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Police Decision-Making and the Initial Detention of Juveniles

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POLICE DECISION-MAKING AND THE INITIAL DETENTION OF JUVENILES

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Police decisions can have a direct impact on juvenile outcomes. These decisions are especially impactful in Montana as Montana law enforcement officers are provided statutory discretion pertaining to the decision to arrest and initially detain a youth. The goal of this study is to understand police officer decision-making as it pertains to the initial detention of juveniles and to inform future theory and policy. The research was guided by a focused hypothesis: The factors identified by law enforcement will be significant predictors of the factors associated with the likelihood of initial detention. In order to examine this issue, the current study utilizes two data sets from the same county in Montana. The first data source is a self-reported survey given to officers in a municipal police department and county sheriff's department that ask questions about police officer decision-making. The second data source is drawn from court processing of citations that have been issued to juveniles. The combination of these two data sources creates a unique opportunity to examine the degree to which key considerations identified by the police are significant in regression models based on case processing data to distinguish between instances where detention occurs and those where a less formal alternative (e.g. counsel and release, probation, electronic monitoring) occurs. Based upon the findings, the factors identified by police officers were found to be significantly associated with the likelihood of initial detention.

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Introduction

Law enforcement officers in the United States are granted a considerable amount of discretion in order to effectively preform the multiple aspects of their job. The application of discretion is significant in determining future outcomes for adults, but it is especially relevant to decisions that pertain to youth populations. The literature suggests that police contact with juveniles can have compounding negative effects (Holman and Ziedenberg 2006; Liberman, Kirk, and Kim 2014; Wiley, Slocum, and Esbensen 2013; Wiley and Esbensen 2016; Slocum, Wiley, and Esbensen 2016). Therefore, it is important to understand the circumstances in which an officer decides to not only initiate contact with a juvenile, but to place them into initial detention.

The outcomes of police contact with juveniles across various points of contact are influenced by discretionary decision-making and are shaped by many contextual factors. These include various types of legal factors such as severity of an offense and prior record (Herz, Ryan, and Bilchik 2010; Leiber and Boggess 2012; Maggard 2015; Maloney and Miller 2015; Parker and Sarre 2008; Pollock 2014; Schulenberg 2015; Schulenberg and Warren 2009), and community factors such as levels of community violence (Fix, Fix[2], Wienke Totura, and Burkhart 2017; Lum 2011; Maggard 2015), social disorganization (Schulenberg 2003), and racial and ethnic make-up of the community (Davis and Sorensen 2012; Feinstein 2015; Lum 2011). Situational factors are also influential during police contact with juveniles. These situational factors include attitude and behavior factors (Schulenberg 2015), relationships with delinquent peers (Pollock 2014), and other factors pertaining to the juvenile case (Schulenberg and Warren 2009).

Of particular interest to this study, Montana law enforcement officers are provided statutory discretion pertaining to the decision to arrest and initially detain a youth (MCA §41-5-321, 322). Regarding initial detention, the statute states, "Whenever the peace officer believes, on reasonable grounds that the youth must be detained, the peace officer shall notify the juvenile probation officer immediately and shall, as soon as practicable, provide the juvenile probation officer with a written report of the peace officer's reasons for holding the youth in detention" (MCA §41-5-322.2). This level of discretion granted to Montana police officers highlights the importance of understanding the factors that help inform and shape police decision-making.

Although theories on decision-making processes exist, there is a need for specific frameworks that examine police decision-making at the various points of contact with juveniles (Ishoy 2016; Mastrofski 2004). These include citation, arrest, and in some states, as is the case in Montana, initial detention. Two theories that have been applied to police decision-making are Black's theory of law (Schulenberg 2010) and the theory of planned behavior (Ishoy 2016). However, these theories have not been fully developed as frameworks for understanding police decision-making.

The current investigation uses an inductive theorizing approach, and does not seek to prove or disprove an existing theoretical paradigm. It does, however, aim to build on the topic of police decision-making in order to inform future theoretical frameworks by identifying the factors that most significantly impact officer decision-making processes. Identifying the factors that influence police decision-making is imperative for the development of a theoretical framework to understand police interactions with juveniles. Very little is known about the process and factors that contribute to police decisions to

detain a juvenile as the vast majority of prior investigations have focused on the arrest point of contact. A framework of police officer decision-making can provide a lens through which police interactions with juveniles can be viewed and understood. This perspective offers the promise to impact policing policy, practice, and training about interactions with juveniles.

This study will examine police decisions regarding the initial detention of juveniles. Specific to the focus of this investigation are the factors that influence police decisions about whether or not to detain a juvenile The purpose of this study serves to inform a foundation for a police officer decision-making theory through an inductive approach. The investigation is based on an analysis of data gathered from a recent survey of law enforcement officers and information about court processing collected from the Juvenile Court Assessment and Tracking System (JCATS).

Literature Review

Police contact with juveniles is a significant topic of interest in the field of criminology. Prior research has extensively focused on the factors that influence police officers' decision to arrest, resulting in a large gap in the literature regarding factors that lead to the initial detention of juveniles. It is important to understand the factors that influence officer decision-making in regards to initial detention, as it is a more severe outcome than citation or arrest. Furthermore, juveniles face a number of possible negative impacts when detained.

Previous literature suggests that police simply engaging in contact can negatively impact juveniles by increasing future delinquency and arrest rates (Liberman, Kirk, and Kim 2014; Wiley, Slocum, and Esbensen 2013; Wiley and Esbensen 2016; Slocum,

Wiley, and Esbensen 2016). Evidence also suggests that police contact may increase or validate juvenile support for use of personal violence (Slocum, Wiley, and Esbensen 2016) and exacerbate deviant attitudes (Wiley and Esbensen 2016). Although these findings are in reference to police contact in a more general sense, they can still be applied to juveniles who are initially detained since initial detention must begin with police contact and arrest. Once detained, juveniles are subject to several more adverse effects.

First, juveniles who are placed in detention are not only at risk for future delinquency, but also for continuing further into the juvenile justice system (Holman and Ziedenberg 2006:5). The implications of this finding could be harmful to juveniles who commit minor offenses or who have just entered the juvenile justice system and do not require severe punishment. Second, youth education attainment can be damaged during and after confinement (Holman and Ziedenberg 2006; Koyama 2012). Education services are often required in juvenile detention facilities, however the quality of these services is not heavily regulated (Koyama 2012). These inconsistencies in education services across juvenile detention centers, at the very least, leads to an interruption of youth learning and development. Once a juvenile leaves the detention center, they may not return to school at all (Holman and Ziedenberg 2006). A third negative impact of juvenile detention looks at mental health. Youth in detention are more likely to suffer from a form of mental illness than the general population of their peers, however these needs are not always recognized or met (Falk, Thompson, and Sanford 2014; Holman and Ziedenberg 2006). It is important for juveniles in need of mental health care to be treated for their own safety, but for the safety of others as well. Incarcerated youth who suffer from emotional and/or

behavioral instabilities are more likely to engage in violence and assault (Vivian, Grimes, and Vasquez 2007). If these youth are not identified and cared for properly, they may endure further negative consequences while detained.

The prior literature regarding police decision-making and the initial detention of juveniles concentrates heavily on the significance of race and ethnicity, community characteristics, and the importance of legal factors. The influences of extra-legal factors on police decisions to detain juveniles are examined less often within the existing literature. It is a goal of the current study to fill this gap in the literature.

The dominant focus on race and ethnicity in police officer decision-making is likely due to the disproportionate minority contact (DMC) mandate. DMC is one of the four requirements found in the Juvenile Justice and Delinquency Prevention Act and is meant to address the issue of racial and ethnic minority group overrepresentation in juvenile justice systems (Coalition for Juvenile Justice 2010). Although DMC is not a primary focus of the current investigation it is important to discuss as studies examining DMC constitute a large portion of the current literature on police decision-making and initial detention of juveniles.

Research findings show juveniles are more likely to receive formal treatment than adults when involved with law enforcement (Brown, Novak, and Frank 2009; Feld 2013). This is especially true when the juvenile belongs to a racial or ethnic minority group (Davis and Sorensen 2012; Dillard 2013; Feinstein 2015; Higgins, Ricketts, Griffith, and Jirard 2012; Jones 2016; Leiber 2009; Maggard 2015; Rodriguez 2010; Rosenfeld, Rojek, and Decker 2012; Thomas, Moak, and Walker 2012). This is an important concept that guides much of the existing research.

The significance of race and ethnicity has been examined thoroughly in the context of juvenile detention decisions, however the findings have been mixed. Perhaps this is because it is difficult to separate race and ethnicity from class in ways of research (Rodriguez 2007:649). However, much of the current research has found that non-white juveniles tend to receive more severe treatment, in addition to feeling unfairly treated, by police officers and other juvenile justice officials (Davis and Sorensen 2012; Dillard 2013; Feinstein 2015; Higgins et al. 2012; Jones 2016; Leiber 2009; Maggard 2015; Rodriguez 2010; Rosenfeld, Rojek, and Decker 2012; Thomas et al. 2012). The particulars of this finding have been disputed among the research, however race and ethnicity continue to have direct and indirect impacts on police decision-making and outcomes of detention for juveniles.

Community characteristics are important to consider when looking at police decisions-making pertaining to detention (Davis and Sorensen 2012; Feinstein 2015; Fix, Fix[2], Wienke Totura, and Burkhart 2017; Leiber and Boggess 2012; Maggard 2015; Rodriguez 2007; Rodriguez 2010; Schulenberg 2003; Schulenberg and Warren 2009; Thomas et al. 2012). The size of the non-white population within a community has been studied as an important factor in juvenile detention rates (Davis and Sorensen 2012; Leiber and Boggess 2012; Thomas et al. 2012), however this factor has been debated among the literature. While some research concludes that the size of a minority population is important (Davis and Sorensen 2012), other studies show the level of white to non-white socioeconomic disadvantage to be more significant than actual non-white population size (Thomas et al. 2012).

Other community factors that have been examined in relation to juvenile detention include overall size of the community (Schulenberg 2003), structural disadvantage (Rodriguez 2010; Schulenberg 2003), presence of specialized agencies (Schulenberg and Warren 2009), and communities that are considered to be dangerous and violent (Feinstein 2015; Fix et al. 2017; Maggard 2015). Interestingly, one study found that the presence of community violence decreased the influence of race and ethnicity on juvenile justice officials' decision-making (Fix et al. 2017).

Another significant community factor has to do with the law enforcement officer. Juveniles are most often referred to intake by police officers or school officials (Maggard 2015). In her recent study, Feinstein found that youth tend to be arrested by the same officers within their communities repeatedly, and that these officers were mostly white males (2015:166). The repeated contact with one particular officer has multiple implications in regards to juveniles' relationship to police and law-abiding behavior.

The last major theme among the prior literature regarding juvenile detention is the importance of legal factors (Bontrager-Ryon, Winokur-Early, Hand, and Chapman 2013; Feinstein 2015; Herz, Ryan, and Bilchik 2010; Leiber and Boggess 2012; Maggard 2015; Maloney and Miller 2015; Parker and Sarre 2008; Schulenberg and Warren 2009). The severity of an offense and having a prior record were discussed most often within the literature (Bontrager-Ryon et al. 2013; Herz, Ryan, and Bilchik 2010; Maloney and Miller 2015; Parker and Sarre 2008; Thomas et al. 2012), however there were other legal factors mentioned. Age at first offense (Bontrager-Ryon et al. 2013; David and Katsiyannis 2016; Forsyth, Asmus, Forsyth, Stokes, Mayne 2011; Maggard 2015), degree of involvement (Parker and Sarre 2008), and court/probation violations (Herz, Ryan, and

Bilchik 2010; Leiber and Bogges 2012; Schulenberg and Warren 2009) were also mentioned as important factors in police decisions to detain a juvenile.

Extra-legal factors are not as thoroughly examined within the existing literature regarding the initial detention of juveniles. Legal factors have been found to be better predictors of juvenile detention when compared to extra-legal factors (Leiber 2009; Leiber and Bogges 2012; Maggard 2015; Parker and Sarre 2008; Schulenberg and Warren 2009), however this may be due to departmental policy restrictions. For example, legal factors such as offense seriousness and prior record may require an officer to initially detain a juvenile, therefore decreasing a police officer's use of discretion. Despite this gap in the literature, extra-legal factors are important to address when investigating police decisions as these types of factors can impact police use of discretion.

Many of the extra-legal factors that have been studied regarding police contact with juveniles are related to juveniles' attitudes and behaviors. The demeanor of a juvenile can have a direct impact on officer decision-making (Allen 2005; Maloney and Miller 2015; Parker and Sarre 2008; Schulenberg and Warren 2009). Drug and alcohol use also seems to have an influence on police decisions, however the level of influence has been debated among the literature (Leiber and Boggess 2012; Thomas et al 2012). There is a void in the existing literature regarding the influence of juvenile mental health on police decisions to detain juveniles. Perhaps this is due in part to the difficult nature of diagnosing a juveniles' level of mental health without medical records. This study aims to address this absence of information.

Similar to a juveniles' own prior record is the criminal history of their family. Family criminal history was found to be an influence on officer decision-making at the point of arrest and intake, and also in court with judicial decisions (Feinstein 2015). Gang affiliation (Schulenberg and Warren 2009) and the time of day in which the police contact occurred (Allen 2005; Maloney and Miller 2015; Schulenberg and Warren 2009) have also been found to be influential factors.

The existing literature regarding police contact with juveniles mainly focuses on the arrest point of contact, and the research that does address juvenile detention does not necessarily speak to initial detention specifically. Furthermore, the influence of extra-legal factors on detention decisions has not been fully explored. This study aims to fill the gaps in literature regarding initial detention and the factors that influence police officer decision-making. The prior literature guides the work of the current study by addressing the importance of race and ethnicity, community characteristics, and legal and extra-legal factors.

Current Study

The purpose of this study is to understand police officer decision-making in regards to the initial detention of juveniles. Specific to the focus of this investigation are the factors that influence police decisions about whether or not to detain a juvenile who has been cited with a misdemeanor or felony offense prior to a probable cause hearing with a judge. The purpose of this study serves to inform a foundation for a police officer decision-making theory through an inductive approach.

As mentioned above, the prior literature has tended to focus on the arrest point of contact when examining police interactions with juveniles. This has resulted in a void of

knowledge about the decisions made in other contexts where police decision-making with juveniles occurs. The literature that does examine police decisions to detain juveniles does not adequately address the role of extra-legal factors. There is also a need to develop a specific theory for police decision-making processes. The current study aims to fill these voids in the literature and theory application.

In order to fulfill the purpose of this study, two data sets from the same county in Montana are examined. The first data source is a self-reported survey given to officers in a municipal police department and county sheriff's department that ask questions about police officer decision-making. The second data source is drawn from court processing of citations that have been issued to juveniles. Both of the data sources are discussed in-depth in the methods section below.

The combination of these two data sources creates a unique opportunity to examine the degree to which key considerations identified by the police are significant in models based on case processing data to distinguish between instances where detention occurs and those where a less formal alternative (e.g. counsel and release, probation, electronic monitoring) occurs. Findings from the survey data provide factors that police participants consider important, and consequently influential, in their decision-making process. The second data source provides the information for logistic regression models to test the significance of those police identified factors on the likelihood of detention. The current study therefore examines police decision-making in a way that measures officers' attitudes towards factors that influence their actions, but also the importance of those factors used while on duty. The data sources allow for an inductive approach to understanding how police make decisions, resulting in the formation of a police specific

theory of decision-making By examining police decision-making through an inductive

approach, this study provides a rare and comprehensive look at the factors that most

significantly influence the initial detention of juveniles.

In order to determine some of the factors that significantly impact an officer's

decision to detain a juvenile, the following hypothesis was investigated:

> *H1:* The factors identified by law enforcement will be significant predictors of the
> factors associated with the likelihood of initial detention.

Methods

Law Enforcement Survey Data

The original law enforcement survey was intended to better understand police

contact with juveniles. The survey was divided into five major sections: Officer

Background, Citation, Arrest, and Detention of Juveniles, Existing Resources and

Trauma Informed Care, Minority Overrepresentation, and Officer Demographics. For the

purposes of this study, the section concerning the initial detention of juveniles was

examined in-depth. A copy of the survey instrument is available upon request.

The survey data is comprised of responses from 60 Montana law enforcement

officers. To be eligible for participation in the survey, officers must have been employed

by either the municipal department or county sheriff's office at the time of the survey

distribution. The participants received the online survey through their departmental Email

addresses. The data were collected between March and June 2016. The final sample

population was on average 38.6 years old, college educated, and male. No female law

enforcement officers responded to the survey.

To measure factors that influence law enforcement decision-making, participants

were asked about initial detention in two sets of questions. First, participants were asked

to list the three most common reasons they would need to initially detain a juvenile.

Second, participants were asked to rank the level of importance for ten factors on influencing their decision to detain a juvenile. Level of importance ranged from 1 to 5: 1=Very Unimportant, 2=Unimportant, 3= Neither Important/Unimportant, 4=Important, and 5=Very Important. The rank factors are as follows: Demeanor of the juvenile, Departmental policy, Inability to contact a parent or adult legal guardian, Instability or lack of structure at home, Juvenile is under the influence of alcohol/drugs, Prior record of the juvenile, Public safety concerns, and Severity of the offense. These rank-level factors were established using previous research based on face-to-face interviews with sheriff's deputies and city police officers in 2014 and findings from the review of the literature about police contact with juveniles.

JCATS Data

The second data source examined in this study comes from the Juvenile Court Assessment and Tracking System (JCATS). The JCATS data source provides information on actual cases of police contact with juveniles across the state of Montana. JCATS is used primarily by juvenile justice practitioners to track information on juvenile cases such as current offense details, court proceedings, and personal information. JCATS provides documentation of court proceedings, including information about referrals, petitions, and dispositional outcomes. In addition to tracking current offense details and proceedings, JCATS provides other detailed information including: basic demographics about the juvenile, family characteristics, school performance, mental health, drug use history, and a chronological reference of previous offenses.

The cases examined in the current study come from a section of the JCATS data source pertaining to a specific county in Montana. Data collection occurred between

January 2010 and December 2015. The sample for this data set is 1,256 juvenile cases. One dependent variable and ten predictor variables were used to measure police decisions to initially detain a juvenile. The predictor variables were organized into three subcategories: control, legal, and extra-legal factors. Each variable category is described in detail below.

Dependent

The dependent variable is a simple dichotomous variable measuring whether or not the juvenile was detained at intake. It is coded as "NO" (0) or "YES" (1). Based on the frequencies analysis, 233 (18.6%) of the 1,256 juveniles in the JCATS sample were detained at intake, leaving 1,023 (81.4%) who were not detained for their primary offense.

Controls

Three control variables were included throughout the analytic process, including the full logistic regression model that follows: Age at Offense, Sex, and Race. The age at time of the offense ranges from 8 to 18 years old. Females (0) represent the minority sex group (42.3%) while males (1) represent the majority (57.7%). Race is measured by comparing white and non-white juveniles. White juveniles represent a majority of the sample (72%), while non-white juveniles make up the remaining 28%.

Legal

Age at First Offense, Severity of Primary Offense, Total Felony Referrals, and Prior Confinement represent legal factors in the logistic regression model. Age at First Offense did not significantly correlate with the dependent variable, however the prior literature suggests that it is significant (Bontrager-Ryon et al. 2013; David and

Katsiyannis 2016; Forsyth, Asmus, Forsyth, Stokes, Mayne 2011; Maggard 2015). In the JCATS court processing data, Age at First Offense is measured using categorical age groups. The sample is relatively young, which may account for the low correlation score. It was the decision of the researchers to keep Age at First Offense in the full model.

Severity of the Primary Offense is measured through several offense types such as status, city ordinance, and various misdemeanor and felony offenses. Total Felony Referrals and Prior Detention are both measured categorically using "none," "one," "two," and "three or more."

Extra-Legal

Three extra-legal factors pertaining to juvenile traits and behavior appear in the logistic regression model. The following extra-legal factors were included in the analyses based on the prior literature and the survey data factors, "demeanor of the juvenile" and "juvenile under the influence of drugs and alcohol."

Mental Health Issues is measured by "no history of mental health problems (0)," "diagnosed with mental health problems (1)," "only mental health medication prescribed (2)," "only mental health treatment prescribed (3)," and "mental health medication and treatment prescribed (4)." Currently Using Drugs is a simple No (0) or Yes (1) dichotomous variable. Pro-Social Attitude Toward Law Abiding Behavior is measured by "resents/hostile towards responsible behavior (1)," "does not believe conventions/values apply to him or her (2)," "believes conventions/values sometimes apply to him or her (3)," and "abides by conventions/values (4)."

Analytic Strategy

First, the data from the law enforcement survey was examined. Frequency distributions of the factors provided by police officers as among the top three reasons why a juvenile would need to be arrested were used to develop categories based on similar language and phrases. The established categories were then given a hierarchical order based on the frequency of responses. Next, descriptive analyses were run on the average scores for the ten items that were provided to the officers who were then asked to assign a value based on a Likert scale about the importance of each item as a reason to explain why a juvenile would be detained or not. The average, minimum and maximum, and standard deviations scores were reported for the ratings. The standard deviations provide an indicator of the amount of variation (change across all responses) among all the ratings when examined as a group. As the range of scores is narrow (1-5), standard deviations reported are also narrow.

Second, the control, legal, and extra-legal factors based on information drawn from the JCATS data were analyzed using logistic regression in the Statistical Package for the Social Sciences (SPSS). The use of logistic regression is an appropriate analytic strategy based on the organization of the dependent variable and the hypothesis to be tested. There is a single dichotomous dependent variable, accompanied by several predictor variables, and statistical controls against spuriousness. As the outcome variable is dichotomous, the analyses in the multivariate model will be based on logistic regression.

Before logistic regression models could be run, frequency distributions were examined for the dependent, control, and predictor variables taken from the JCATS data

source. 43 independent variables were initially considered for use in the logistic regression model. After reviewing the frequency distributions, 29 of the 43 variables were considered valid for the current study. These 29 variables were then divided into the sub-categories legal, extra-legal, and "other." The control, legal, extra-legal, and "other" variables were then tested against the dependent variable using correlation matrixes. From these analyses, 17 of the 29 independent variables emerged as significant. The 17 independent variables were then tested in block model regression analyses.

Block model regression analyses were run for the control, legal, extra-legal, and "other" factors against the dependent variable. The variables that held little significance within the block models were then removed for the full model. The "other" category was not found to be significant except for one variable, Pro-Social Attitude of Law Abiding Behavior, which was then added to the extra-legal group of independent variables. The full model is reflected in the variables discussed above. A list of the original variables, correlation matrixes, and block models are provided in the appendixes.

The results from the full model logistics regression analysis are then compared to the data from the law enforcement survey to test the researcher hypothesis.

Results
Law Enforcement Survey: Police ID Factors
Seriousness of the Offense was the most commonly mentioned factor associated with initial detention. Respondents specifically listed "felony vs. misdemeanor offense," "significant offense," and described several types of assault. Public safety factors were also cited frequently as triggers for initial detention, a priority reflected by responses including "danger to himself or herself or to others," "danger to the community," and "juvenile is a threat to public safety." Additionally, Inability to Contact a Parent/Guardian

was frequently listed as a cause for initial detention, as articulated with statements such as "no guardian to release to," "lack of parental contact," "unable to contact a guardian if the offense allows a physical arrest," and "guardian lives out of the area."

Less commonly referenced factors contributing to detention include Departmental Policy, Prior Record, and Demeanor or Attitude of the Juvenile.

A significant finding from this section shows there was less variation in factors listed by respondents as triggers for initial detention than in the citation and arrest segments, which were also included as part of the survey. The relative absence of variation indicates there is more agreement among respondents on reasons to detain a youth than there is to cite or arrest.

Law Enforcement Survey: Police Rank-Level Index Factors

"Severity of the offense," with an average score of 4.90, and "public safety concerns," with an average score of 4.87, were the most highly rated considerations for initial detention. Among all survey participants, there was not a single rating on either of these factors below 4. This suggests that all respondents view these as important or very important considerations. Departmental policy, juvenile under the influence of alcohol/drugs, inability to contact a parent or legal guardian, and absence of a suitable alternative to detention also rated as important factors in the decision to detain. Each of these garnered an average score equal to or greater than 4.

Prior Record, unwillingness of parent/guardian to take custody/responsibility of the juvenile, and demeanor of the juvenile also received relatively low rankings, yielding average scores just below 4. Instability or lack of structure at home received the lowest average score at 3.33.

Average scores in the initial detention section, which range from 3.33 to 4.90, suggest that respondents viewed each of the factors as important to consider when deciding to detain a juvenile. Further, all minimum detention section scores surpass 1, except for departmental policy and unwillingness of parent/legal guardian to take custody/responsibility of the juvenile.

The pattern observed within the rank-level factors is largely consistent with those produced in the police identified factors for initial detention. Severity of the offense, public safety, and inability to contact a parent or legal guardian were all highly rated and commonly reported factors associated with the initial detention decision. The importance attributed to the rating scores in the index factors suggest that there was uniform agreement about the importance of severity of offense, public safety, and inability to contact a parent or adult guardian. As indicated by answers provided in the free-response section, other factors influence such decisions as well.

Table 1.1 Level of Importance: Factors for Initial Detention

	Initial Detention *(N=47)*			
	Min	Max	M	SD
Severity of the offense	4	5	4.90	.31
Public safety concerns	4	5	4.87	.34
Departmental policy	1	5	4.45	.95
Juvenile is under the influence of alcohol/drugs	2	5	4.06	.81
Inability to contact a parent or adult legal guardian	2	5	4.02	.88
Absence of a suitable alternative to detention	2	5	4.00	.77
Prior record of the juvenile	2	5	3.96	.80
Unwillingness of parent/guardian to take custody/responsibility of the juvenile	1	5	3.94	1.04
Demeanor of the juvenile	2	5	3.65	.76
Instability or lack of structure at home	2	5	3.33	.72

(The order of the factors within Table1.1 have been rearranged from the original presentation in the survey)

Logistic Regression Analysis

The full model depicted in Table 1.2 represents all eleven variables from the JCATS data that emerged from the block models that were described above. The slopes, significance, and odds ratios are reported. The overall Nagelkerke R Squared score is .205, which suggests that the likelihood of a juvenile being detained is not fully explained by the variables tested in the full regression model. The law enforcement survey findings show that the inability to contact a parent or legal guardian and the absence of an alternative to detention are significant factors in their decision to detain a juvenile. The JCATS data did not provide a suitable comparative variable for either of these factors.

Age at Offense is significant at the 99% level and has a positive slope. The odds ratio is 1.604, meaning the older a juvenile is at the point of contact with the police, the more likely they are to be detained. Sex is not significant at the 95% level and has a negative slope. The odds ratio is .828, meaning males are more likely to be detained than females. Race is significant at the 99% level and has a positive slope. Nonwhite juveniles are the reference group in the model. The findings suggest nonwhite juveniles are almost 90% (odds ratio is 1.898) more likely to be detained than white juveniles.

Age at First Offense is significant at the 99% level and has a negative slope. The odds ratio is .593, showing that the earlier in life a juvenile offends, the more likely they are to be initially detained. Severity of the Primary Offense is significant at the 99% level and has a positive slope. The odds ratio is 1.131, meaning as the severity of the offense increases, so too does the likelihood for initial detention. Totally Felony Referrals is not significant at the 95% level and has a positive slope. The odds ratio is 1.448, meaning the more felony referrals a juvenile has had, the more likely they are to be initially detained.

Prior Confinement is the most consequential variable in the model. It is significant at the 99% level and has a positive slope. The odds ratio is high at 2.468, meaning juveniles who have been previously detained are almost 150% more likely to be initially detained compared to those who have no prior detention record.

Juvenile Mental Health Issues is significant at the 99% level and has a positive slope. The odds ratio is 1.157, meaning the presence of mental health issues makes a juvenile more likely to be initially detained. Current drug use is significant just below the 99% level and has a positive slope. The odds ratio is 1.740, meaning juveniles who are currently using drugs are more likely to be initially detained. Finally, Pro-Social Attitude of Law Abiding Behavior is significant just above the 95% level and has a negative slope. The odds ratio is .769, meaning juveniles with anti-social views on law-abiding behavior are more likely to be initially detained.

Table 1.2 LRM: Full Model

	B	Sig.	Exp(B)
Age at Offense	.473	.000**	1.604
Sex	-.189	.253	.828
Nonwhite	.641	.000**	1.898
Age at FIRST Offense	-.523	.000**	.593
Severity of Primary Offense	.123	.000**	1.131
Total Felony Referrals	.370	.078	1.448
Prior Confinement	.903	.000**	2.468
Juvenile Mental Health Issues	.146	.005**	1.157
Current Drug Use	.554	.013**	1.740
Pro-Social Attitude of Law Abiding Behavior	-.262	.034*	.769

** Significant at .01
* Significant at .05

Discussion

The purpose of this study is to understand police officer decision-making in regards to the initial detention of juveniles. Specific to the focus of this investigation are

the factors that influence police decisions about whether or not to detain a juvenile who has been cited with a misdemeanor or felony offense prior to a probable cause hearing with a judge. The purpose of this study serves to inform a foundation for a police officer decision-making theory through an inductive approach. The research was guided by a focused hypothesis: The factors identified by law enforcement will be significant predictors of the factors associated with the likelihood of initial detention. Based upon the findings from the law enforcement survey data and the JCATS logistics regression model, the hypothesis is partially supported. Consistencies and inconsistencies emerged from the results of each data source, and these similarities and differences have important implications. To begin, the consistencies between the data sets are explained, followed by a discussion of the inconsistencies.

The survey results reveal a high level of agreement between the officer-identified factors and the rank-level factors. Findings suggest that the seriousness of an offense is the most influential factor when deciding to detain a juvenile. Offense seriousness yielded the highest frequency among the police identified factors and received the most significant level of importance within the rank-level factors (4.90). Although it was not the highest predictor of initial detention, severity of the offense was found to be significant at the 99% confidence level within the regression model. This finding is consistent with the prior literature regarding the importance of legal factors.

Public safety concerns earned the second highest scores both in the police identified factors and in the rank-level factors. Juvenile mental health issues can correspond to safety issues, which was a significant fact in the regression model.

The presence or use of drugs and alcohol shared a similar significance between the two data sets as well. "Juvenile under the influence of drugs/alcohol" received an average score of 4.06, earning a place as an important factor in the decision to initially detain a juvenile. In fact, "juvenile under the influence of drugs/alcohol" moved ahead of inability to contact a parent or legal guardian in the rank-level factors. This is interesting because the inability to contact a parent/guardian had the third highest frequency among the police identified factors, however there was no mention of drugs or alcohol within the police identified factors. Current drug use was found to be a significant predictor of juvenile detention from the JCATS data, which parallels findings from Leiber and Boggess (2012) and Thomas et al. (2012).

The demeanor of a juvenile was considered to be an important factor by many respondents in the law enforcement survey data. This is reflected in the pro-social attitude towards law-abiding behavior factor from the JCATS data, which was significant at the 95% level. Although it may not be the first or most important consideration, the attitude of a juvenile could have an influence on an officer's decision to initially detain. This finding is consistent with the prior literature.

Departmental policy was identified as an important consideration when deciding to detain a juvenile. Similar to the drugs/alcohol factor, departmental policy moved ahead of inability to contact a parent or legal guardian in the rank-level factors. Departmental policy is an ambiguous concept and is therefore difficult to define what it could encompass. However, departmental policies are generally there to guide the use of discretion by outlining rules and regulations. This factor is not perfectly measured by any

one factor in the JCATS data, but is a guiding concept for police decision-making. Future research should focus on the specifics of this factor.

Inability to contact a parent or legal guardian received the third highest frequency among the police identified factors, however this factor dropped its hierarchical significance within the rank-level factors to fifth highest average score out of ten (4.02). The absence of a suitable alternative to detention (4.00) was also significant within the rank-level index, but was not mention in the police identified section. Neither of these factors could be adequately measured using variables from the JCATS data set.

Age and race were not among the factors identified as important by police in the survey data, but were significant predictors of initial detention in the regression model. Both age at time of the offense and age at first offense were found to be significant at the 99% confidence level. Older juveniles were more likely to be detained at the time of the offense, and the younger a juvenile began offending, the more likely they were to be initially detained. Based on the prior literature, these findings were in the expected direction.

Race was another factor that was not identified in the survey as influential in police decision-making. However, race was a significant predictor of detention in the regression model. Non-white juveniles were almost 90% more likely to be initially detained than white juveniles. This evidence supports much of the prior literature regarding DMC, as well as the principle idea that implemented the disproportionate minority contact mandate into law.

Prior confinement was the highest predicting factor in the regression model on whether or not a juvenile was initially detained. This was not consistent with the law

enforcement survey data. This finding is important to consider due to the overwhelming support from the survey data for the seriousness of an offense to be the most influential factor in police decisions to detain a juvenile. However, a juvenile record indicating prior confinement may decrease a police officer's ability to use discretion due to departmental policy.

Prior confinement could be measured using prior record/prior history of a juvenile and/or departmental policy from the law enforcement survey data. Prior record of the juvenile received an average score of 3.96 within the rank-level factors, meaning respondents mostly felt it was an important factor, however it was far from being the most important. Furthermore, prior record or prior history of a juvenile was scarcely mentioned in the police free-response section. Departmental policy earned a significant score within the rank-level factors (4.45), and was cited a number of times among the free-response section. This is evidence for some support of the hypothesis. Although prior confinement, prior history, and departmental policy are not of similar importance hierarchically, they were all considered important by police officers when deciding to detain a juvenile.

Limitations

The research presented in this study utilizes inductive theorizing to better understand the factors that influence police officer decisions to detain juveniles. The findings could have meaningful implications on future law enforcement policy and theory development. However, it is not without limitations.

First, the JCATS data was limited in use and scope in the cross-examination with the law enforcement survey data. The hypothesis was only partially supported, however

this could be due to the limitations of the JCATS data. Perhaps the findings from the two data sets would have a higher consistency rate, especially regarding the most significant predicting factors, if other variables could have been measured using the JCATS data. Inability to contact a parent or legal guardian and absence of a suitable alternative to detention were considered important factors in deciding to detain a juvenile. Unfortunately the JCATS data set did not include variables that could accurately measure these factors. Perhaps the ability to measure these factors would have improved the overall Nagelkerke R Squared score. A score of 0.205 suggests that the likelihood of detention is not fully explained by the variables tested in the full regression model.

Second, the sample population is limited to a particular area of Montana. The results of this study are specific to this area, especially when discussing police attitudes towards the factors that are important to their decision-making process.

Conclusion

The results of this inductive research provide valuable information regarding police officer decision-making. The approach of this study is unique. It provides for an examination of the degree to which key factors that officers view as important considerations about the initial detention decision of a juvenile actually influence the likelihood of detention outcomes.

Although theories on decision-making processes exist, there is a need to develop specific frameworks about the decision points where police officers determine outcomes for juveniles (Ishoy 2016; Mastrofski 2004). Police officers are situated in a distinctive position regarding level of discretion because police as individuals are making decisions that may or may not coincide with their department as an organization. Therefore, there is

a great need to address and develop a theoretical framework that specifically reflects the decision-making processes of police across all points of contact.

By comparing the results from the law enforcement survey with the regression model results, this study may inform future theory by identifying the types of factors or characteristics that most significantly impact law enforcement decision-making. The results of this study show that police decisions are complex and dynamic, which is consistent with the prior research (Ishoy 2016; Schulenberg 2010). Identifying the factors that impact officer decision-making is a fundamental piece of establishing a fully developed theory for law enforcement discretion and decision processes. The results of this study add to the formation of such a theory by examining the factors police say are important to their job, and testing their significance in real application of detaining juveniles. The inconsistencies in the results are just as important as the consistencies, as the inconsistencies inform the missing pieces, and therefore guide future research.

The findings from the current study show that legal and extra-legal factors are significant to police decision-making processes. Legal factors, such as seriousness of the offense, prior confinement, age at first offense, safety issues, and departmental policies, were shown to be influential in the decision to detain a juvenile. Extra-legal factors were shown to be important as well. The inability to contact a parent/legal guardian, absence of an alternative to detention, drug use, pro-social attitudes towards law abiding behavior, and mental health issues were all considered to be significant. Juvenile demographic factors age at offense and race were also significant factors to consider when looking at the decision to initially detain a juvenile.

The results of this study also have implications regarding future practice and policy. The responses from the law enforcement survey showed a pattern of agreement regarding the importance of factors that influence their decision-making process. This indicates a cohesive idea about what constitutes initial detention for juveniles. The results from the regression model showed that severity of the offense, drug use, and prior confinement were significant. These were consistent with the findings from the survey data. However, the regression model indicated several factors were significant predictors of juvenile detention that officers from the survey did not acknowledge. Similarly, the survey data produced important factors that were not present in the JCATS data set. Future policy and training would benefit from this knowledge because it suggests that police decision-making is a complicated process that involves conscious and perhaps subconscious decisions. Future research should investigate the differences between the findings from the two data sources.

Overall, the significant factors from the law enforcement survey are reflected in the JCATS regression model, providing support for the hypothesis. Although offense severity was not the highest predictor in the regression model, it was still considered significant. Prior confinement was the most significant predictor of initial detention in the regression model, and this may be reflected in a departmental policy or prior record category, both of which were somewhat important in the law enforcement survey. Further investigation and future research is needed to understand the variables that were considered important in the law enforcement survey, but not available within the JCATS data. In particular, future research should focus on measuring the role of parents in police decision-making processes. Further investigation is needed to expand on the factors that

influence police decisions to detain juveniles in order to better understand this intricate

process.

Appendix A: Original Variable List From JCATS

Dependent Variable
Detained at Intake
Control Variables
Age at Offense
Sex
Race
Independent Variables
Primary Offense Coded2
Primary Offense Severity Scale
Mother in Jail
Father in Jail
Parent Employment Problem
Out Home Placement
Gang Member
Current Gang Member
Mental Health Problems
Belief in Fighting
Reports of Violence
Violent Outbursts
Inflicting Pain
Use Threat Weapon
Violent Destruction
Reports of Sexual Assault
Aggravated Sex Assault
First Recidivism Coded (also have 2nd and 3rd?)
All Recidivism Intakes
Age First Offense
Total Misdemeanor Referrals
Total Felony Referrals

Confined Detention (total # of times physically detained)
Failure to Appear in Court
History of Drug Problems
History of Alcohol Problems
Current Drug Use
Current Alcohol Use
Enroll Status
Performance (academic)
Current Anti-Social Friends
Runaway or Kicked Out
Any Problem Parents
Parent Authority
Parent Alcohol Problem
Parent Drug Problem
Parent Mental Problem
Parent Health Problem (Physical)
Physical Abuse (history)
Victim of Neglect
Accepts Responsibility
Attitude (towards law abiding behavior)

Appendix B: Correlation Matrix (Full Model)

Correlations

		Age at Offense	Gender	Race	Age at First Offense	0 low to 1 high severity	Total Felony Referrals	Number of Times the Minor was Physically Detained in Detention Facility	Mental Health Problems	Currently Using Drugs	Attitudes Towards Responsible Law Abiding Behavior	Was the Youth Detained at Intake
AGE AT OFFENSE	Pearson Correlation	1	.032	-.095**	.727**	-.034	.061*	.000	-.056*	.258**	.052	.108**
	Sig. (2-tailed)		.252	.001	.000	.224	.031	.995	.046	.000	.064	.000
	N	1256	1256	1256	1256	1256	1256	1256	1256	1256	1256	1256
Gender	Pearson Correlation	.032	1	-.059*	.063*	.149**	.056*	.056*	-.077**	.107**	-.042	.002
	Sig. (2-tailed)	.252		.037	.025	.000	.047	.047	.006	.000	.135	.941
	N	1256	1256	1256	1256	1256	1256	1256	1256	1256	1256	1256
Race	Pearson Correlation	-.095**	-.059*	1	-.041	.049	-.007	.054	-.041	-.017	.051	.119**
	Sig. (2-tailed)	.001	.037		.150	.083	.795	.056	.143	.557	.071	.000
	N	1256	1256	1256	1256	1256	1256	1256	1256	1256	1256	1256
Age at First Offense	Pearson Correlation	.727**	.063*	-.041	1	.129**	.063*	-.027	-.121**	.281**	.085**	-.006
	Sig. (2-tailed)	.000	.025	.150		.000	.024	.343	.000	.000	.002	.821
	N	1256	1256	1256	1256	1256	1256	1256	1256	1256	1256	1256
0 low to 1 high severity	Pearson Correlation	-.034	.149**	.049	.129**	1	.273**	.019	.022	.063*	.034	.173**
	Sig. (2-tailed)	.224	.000	.083	.000		.000	.493	.438	.026	.227	.000
	N	1256	1256	1256	1256	1256	1256	1256	1256	1256	1256	1256
Total Felony Referrals	Pearson Correlation	.061*	.056*	-.007	.063*	.273**	1	.148**	.127**	-.093**	-.199**	.157**
	Sig. (2-tailed)	.031	.047	.795	.024	.000		.000	.000	.001	.000	.000
	N	1256	1256	1256	1256	1256	1256	1256	1256	1256	1256	1256
Number of Times the Minor was Physically Detained in Detention Facility	Pearson Correlation	.000	.056*	.054	-.027	.019	.148**	1	.087**	.130**	-.240**	.205**
	Sig. (2-tailed)	.995	.047	.056	.343	.493	.000		.002	.000	.000	.000
	N	1256	1256	1256	1256	1256	1256	1256	1256	1256	1256	1256
Mental Health Problems	Pearson Correlation	-.056*	-.077**	-.041	-.121**	.022	.127**	.087**	1	-.020	-.244**	.127**
	Sig. (2-tailed)	.046	.006	.143	.000	.438	.000	.002		.475	.000	.000
	N	1256	1256	1256	1256	1256	1256	1256	1256	1256	1256	1256
Currently Using Drugs	Pearson Correlation	.258**	.107**	-.017	.281**	.063*	-.093**	.130**	-.020	1	-.242**	.113**
	Sig. (2-tailed)	.000	.000	.557	.000	.026	.001	.000	.475		.000	.000
	N	1256	1256	1256	1256	1256	1256	1256	1256	1256	1256	1256
Attitudes Towards Responsible Law Abiding Behavior	Pearson Correlation	.052	-.042	.051	.085**	.034	-.199**	-.240**	-.244**	-.242**	1	-.152**
	Sig. (2-tailed)	.064	.135	.071	.002	.227	.000	.000	.000	.000		.000
	N	1256	1256	1256	1256	1256	1256	1256	1256	1256	1256	1256
Was the Youth Detained at Intake	Pearson Correlation	.108**	.002	.119**	-.006	.173**	.157**	.205**	.127**	.113**	-.152**	1
	Sig. (2-tailed)	.000	.941	.000	.821	.000	.000	.000	.000	.000	.000	
	N	1256	1256	1256	1256	1256	1256	1256	1256	1256	1256	1256

**. Correlation is significant at the 0.01 level (2-tailed).

*. Correlation is significant at the 0.05 level (2-tailed).

Appendix C: Block Models (LRM)

Control Variables

Model Summary

Step	-2 Log likelihood	Cox & Snell R Square	Nagelkerke R Square
1	1179.619[a]	.020	.032

a. Estimation terminated at iteration number 5 because parameter estimates changed by less than .001.

Variables in the Equation

		B	S.E.	Wald	df	Sig.	Exp(B)
Step 1[a]	AGEATOFFENSE	.199	.046	18.501	1	.000	1.220
	SEX	.032	.149	.046	1	.830	1.033
	NonWhite	.513	.161	10.200	1	.001	1.671
	Constant	-4.568	.705	41.991	1	.000	.010

a. Variable(s) entered on step 1: AGEATOFFENSE, SEX, NonWhite.

Legal Variables

Model Summary

Step	-2 Log likelihood	Cox & Snell R Square	Nagelkerke R Square
1	1122.073[a]	.064	.103

a. Estimation terminated at iteration number 4 because parameter estimates changed by less than .001.

Variables in the Equation

		B	S.E.	Wald	df	Sig.	Exp(B)
Step 1[a]	AGEFIRST	-.062	.064	.940	1	.332	.940
	PrimaryOffenseSeverityScale	.088	.018	25.247	1	.000	1.093
	TOTALFEL	.472	.203	5.416	1	.020	1.604
	ConfinedDetention	1.075	.196	30.186	1	.000	2.929
	CurGANG(1)	-.107	.244	.191	1	.662	.899
	Constant	-2.068	.304	46.238	1	.000	.126

a. Variable(s) entered on step 1: AGEFIRST, PrimaryOffenseSeverityScale, TOTALFEL, ConfinedDetention, CurGANG.

Extra-Legal Variables

Model Summary

Step	-2 Log likelihood	Cox & Snell R Square	Nagelkerke R Square
1	1132.563[a]	.056	.091

a. Estimation terminated at iteration number 6 because parameter estimates changed by less than .001.

Variables in the Equation

		B	S.E.	Wald	df	Sig.	Exp(B)
Step 1[a]	MotherJail	-1.557	.457	11.590	1	.001	.211
	FatherJail	.121	.301	.160	1	.689	1.128
	ParentEmployProb	-.712	.353	4.058	1	.044	.491
	MentalHealth	.157	.048	10.834	1	.001	1.170
	ATTITUDE	-.519	.123	17.968	1	.000	.595
	CurrentAlcUse	.014	.266	.003	1	.957	1.015
	CurrentDrugUse	.434	.207	4.404	1	.036	1.543
	Constant	.068	.430	.025	1	.875	1.070

a. Variable(s) entered on step 1: MotherJail, FatherJail, ParentEmployProb, MentalHealth, ATTITUDE, CurrentAlcUse, CurrentDrugUse.

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