The variable of race changed considerably the picture of dispositions received by males and females. Of the females who were placed on probation or institutionalized, all were black. There was virtually no difference in the treatment of black and white males, but 46% of the black females were dropped at intake, compared to 66% of the white females.

The question posed in Chapter I of whether minority group females receive chivalrous treatment by the court is answered negatively in this study. We must remember that two of the black females placed on probation committed an offense not represented in either the white female or male groups: shoplifting merchandise worth over $50.00. The removal of those two cases, however, would not alter the fact that only blacks in the female sample received some form of "sentence".

Controlling for prior court contact showed black females more often had contacts with the juvenile court prior to the offense which was sampled than did white females. Of the six black females who received some type of sentence, four were in the one or two prior contact category. That category of prior court contact had equal numbers of
black and white females. Therefore, black females were more severely sanctioned than white females even when they had the same number of prior court contacts.

From these data, it appears that differential treatment in the juvenile court is a problem for black females. Neither race nor sex alone had as great an implication for differential treatment as did the combination effect of race and sex.

Some cautions regarding the data should be mentioned here. The sample size may not be large enough to reflect the true picture of dispositions received by males and females, or blacks and whites. Since only two offenses were sampled, information based on them may not reflect accurately on other types of offenses. Finally, while the researcher may take every precaution in collecting data, the use of secondary data introduces a multitude of possible error sources which are beyond the researcher's control. While it is sometimes essential to rely on the secondary data, it is always essential to remember the problems inherent in its use, including the accuracy of records.

The juvenile court, in this study, did not appear to apply more severe sanctions to females because of a lack of alternatives. The section in Chapter IV concerning the lack of females in the referred to caseworker category of intake disposition (see Pages 49 and 50) showed that females who had been assigned to a caseworker prior to the offense which was sampled were not as likely as males to be referred to a caseworker at intake. Therefore, the larger percentage of females
than males having preliminary hearings is considered to be a group subjected to more severe sanctions, not the victims of a lack of alternatives for court action.

The stage at which guilt or innocence was determined was presumed to be a formal hearing. Yet more females received a sentence than had formal hearings. The correlate which states females are treated less severely up to the point at which they are found guilty could not, therefore, be tested.

An interesting variable would have been whether a juvenile who received a sentence "held out", as far as pleading guilty, beyond the intake stage. This could not be determined for the juveniles in the sample since records of hearings were not collected data. One would expect the repentent juvenile to receive less severe sanctions, and a "penitance" factor may have helped explain why females were sentenced who did not have a formal hearing. Sieverdes (1973) found that juveniles who expressed no remorse were recipients of more severe labeling, and thus, were more often institutionalized (1973:67-68), but he did not present these findings by race or sex.

Implications for Future Research

The findings in this study pose a number of questions which can only be answered through further research. In order to ascertain the real differences between treatment of males and females in the juvenile court, one must use techniques of data collection other than that relied upon in this study.
In-depth case studies of selected offenders is recommended. This design could use the caseworkers' reports and recommendations, minutes of hearings, and other pertinent documents not practical for inclusion in a large sample design. Such records would give information about the parents' and juveniles' attitudes, behavior and aptitude observations made by teachers, the circumstances surrounding the juveniles' arrest, and the nature of prior offenses and their dispositions. Obviously the parents' attitudes toward their child's behavior, the recommendations of a caseworker, the observations of a teacher and instigation present or absent for committing an offense would all affect a court decision.

Another data collection technique recommended is participant-observation. What are the realities of situations the juvenile court must handle; what attitudes toward various types of offenders are held by court officials; what resources are available to the court and when can they be, or are they used; what is the demeanor of delinquents and parents when brought before the court? All these questions could best be answered through a participant-observation design.

This study set out to discover basic differences between the treatment of males and females when they are referred to a juvenile court. This has not been accomplished to any desirable degree, as many questions essential to interpreting the findings can not be answered:

What does the court perceive "more severe" and "less severe" sanctions to be?
Are there traditional methods for handling specific types of offenses? If so, what are they?

What are the circumstances impinging on the decision to hold or not to hold a hearing?

What circumstances are most likely to result in the assignment of a caseworker?

The need for further research is clear.

Summary of Implications

While neither of the hypotheses given can be heartily supported, intervening factors discourage their rejection. These factors include possible errors in data, the preponderance of males in what was considered by the researcher to be a less severe disposition category (referred to a caseworker on intake), and the effects of race when introduced as a control variable.

Specific findings considered to have serious implications were: The tendency of the court to treat female returning offenders more harshly than male returning offenders; the complete absence of white females in those disposition categories which constituted "more severe" treatment of juveniles; and, the disparity of findings between this and other studies which found female delinquents were more likely than male delinquents to come from a broken home.

Implications for theoretical orientations were: The court does view female returning offenders as needing more drastic treatment than male returning offenders; minority group females are not treated chivalrously by the court, although white females may be; and, the
juvenile's family environment is more seriously considered when the juvenile is a female.

Further research is needed to determine motives for court action other than those indicated in this study. These could be best ascertained through the use of a case study or participant-observation design.

Females are treated differently than males when referred to the juvenile court for the same offense. The reasons for that differential treatment may be related to prior record, parental type, race, or the offense itself. Other factors need to be considered and studied before our knowledge of the situation can be at more than a beginning stage.
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Sieverdes, C.

Temin, C.

Terry, R.

Velimesis, M.

Wattenburg, W. and Sanders, F.
APPENDIX A

STATISTICS BASED ON THE MULTIPLE CLASSIFICATION ANALYSIS

Statistics provided from the MCA are presented in Tables 23 and 24. Table 23 provides levels of significance for various F values, and the significance level of chi square for each variable considered as a predictor. Each of the F values represents a different analysis of variance formula. The questions answered by F values are:

**F1:** Do all predictors together explain a significant portion of the variance of the dependent variable?

**F2:** Does this predictor all by itself explain a significant portion of the variance of the dependent variable?

**F3:** Does this predictor explain a significant portion of the variance of the dependent variable over and above that which can be explained by the other predictors?

**F4:** Would this predictor explain a significant portion of the variance of the dependent variable if we could hold constant the other predictors?

The statistics provided in Table 24 are explained by the authors of the MCA manual in the following manner:

Eta is the correlation ratio and indicates the ability of the predictor, using the categories given, to explain variation in the dependent variable. Eta\(^2\) indicates the proportion of the total sum of squares explainable by the predictor. The Beta statistics are directly analogous to the Eta statistics, but are based on the adjusted means rather than the raw means. Beta provides a measure of the ability of the predictor to explain variation in the dependent variable after adjusting for the effects of all other predictors. This is not in terms of percent of variance explained (Andrews, et al., 1971:99-100).
### Table 23

Significance Levels for F Values and Chi Square Values

**Dependent variable: intake disposition**

<table>
<thead>
<tr>
<th>Predictors:</th>
<th>F2</th>
<th>F3</th>
<th>F4</th>
<th>X²</th>
</tr>
</thead>
<tbody>
<tr>
<td>Offense</td>
<td>.05</td>
<td>.01</td>
<td>.02</td>
<td></td>
</tr>
<tr>
<td>Sex</td>
<td></td>
<td></td>
<td></td>
<td>.001</td>
</tr>
<tr>
<td>Race</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Age</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Prior record</td>
<td>.01</td>
<td>.01</td>
<td>.001</td>
<td></td>
</tr>
<tr>
<td>Parental type</td>
<td></td>
<td></td>
<td></td>
<td>.02</td>
</tr>
</tbody>
</table>

**Dependent variable: final disposition**

<table>
<thead>
<tr>
<th>Predictors:</th>
<th>F2</th>
<th>F3</th>
<th>F4</th>
<th>X²</th>
</tr>
</thead>
<tbody>
<tr>
<td>Offense</td>
<td>.05</td>
<td></td>
<td>.05</td>
<td></td>
</tr>
<tr>
<td>Sex</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Race</td>
<td>.05</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Age</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Prior record</td>
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<td>.01</td>
<td>.01</td>
<td></td>
</tr>
<tr>
<td>Parental type</td>
<td></td>
<td></td>
<td></td>
<td>.02</td>
</tr>
</tbody>
</table>

*a F1 is significant at the .01 level for both dependent variables.*
Table 24

Eta and Beta Statistics

Dependent variable: intake disposition

<table>
<thead>
<tr>
<th>Predictors:</th>
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<th>Eta²</th>
<th>Beta</th>
<th>Beta²</th>
</tr>
</thead>
<tbody>
<tr>
<td>Offense</td>
<td>.225</td>
<td>.050</td>
<td>.270</td>
<td>.073</td>
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<tr>
<td>Sex</td>
<td>.064</td>
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<td>.023</td>
<td>.001</td>
</tr>
<tr>
<td>Race</td>
<td>.057</td>
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<td>.023</td>
<td>.001</td>
</tr>
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<td>Age</td>
<td>.234</td>
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<td>.018</td>
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<td>Prior record</td>
<td>.412</td>
<td>.055</td>
<td>.136</td>
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</tr>
<tr>
<td>Parental type</td>
<td>.184</td>
<td>.034</td>
<td>.142</td>
<td>.020</td>
</tr>
</tbody>
</table>

Multiple R (adjusted) = .444  Multiple R-square = .197

Dependent variable: final disposition

<table>
<thead>
<tr>
<th>Predictors:</th>
<th>Eta</th>
<th>Eta²</th>
<th>Beta</th>
<th>Beta²</th>
</tr>
</thead>
<tbody>
<tr>
<td>Offense</td>
<td>.236</td>
<td>.056</td>
<td>.150</td>
<td>.022</td>
</tr>
<tr>
<td>Sex</td>
<td>.056</td>
<td>.003</td>
<td>.073</td>
<td>.005</td>
</tr>
<tr>
<td>Race</td>
<td>.148</td>
<td>.022</td>
<td>.074</td>
<td>.005</td>
</tr>
<tr>
<td>Age</td>
<td>.210</td>
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<td>Prior record</td>
<td>.276</td>
<td>.076</td>
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<td>.086</td>
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<tr>
<td>Parental type</td>
<td>.173</td>
<td>.030</td>
<td>.134</td>
<td>.018</td>
</tr>
</tbody>
</table>

Multiple R (adjusted) = .304  Multiple R-square = .093

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