

First Bi-Annual Disproportionate
Minority Contact Report for the
Agreement between the United
States Department of Justice and the
St. Louis Family Court

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Executive Summary

This first bi-annual report provides a preliminary examination of data to address concerns about potential Disproportionate Minority Contact (DMC) experienced by black youth at the decision points of: informal adjustment, pre-adjudication secure detention, petition, adjudication, formal disposition (for those cases that result in commitment to the Department of Youth Services), and certification. The report also includes data about attorney representation of youth.

Informally Resolved Referrals

The first section concerns referrals that were handled informally through various means without the formal filing of charges. The main findings include:

- The majority of informally resolved referrals were referrals of male youth and black youth.
- While the majority of youth only received one referral during the reporting period, black youth and male youth were more likely to have received more than one referral during the reporting period, and they were also more likely to have received one or more referrals prior to the reporting period.
- Black youth and male youth were also more likely to be younger at the time of informal disposition of their referrals.
- A statistically significant relationship was found between race and certain types of disposition. Black youth were more likely to have been “counseled and warned”, while white youth were more likely to have received a “warning letter” and to have entered into an informal adjustment contract. Among those white and black youth who were placed on informal adjustment, black youth were more likely to have been placed on supervision.
- Most of the informally handled referrals were referrals for allegations of misdemeanors. There was a statistically significant relationship between race and certain charge categories. Black youth were more likely to have been charged for “Misdemeanor Assault”, “Felony Theft”, and “Burglary”, while white youth were more likely to have been charged with “Misdemeanor Drug Offense” and “Liquor & Tobacco Offense”.

Detention Screening

The second section concerns data about the use of the Missouri Juvenile Detention Assessment (JDTA) to screen referrals. The main findings include:

- A majority of the JDTAs were for referrals of male youth and black youth.
- Most of the total decisions to **detain** were made on the basis of the indicated decision on the Missouri Juvenile Detention Assessment (JDTA), but 4.3% of the total decisions to detain were made on the basis of overrides up to detention.

- All of the total decisions to assign youth to **alternative programs** were made on the basis of accepting the indicated decision on the JDTA.
- Most of the total decisions to **release** youth were made on the basis of the JDTA, but 13.0% of the total decisions to release youth were made on the basis of overrides down to release.
- Youth were sometimes screened more than once for detention. One hundred eighty six youth accounted for 214 referrals that were screened using the JDTA. The vast majority of the duplication was in referrals that scored detention on the JDTA.
- The most common reporting reason for **detention** indicated on the JDTA for which the decision to detain was made was “Felony – Person”, followed closely by “Felony – Property” and “Supervision/Technical Violation, JO Authorization, or Court Order”.
- The most common reporting reason for detention indicated on the JDTA for referrals for which the decision to assign youth to an **alternative** was made were “Misdemeanor – Person” and “Misdemeanor – Property”, in that order. “Drug Offense” and “Felony – Property” were tied for third among referrals assigned to alternative.
- The most common reporting reason for detention indicated on the JDTA for referrals for which the decision to **release** youth was made were “Misdemeanor – Property” and “Misdemeanor – Person”.

Pre-Adjudication Detention Admissions

The third section concerns data about pre-adjudication, secure detention admissions. The main findings include:

- Most of the pre-adjudication, secure detention admissions were for referrals of male youth and black youth.
- A statistically significant relationship was found between race and detention admission. Black youth were more likely to be admitted for detention.
- Ninety nine youth accounted for 110 secure detention admissions. One white youth was admitted twice during the reporting period, so black youth accounted for most of the multiple detention stays.
- The majority of detention admissions during the reporting period were for referrals of youth aged 15 or 16. White youth as young as 13 were admitted, while black youth as young as 12 were admitted. There was no statistically significant relationship between age and admission, indicating that other factors influenced admission.
- Consistent with the reason reporting codes indicated on the JDTA, a majority of the secure, pre-adjudication detention admissions were for referrals with a felony allegation, followed by “Violation of Valid Court Order”. statistical test actually showed no relationship between charge level (defined as “Felony” versus “No Felony”) and admission.

Alternatives to Detention

The fourth section concerned referrals assigned to alternatives, both those that were placed on an alternative in lieu of being detained and those that were admitted for detention before being moved to an alternative program. The main findings include:

- Fifty eight delinquency referrals were assigned to alternative programs. Twenty three referrals were assigned to an alternative in lieu of being detained, while 58 referrals were admitted to detention before being moved to an alternative program. Most in both groups were male and black.
- All but one of the referrals assigned to an alternative in lieu of detention were given “Conditional Release”. Most of these referrals were referrals of black youth.
- The most common alternative utilized after detention admission was “Global Positioning Program”, followed by “Drug/Alcohol Treatment”, and “In Home Detention”. The referrals assigned to “Drug/Alcohol Treatment” were split across white and black youth, while most of the referrals assigned to the other two programs (“GPS” and “In Home Detention”) were referrals of black youth.

Petition of Delinquency Referrals

The fifth section concerns data on petitions of delinquency referrals. The main findings include:

- A majority of referrals petitioned were referrals of male youth and referrals of black youth.
- A statistically significant relationship was found between race and petition. Black youth were more likely to be petitioned.
- One hundred eighty six youth accounted for 276 referrals petitioned during the reporting period. While the majority of youth had only one referral within this time, black youth and male youth whose referrals were petitioned were more likely to have received more than one referral during the reporting period.
- A majority of youth who received referrals that were petitioned had received five or more prior referrals.
- The majority of petitions were for referrals of youth aged 15 or 16. Black youth were somewhat more likely to be younger at the time of petition than white youth.
- Referrals petitioned included more serious allegations than those informally resolved. The most common charge types on referrals petitioned had allegations in the “All Other Juvenile” category (with the charges “Failure to Appear – Misdemeanor” and “Violation of Valid Court Order”). Next most common were those in the category of “Felony Theft”. Due to the small frequencies of referrals petitioned in each charge category, no statistical relationship between race and petition could be identified when considering charge category.

Delinquency Referrals Dismissed for Informal Adjustment

The sixth section concerns data on delinquency referrals dismissed for informal adjustment. The main findings include:

- The majority of referrals dismissed for informal adjustment were referrals of male youth and referrals of black youth.
- Consistent with other referral patterns, most of the referrals resolved informally after dismissal were referrals of youth aged 15-16.
- The range of charge categories for referrals resolved informally after dismissal is similar to that of other informally resolved referrals: mostly person and property offenses. The twenty-four referrals were evenly split between felonies and misdemeanors.

Findings of Delinquency

The seventh section concerns data on cases in which youth were found delinquent. The main findings include:

- A majority of cases in which the Court found charges of delinquency to be true were cases involving black youth.
- A statistically significant relationship was found between race and adjudicating a youth delinquent. White youth were more likely to be adjudicated delinquent.
- The majority of findings of delinquency involved youth aged 15 or 16. Black youth were somewhat more likely to be younger at the time of adjudication than white youth.
- Most of the charges for which finding of delinquency was made were property offenses, with “Robbery”, “Misdemeanor Theft”, and “Felony Theft” being the most common charge categories. “The next most common charge category after those was “Misdemeanor Assault”.

Initial Disposition is Commitment to DYS

The eighth section concerns data on delinquency cases for which the initial disposition was commitment to the Department of Youth Services. The main findings include:

- There were only five delinquency cases for which the initial disposition was commitment to DYS. All involved male youth. One involved a white youth, while the other four were black youth.
- All but one of the cases involved youth aged 15 or 16. The other youth was 13 years old at the time of commitment.
- One of the ZIP Code Tabulation Areas (ZCTAs) in which the mailing addresses of youth committed to DYS were located was an area with a very high concentration (greater than 70%) of black, non-Hispanic residents.
- The mailing addresses of youth committed to DYS during the reporting period were concentrated in north St. Louis County.
- Two of the ZCTAs in which the mailing addresses of youth committed to DYS were located were areas that would be considered “poverty areas” by the U.S. Census

Bureau, with 20% or more of the total population below the poverty threshold in those areas.

- All allegations were felonies, ranging from felony A to felony B. All youth committed to DYS were charged within the category of “Robbery”: “Robbery 1st Degree” or “Robbery 2nd Degree”.

DYS Commitment Due to Violation of Valid Court Order

The ninth section concerns data about cases committed to DYS due to an allegation of Violation of Valid Court Order (VVCO). The main findings include:

- There were three cases for which the initial disposition was to make the youth a ward of the state but in which the youth was later committed to DYS for VVCO. One of those commitments was for a case involving a black female youth, while the other two were for cases involving black male youth.
- All of the cases disposed with DYS commitment for VVCO involved youth aged 16.
- One of the ZIP Code Tabulation Areas (ZCTAs) in which the mailing addresses of youth committed to DYS were located was an area with a very high concentration (greater than 70%) of black, non-Hispanic residents. By contrast, one ZCTA had a very low concentration of black, non-Hispanic residents.
- The mailing addresses of youth committed to DYS for VVCO during the reporting period were spread across St. Louis County.
- One of the ZCTAs in which the mailing addresses of youth committed to DYS were located were areas that would be considered a “poverty area” by the U.S. Census Bureau, with 20% or more of the total population below the poverty threshold in those areas. One of the ZCTAs had much less poverty than the other two.

Initial Disposition of DYS Commitment is Suspended but Later Youth are Committed

The tenth section concerns data about cases for which the initial disposition to commit to DYS was suspended but in which the youth was later committed. The main findings include:

- There were two cases committed to DYS after a conditional suspension of the order to commit. One of those commitments was for a case involving a black female youth, while the other was for a case involving a black male youth.
- One involved a youth aged 16, while the other youth was 17 at the time of commitment.
- In one case, the major allegation was for “Felony Theft”, while the other was for “Misdemeanor Theft”.
- One of the ZIP Code Tabulation Areas (ZCTAs) in which the mailing addresses of youth committed to DYS after conditional suspension were located was an area with a very high concentration (greater than 70%) of black, non-Hispanic residents.
- One of the ZCTAs in which the mailing addresses of youth committed to DYS after conditional suspension were located were areas that would be considered a “poverty area” by the U.S. Census Bureau, with 20% or more of the total population below the poverty threshold in that area.

Certifications

The eleventh section concerns data on cases that were certified to adult court. The main findings include:

- The Court certified eleven cases. All of the youth were male, and all but one of the youth certified were black youth.
- All youth were ages 16 or older at the time of certification.
- Based on motions filed in the eleven cases, eight were considered mandatory under statute, while three were considered to be discretionary. Six of the mandatory certifications were due to an allegation that the youth committed one of the mandatory felonies, while two were due to the allegation that the youth committed a third unrelated felony.
- All allegations were felonies, ranging from felony A to unclassified felony. The single white youth certified was charged with “Felony Assault”. The remaining youth certified were all black youth. They were charged within the following charge categories: “Murder”, “Forcible Rape”, “Robbery”, and “Burglary”.
- Five of the ZCTAs in which the mailing addresses of youth certified were located were areas with very high concentrations (greater than 70%) of Black, non-Hispanic residents, while two were areas with very high concentrations of White, non-Hispanic residents.
- The mailing addresses of youth certified during the reporting period were mostly concentrated in north St. Louis County.
- Six of the ZCTAs in which the mailing addresses of youth certified were located were areas that would be considered “poverty areas” by the U.S. Census Bureau, with 20% or more of the total population below the poverty threshold in those areas. One ZCTA, 63120, would be considered an area of highly concentrated poverty, with more than 40% of the total population in poverty in 2015.

Attorney Representation for Youth

The twelfth, and last, section concerns data on attorney representation for youth at hearings. The main finding was that:

- Based on data extracted, attorneys represented youth at 96.9% of hearings. However, as indicated in endnote 75, court staff reviewed the legal files and determined that all youth were represented, so a process is being implemented to address this data discrepancy for future reports.

Introduction

The St. Louis Family Court entered into a Memorandum of Agreement (Agreement) with the United States Department of Justice (DOJ) on Wednesday, December 14, 2016 to address due process and equal protection concerns raised by the DOJ Civil Rights Division. In that Agreement (United States Department of Justice, 2016), the Court agreed to use the Justice Information System (JIS) to collect data on sex, race, age, and offense information to inform a statistical analysis of a number of juvenile justice decision points¹ that would be produced by the Office of Juvenile Justice and Delinquency Prevention funded Disproportionate Minority Contact (DMC) research analyst at the Office of State Courts Administrator. This document reports on this data for the period of 1/1/2017 to 6/30/2017.

The intention of this first bi-annual report is to provide a preliminary examination of data to address concerns about potential Disproportionate Minority Contact (DMC) experienced by black youth at the decision points of: informal adjustment, pre-adjudication secure detention, petition, adjudication, formal disposition (for those cases that result in commitment to the Department of Youth Services), and certification. All of the data concerns referrals or cases in which at least one of the allegations was a delinquency charge.

Since the reporting period is short, the data available mostly lends itself to descriptive analysis. Where possible, inferential statistics are used to examine patterns in the data. While the report does present descriptive and inferential statistical findings that are suggestive of the existence of Disproportionate Minority Contact at most of the decision points examined, it is important to understand that the preliminary nature of this data calls for caution in making assertions that findings that indicate that black youth are more likely to experience certain outcomes at these decision points are actually indicative of racial disparity, or unequal treatment by the St. Louis Family Court, in addition to evidence of disproportionality, which refers to a difference in the proportions of minority youth and white youth experiencing contact at various stages of juvenile justice processing. Future reports will be better able to leverage advanced statistical analysis as additional data is added. This will include the use of logistic regression, where appropriate, to identify if race remains as a factor in outcomes after appropriately controlling for other legal and extra-legal variables.

Informally Resolved Delinquency Referrals

The Memorandum of Agreement requires that the St. Louis Family Court “collect and make available data showing whether a juvenile delinquency matter referred to the Court was resolved informally prior to the filing of a delinquency petition” (United States Department of Justice, 2016). This section focuses on data about referrals that were handled informally, whether through informal adjustment or another fashion. To be clear, resolving a juvenile delinquency matter informally may mean a number of things as long as a referral is prevented from proceeding to petition, or the filing of charges in a formal case. One of the primary means by which this happens is through the creation of an informal adjustment contract, which can include:

the giving of guidance and advice to a juvenile and the parents, guardian or custodian of the juvenile by the juvenile officer and other persons, as appropriate [and may include], with the consent of the juvenile and of the juvenile's parent, guardian or custodian, supervision by the juvenile officer and temporary placement of the juvenile with persons other than the juvenile's parent, guardian or custodian, as provided by law. Referrals may be made by the juvenile officer to public and private agencies that may provide beneficial guidance or services to the juvenile and the juvenile's parents, guardian or custodian (McCarver, 2011).

Referrals may also be resolved informally through the dismissal of referrals for insufficient evidence or for some other reason². Last, it is also possible to transfer jurisdiction over a referral to another juvenile court or agency^{3 4}.

Sex and Race

Between 1/1/2017 and 6/30/2017, the St. Louis County Family Court informally disposed 1,362 delinquency referrals⁵. As indicated by

Table 1, the majority, 66.9%, of referrals informally resolved were referrals of male youth, while the remaining 33.0% were referrals of female youth. Black youth accounted for a majority, 66.4%, of referrals informally resolved, while 30.7% were referrals of white youth, 1.7% were referrals of Hispanic youth, 1.0% were referrals of Asian/Pacific Islander youth, and 0.1% were referrals of Native American youth. Two referrals were missing “race”. These unknown race referrals accounted for 0.1% of all referrals. These two informally resolved referrals without race data are not reported in this section hereafter.

Table 1 Informal Disposition of Delinquency Referrals by Sex and Race
OSCA Extract of JIS Data
1/1/2017-6/30/2017

Sex	Unknown	White	Black	Hispanic	Asian / Pacific Islander	Native American	Grand Total
Female							
Referrals		127	317	3	1	1	449
Percentage of Total Referrals		9.3 %	23.3 %	0.2 %	0.1 %	0.1 %	33.0 %
Male							
Referrals	2	291	588	20	12		911
Percentage of Total Referrals	0.1 %	21.4 %	43.2 %	1.5 %	0.9 %		66.9 %
Total Referrals	2	418	905	23	13	1	1,362
Total Percentage	0.1 %	30.7 %	66.4 %	1.7 %	1.0 %	0.1 %	100.0 %

Distinct Count of Youth with Informally Resolved Referrals During the Reporting Period

A distinct count of youth with referrals disposed informally during the reporting period shows that 1,168 youth accounted for 1,360 referrals. This indicates that a portion of youth referred actually received multiple referrals during the reporting period, though it does not directly indicate how many youth are actually duplicated in the 1,360 count, because, while most youth would have received only one referral during that period, some youth may have received two referrals, while some may have received three referrals, and so on. To determine the actual number of duplicated youth, it is necessary to count the number of youth by the number of referrals they received. This is reported in

Table 2. As shown in that table, the majority of youth (1,045, or 89.5% of the total youth) had only one referral within that time period. Of the 1,045 youth with one referral, 372 were female youth, and 673 were male youth. As might be expected, the next largest group was the 83 youth who had two referrals during the reporting period. The number of youth with successively more referrals declines as the number of subsequent referrals increases.

**Table 2 Count of Youth by the Number of Informally Resolved
Delinquency Referrals, Sex, and Race
OSCA Extract of JIS Data
1/1/2017-6/30/2017**

Sex	White	Black	Hispanic	Asian / Pacific Islander	Native American	Grand Total
Female						
1 Referral	118	249	3	1	1	372
2 Referrals	3	14				17
3 Referrals	1	5				6
4 Referrals		5				5
5 Referrals		1				1
More Than 5 Referrals						
Subtotal	122	274	3	1	1	401
Male						
1 Referral	230	426	12	5		673
2 Referrals	17	47	2			66
3 Referrals	4	10		1		15
4 Referrals	2	5	1	1		9
5 Referrals		2				2
More Than 5 Referrals	1	1				2
Subtotal	254	491	15	7		767
Grand Total	376	765	18	8	1	1,168

Black youth and male youth were more likely to have received more than one referral during the reporting period. While 11.8% of black youth (90 youth out of 765 black youth total) had two or more referrals during the reporting period, only 7.4% of white youth (28 youth out of 376 white youth total) had two or more. Further, while 12.3% of male youth (94 youth out of 767 male youth total) had two or more referrals during the reporting period, only 7.2% of female youth (29 youth out of 401 female youth total) had two or more.

Prior Referrals

While the previous sub-section reported on the number of referrals youth received *during* the reporting period, revealing that 10.5% of all youth had received more than one referral during that time, this next sub-section reports on data about the number of referrals that youth have *ever* received. As indicated by

Table 3, a plurality of the youth (656 youth or 48.2%) who received referrals that were informally resolved had not received prior referrals⁶. Notably, black youth and male youth were more likely to have received prior referrals.

Table 3 Count of Youth with Prior Referrals by the Number of Prior Referrals, Sex, and Race
OSCA Extract of JIS Data
1/1/2017-6/30/2017

Sex	White	Black	Hispanic	Asian / Pacific Islander	Native American	Grand Total
Female						
1st Referral	90	157	3	1	1	252
2nd Referral	22	57				79
3rd Referral	7	41				48
4th Referral	4	13				17
5th Referral	2	9				11
More Than 5 Prior Referrals	2	40				42
Subtotal	127	317	3	1	1	449
Male						
1st Referral	152	238	10	4		404
2nd Referral	46	103	3	2		154
3rd Referral	23	53				76
4th Referral	12	45	1	2		60
5th Referral	15	34	2	1		52
More Than 5 Prior Referrals	43	115	4	3		165
Subtotal	291	588	20	12		911
Grand Total	418	905	23	13	1	1,360

This becomes clear when we consider

Table 4, which shows that 57.9% of white youth had no prior referrals, while only 43.6% of black youth had not previously been referred⁷. The percentages of black youth on their 2nd, 3rd, 4th, 5th, and subsequent referrals were higher than the percentages of white youth with prior referrals. When examining court data for disproportionate minority contact, it is common to find that black youth have more extensive court contact than white youth overall. The research literature has long been divided over whether to attribute this to: differential involvement in offending on the part of youth; differential treatment of groups of youth as a consequence of stereotyping, prejudice, and discrimination; processual issues in juvenile justice decision-making resulting from the social organization of the juvenile justice system; and macrostructural explanations that focus on characteristics of communities and the juvenile courts that serve them (Engen, Steen, & Bridges, 2002; Huizinga, Thornberry, Knight, & Lovegrove, 2007; Piquero & Brame, 2008; Sampson & Lauritsen, 1997). It is not possible to assess these explanations using the current data in this report, but this should be a central concern for continued data collection and analysis.

Table 4 Within Race Percentage of Youth with Prior Referrals by the Number of Prior Referrals

**OSCA Extract of JIS Data
1/1/2017-6/30/2017**

Prior Referrals	White	Black	Hispanic	Asian / Pacific Islander	Native American	Grand Total
1st Referral	57.9 %	43.6 %	56.5 %	38.5 %	100.0 %	48.2 %
2nd Referral	16.3 %	17.7 %	13.0 %	15.4 %		17.1 %
3rd Referral	7.2 %	10.4 %				9.1 %
4th Referral	3.8 %	6.4 %	4.3 %	15.4 %		5.7 %
5th Referral	4.1 %	4.8 %	8.7 %	7.7 %		4.6 %
More Than 5 Prior Referrals	10.8 %	17.1 %	17.4 %	23.1 %		15.2 %

As indicated by Table 5, 56.1% of female youth had no prior referrals, while only 44.4% of black youth had not previously been referred. The percentages of male youth with their 4th, 5th, and subsequent referrals were higher than the percentages of female youth with corresponding numbers of prior referrals.

Table 5 Within Sex Percentage of Youth with Prior Referrals by the Number of Prior Referrals

**OSCA Extract of JIS Data
1/1/2017-6/30/2017**

Prior Referrals	Female	Male	Grand Total
1st Referral	56.1 %	44.4 %	48.2 %
2nd Referral	17.6 %	17.0 %	17.2 %
3rd Referral	10.7 %	8.3 %	9.1 %
4th Referral	3.8 %	6.6 %	5.7 %
5th Referral	2.4 %	5.7 %	4.6 %
More Than 5 Prior Referrals	9.4 %	18.1 %	15.2 %

Age and Race

The majority of informally resolved referrals were referrals of youth aged 15 or 16⁸, accounting for 25.4% and 38.7%, respectively, of total informally resolved referrals of youth aged 10-16. Black youth were somewhat more likely to be younger at the time of informal disposition than white youth as indicated by percentage within race in

Table 6.

**Table 6 Informally Resolved Delinquency Referrals by Age at Disposition and Race
OSCA Extract of JIS Data
1/1/2017-6/30/2017**

Age	White	Black	Hispanic	Asian / Pacific Islander	Grand Total
10					
Referrals	1	22			23
Percentage Within Race	0.3 %	2.7 %			1.9 %
Percentage Across Race	4.3 %	95.7 %			100.0 %
11					
Referrals	8	20			28
Percentage Within Race	2.2 %	2.5 %			2.3 %
Percentage Across Race	28.6 %	71.4 %			100.0 %
12					
Referrals	16	61	1		78
Percentage Within Race	4.4 %	7.6 %	4.5 %		6.5 %
Percentage Across Race	20.5 %	78.2 %	1.3 %		100.0 %
13					
Referrals	31	81	1		113
Percentage Within Race	8.6 %	10.1 %	4.5 %		9.5 %
Percentage Across Race	27.4 %	71.7 %	0.9 %		100.0 %
14					
Referrals	41	139	7		187
Percentage Within Race	11.4 %	17.4 %	31.8 %		15.6 %
Percentage Across Race	21.9 %	74.3 %	3.7 %		100.0 %
15					
Referrals	94	200	4	6	304
Percentage Within Race	26.1 %	25.0 %	18.2 %	50.0 %	25.4 %
Percentage Across Race	30.9 %	65.8 %	1.3 %	2.0 %	100.0 %
16					
Referrals	169	278	9	6	462
Percentage Within Race	46.9 %	34.7 %	40.9 %	50.0 %	38.7 %
Percentage Across Race	36.6 %	60.2 %	1.9 %	1.3 %	100.0 %
Total Referrals	360	801	22	12	1,195
Total Percentage Within Race	100.0 %	100.0 %	100.0 %	100.0 %	100.0 %
Total Percentage Across Race	30.1 %	67.0 %	1.8 %	1.0 %	100.0 %

Type of Informal Disposition

In the preceding sections, all referrals that were resolved informally were aggregated together, regardless of actual disposition. It is important to also consider how referrals are handled. The following dispositions were included in the extract for this first section: “Informal Adjustment Counseled and Warned”, “Juvenile Warning Letter Sent”, “Terminate Informal

Adjustment”, “Juvenile Referral Rejected Insufficient Evidence”, “Transfer to Other Agency”, and “Transfer to Other Juvenile Court”. As shown in Table 7, a plurality of referrals (42.4%) that were resolved informally were rejected due to insufficient evidence. Most of the referrals that were rejected for insufficient evidence were referrals of black youth (66.6%). However, there was no relationship between race and rejection of referrals of black youth. Determining this requires more than examining proportions.

Chi-square tests for independence⁹ were performed on each of the dispositions summarized in Table 7. The emphasis (bold font and shading) in the cells below indicates the group that had higher than expected counts of referrals with each of the relevant informal dispositions, as explained below.

Table 7 Informally Resolved Delinquency Referrals by Type of Disposition and Race
OSCA Extract of JIS Data
1/1/2017-6/30/2017

Type of Disposition	White	Black	Hispanic	Asian / Pacific Islander	Native American	Grand Total
Inf Adj Counseled and Warned						
Referrals	33	128				161
Percentage Within Race	7.9 %	14.1 %				11.8 %
Percentage Across Race	20.5 %	79.5 %				100.0 %
Juv Referral Rejected Insuf Evid						
Referrals	168	384	15	10		577
Percentage Within Race	40.2 %	42.4 %	65.2 %	76.9 %		42.4 %
Percentage Across Race	29.1 %	66.6 %	2.6 %	1.7 %		100.0 %
Juv Warning Letter Sent						
Referrals	22	11				33
Percentage Within Race	5.3 %	1.2 %				2.4 %
Percentage Across Race	66.7 %	33.3 %				100.0 %
Terminate Informal Adjustment						
Referrals	135	240	4	2	1	382
Percentage Within Race	32.3 %	26.5 %	17.4 %	15.4 %	100.0 %	28.1 %
Percentage Across Race	35.3 %	62.8 %	1.0 %	0.5 %	0.3 %	100.0 %
Transfer to Other Agency						
Referrals		4				4
Percentage Within Race		0.4 %				0.3 %
Percentage Across Race		100.0 %				100.0 %
Transfer to Other Juvenile Ct						
Referrals	60	138	4	1		203
Percentage Within Race	14.4 %	15.2 %	17.4 %	7.7 %		14.9 %
Percentage Across Race	29.6 %	68.0 %	2.0 %	0.5 %		100.0 %
Total Referrals	418	905	23	13	1	1,360

Total Percentage Within Race	100.0 %	100.0 %	100.0 %	100.0 %	100.0 %	100.0 %
Total Percentage Across Race	30.7 %	66.5 %	1.7 %	1.0 %	0.1 %	100.0 %

A chi-square test on the disposition “Juvenile Referral Rejected Insufficient Evidence” was performed, and a statistically significant relationship was found between race and rejected referral, $\chi^2 (3, N = 1,359) = 12.08, p = .007$. As indicated by the percentage within race, more Hispanic and Asian/Pacific Islander referrals were rejected than not, more than expected in the test. If referrals are rejected on the basis of legal sufficiency alone, we would expect race to have no bearing on the decision, but this test indicates that there is a race effect for Hispanic and Asian referrals, though the relationship is very weak, $V = 0.09, p = 0.007$. A chi-square test of the relationship between race and rejected referral when only referrals of white and black youth were included showed no relationship between race and rejected referral, $\chi^2 (1, N = 1,323) = 0.59, p = 0.44$.

A chi-square test of the disposition “Informal Adjustment Counseled and Warned”, for which an informal adjustment conference is not held and for which a risk assessment is not required, indicates that there is a significant relationship between race and taking no action in the form of an informal adjustment contract, $\chi^2 (1 N = 1,323) = 10.45, p = 0.001$. The relationship is very weak, $V = 0.09, p = 0.001$. Only referrals of black youth and white youth were included in the test. More referrals of black youth were handled with the disposition of counsel and warn than expected in the test.

A chi-square test of the disposition “Juvenile Warning Letter Sent”, for which an informal adjustment conference is not held and for which a risk assessment is not required, indicates that there is also a significant relationship between race and sending a warning letter, $\chi^2 (1 N = 1,323) = 19.26, p < 0.001$. The relationship is weak, $V = 0.12, p < 0.001$. More referrals of white youth were handled with a warning letter than expected in the test.

A chi-square test of the disposition “Transfer to Other Juvenile Court”, which indicates that the jurisdiction of the youth is transferred to another juvenile court prior to adjudication or proceeding, shows no significant relationship between race and transfer of jurisdiction, $\chi^2 (1 N = 1,323) = 1.85, p = 0.17$.

A chi-square test of the disposition of “Transfer to Other Agency”, which indicates that the jurisdiction of the youth was transferred to a different agency, including DYS, was not performed due to an insufficient number of referrals to run the test.

A chi-square test was also performed on the disposition “Terminate Informal Adjustment”, which indicates that an informal adjustment contract was signed by the youth and parents at some point and that the informal adjustment was ended during the reporting period. A statistically significant relationship was found between race and informal adjustment, $\chi^2 (1 N = 1,323) = 4.69, p = 0.03$. The relationship is very weak, $V = 0.06, p = 0.03$. Only referrals of black and white youth were included in this test¹⁰. More referrals of white youth were

informally adjusted than expected, and fewer referrals of black youth were informally adjusted than expected in the test.

While learning that white youth were more likely than black youth to be on informal adjustment is informative, knowing only that the disposition was “Terminate Informal Adjustment” does not actually tell us anything about whether or not the youth on informal adjustment were on supervision. Therefore, another extract was performed to pull the docket “V” codes for informal adjustment: “VIANS”, which means “Informal Adjustment no Supervision”, and “VIAWS”, which means “Informal Adjustment With Supervision”. As indicated by Table 8, a majority of referrals of youth on informal adjustment (52.6%) were not placed on supervision. Referrals of black youth accounted for a majority of the referrals of youth not placed on supervision (55.7%), and referrals of black youth also accounted for a majority of the referrals of youth placed on supervision (70.2%).

Chi-square tests for independence were performed on the two types of informal adjustment summarized in Table 8. The emphasis (bold font and shading) in the cells below indicates the group that had a higher than expected count of referrals without supervision and the group that had a higher than expected count of referrals with supervision, as explained below.

Table 8 Referrals on Informal Adjustment by Type of Informal Adjustment and Race
OSCA Extract of JIS Data
1/1/2017-6/30/2017

Type of Informal Adjustment	White	Black	Hispanic	Asian / Pacific Islander	Native American	Grand Total
Informal Adjustment no Sup						
Referrals	85	112	2	2	0	201
Percentage Within Race	62.5 %	46.9 %	50.0 %	100.0 %	0.0 %	52.6 %
Percentage Across Race	42.3 %	55.7 %	1.0 %	1.0 %	0.0 %	100.0%
Informal Adjustment With Sup						
Referrals	51	127	2	0	1	181
Percentage Within Race	37.5 %	53.1 %	50.0 %	0.0 %	100.0 %	47.4 %
Percentage Across Race	28.2 %	70.2 %	1.1 %	0.0 %	0.6 %	100.0 %
Total Referrals	136	239	4	2	1	382
Total Percentage Within Race	100.0 %	100.0 %	100.0 %	100.0 %	100.0 %	100.0 %
Total Percentage Across Race	35.6 %	62.6 %	1.0 %	0.5 %	0.3 %	100.0 %

A chi-square was performed on this data, and a statistically significant relationship was found between race and type of informal adjustment, $\chi^2 (1 N = 375) = 8.50, p = 0.004$. The relationship is weak, though it is stronger than any others reported in this section, $V = 0.15, p = 0.004$. Only referrals of black and white youth were included in this test. More referrals of black youth on informal adjustment were placed on supervision than expected, and fewer referrals of white youth on informal adjustment were placed on supervision than expected in the test. Conversely, fewer referrals of white youth on informal adjustment were placed on supervision

than expected, and more referrals of black youth on informal adjustment were placed on supervision than expected in the test.

Charges and Severity of Offense

As indicated in Table 9, few (2.9%) of the informally resolved referrals included as the most serious allegation one of the very serious felony person charge categories: “Forcible Rape”, “Felony Assault”, and “Felony Sex Offense”. When the most serious felony property charge category, “Robbery”, and miscellaneous felony charge category, “Felony Weapons Offense”, are added to this list, referrals with the most serious felony allegations account for 4.6% of all referrals informally resolved. Also, few (1.0%) of the informally resolved referrals included allegations from the least serious charge categories: “All Other Juvenile”¹¹, “Driving Without a License”, and “All Other Traffic”. See below for a discussion of the most common charge categories.

**Table 9 Informally Resolved Delinquency Referrals by Charge Category and Race
(Ordered by Severity of Offense¹²)
OSCA Extract of JIS Data
1/1/2017-6/30/2017**

Charge Category	White	Black	Hispanic	Asian / Pacific Islander	Native American	Grand Total
Forcible Rape	2			1		3
Robbery	1	2				3
Felony Assault	3	10		1		14
Felony Weapons Offense	6	14				20
Felony Sex Offense	9	12	1			22
All Other Adult Felonies ¹³		2				2
Misdemeanor Weapons Offenses	3	12				15
Misdemeanor Assault	61	212	7	1		281
Burglary	4	25				29
Felony Theft	6	46		1		53
Misdemeanor Sex Offense	4	17				21
Misdemeanor Theft	107	238	3	3		351
Felony Property Offense	5	12	2	1		20
Felony Drug Offense	4	2			1	7
Misdemeanor Property Offense	68	154	5	4		231
Misdemeanor Drug Offense	71	37	1	1		110
Disorderly Conduct	19	56				75
All Other Adult ¹⁴	16	39	3			58
Liquor & Tobacco Offense	28	4				32
All Other Juvenile		9				9
Driving Without a License	1	1	1			3
All Other Traffic		1				1

Grand Total	418	905	23	13	1	1,360
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Table 10 presents the top ten delinquency charge categories that were informally resolved within the reporting period. This accounts for 91.3% of all referrals that were informally resolved. Most informal dispositions were for misdemeanor offenses, particularly “Misdemeanor Theft” and “Misdemeanor Assault”. Within referrals that were informally disposed, black youth were more likely than white youth to have been handled informally for three out of the top ten charge categories. These categories were “Misdemeanor Assault”, “Felony Theft”, and “Burglary”. The exceptions were “Misdemeanor Drug Offense” and “Liquor and Tobacco Offense”, for which white youth were more likely than black youth to have been handled informally. The categories where chi-square tests indicate a relationship between the charge category and race are bolded below, and shading indicates the group that had higher than expected informal dispositions for each of the relevant charge categories.

Table 10 Top Ten Informally Resolved Delinquency Referrals by Charge Category and Race (Ordered by Count of Referrals of Black Youth)
OSCA Extract of JIS Data
1/1/2017-6/30/2017

Charge Category	White	Black	Hispanic	Asian / Pacific Islander	Grand Total
Misdemeanor Theft	107	238	3	3	351
Misdemeanor Assault	61	212	7	1	281
Misdemeanor Property Offense	68	154	5	4	231
Disorderly Conduct	19	56			75
Felony Theft	6	46		1	53
All Other Adult	16	39	3		58
Misdemeanor Drug Offense	71	37	1	1	110
Burglary	4	25			29
Felony Sex Offense	9	12	1		22
Liquor & Tobacco Offense	28	4			32
Grand Total	389	823	20	10	1,242

A chi-square test was performed on the charge category “Misdemeanor Assault”, and a statistically significant relationship was found between race and informal disposition, $\chi^2 (1 N = 1,323) = 13.62, p < 0.001$. The relationship is very weak, $V = 0.10, p < 0.001$. Only referrals of black and white youth were included in this test. More “Misdemeanor Assault” referrals of black youth were handled informally than expected in the test.

A chi-square test was performed on the charge category “Felony Theft”, and a statistically significant relationship was found between race and informal disposition, $\chi^2 (1 N = 1,323) = 10.07, p = 0.002$. The relationship is very weak, $V = 0.09, p = 0.002$. Only referrals of black and white youth were included in this test. More “Felony Theft” referrals of black youth were handled informally than expected in the test.

A chi-square test was performed on the charge category “Misdemeanor Drug Offense”, and a statistically significant relationship was found between race and informal disposition, χ^2 (1 N = 1,323) = 63.44, p < 0.001. The relationship is moderate, V = 0.22, p < 0.001. Only referrals of black and white youth were included in this test. More “Misdemeanor Drug Offense” referrals of white youth were handled informally than expected in the test.

A chi-square test was performed on the charge category “Burglary”, and a statistically significant relationship was found between race and informal disposition, χ^2 (1 N = 1,323) = 4.35, p = 0.04. The relationship is very weak, V = 0.06, p = 0.04. Only referrals of black and white youth were included in this test. More “Burglary” referrals of black youth were handled informally than expected in the test.

A chi-square test was performed on the charge category “Liquor and Tobacco Offense”, and a statistically significant relationship was found between race and informal disposition, χ^2 (1 N = 1,323) = 47.42, p < 0.001. The relationship is very weak, V = 0.19, p < 0.001. Only referrals of black and white youth were included in this test. More “Liquor and Tobacco Offense” referrals of white youth were handled informally than expected in the test.

Detention Screening

This section focuses on data about the use of Missouri Juvenile Detention Assessment (JDTA) screening on referrals presented for detention in St. Louis County. The decision to detain or release a juvenile must comply with Court Operating Rule 28, which mandates the use of the JDTA to assess whether or not a juvenile presents a risk to public safety or may fail to appear in court for an adjudication hearing. The JDTA provides a score that is to be used to inform “the initial decision whether to detain in secure detention, utilize an alternative to secure detention, or release with or without conditions pending hearing” (Missouri Supreme Court, 2012). The JDTA provides scores for six factors: 1. Capias, Court Order, or Warrant; 2. Most Serious Presented Offense; 3. Unrelated Presented Offenses; 4. Prior Juvenile Referrals; 5. Current Legal Status; and 6. Flight Risk. After scoring a youth presented for possible detention on these six factors, the total score is used to determine the “indicated decision” of the instrument: secure detention, detention alternative, or release. The person utilizing the JDTA has the ability to override the indicated decision either up or down. Last, in addition to recording the sex and race of the youth, a user of the JDTA selects the “reporting reason code for detention”¹⁵.

Detained by Sex and Race

Between 1/1/2017 and 6/30/2017, the St. Louis County Family Court utilized the JDTA to make the decision to detain youth on the basis of 137 referrals. Referrals of female youth represented 10.2% of the decision to detain, so the majority, 89.8%, of detention decisions (indicated by the instrument or overridden up) were made about male referrals. In addition, note that most, 83.9%, of the decisions to detain (indicated by the instrument or overridden up) were made about black referrals. Referrals of white youth account for 13.9% of detention

decisions, referrals of Hispanic youth account for 1.5% of detention decisions, and referrals of Asian/Pacific Islander youth account for the remaining 0.7% of detention decisions. Most, 95.6%, of the total decisions to detain were made on the basis of the indicated decision on the JDTA. The remaining 4.3% of the total decisions to detain were made on the basis of overrides up to detention. Please refer to Table 11 for specific frequencies.

Table 11 JDTA Detention Indicated Decision Retained and Overrides up to Detention by Sex and Race
OSCA Extract of JIS Data
1/1/2017-6/30/2017

Sex	White	Black	Hispanic	Asian / Pacific Islander	Grand Total
Female					
Detention Decision Retained	1	11			12
Override Up to Detention	1	1			2
Male					
Detention Decision Retained	17	99	2	1	119
Override Up to Detention		4			4
Total Detention Decision Retained	18	110	2	1	131
Total Override Up to Detention	1	5			6

Alternative by Sex and Race

During the reporting period, the St. Louis County Family Court utilized the JDTA to make the decision to assign youth to an alternative program on the basis of 23 referrals. Referrals of female youth represented 13.0% of the decision to assign an alternative, so the majority, 87.0%, of decisions about alternatives were made about male referrals. In addition, note that most, 78.3%, of the decisions to assign an alternative program were made about black referrals. Referrals of white youth account for the remaining 21.7% of the decisions about alternatives. All of the total decisions to assign youth to alternative programs were made on the basis of accepting the indicated decision on the JDTA. There were no overrides (either up or down) to an alternative to detention. Please refer to

Table 12 for specific frequencies.

Table 12 JDTA Alternative Indicated Decision Retained and Overrides to Alternative by Sex and Race

**OSCA Extract of JIS Data
1/1/2017-6/30/2017**

Sex	White	Black	Grand Total
Female			
Alternative Decision Retained		3	3
Override Down to Alternative			
Override Up to Alternative			
Male			
Alternative Decision Retained	5	15	20
Override Down to Alternative			
Override Up to Alternative			
Total Alternative Decision Retained	5	18	23
Total Override Down to Alternative			
Total Override Up to Alternative			

Released by Sex and Race

Between 1/1/2017 and 6/30/2017, the St. Louis County Family Court utilized the JDTA to make the decision to release youth on the basis of 54 referrals. Referrals of female youth represented 29.6% of the decision to release youth, so the majority, 70.4%, of decisions about releasing youth were made about male referrals. In addition, note that most, 92.6%, of the decisions to release youth were made about black referrals. Referrals of white youth account for 5.6% of the decisions about releasing youth, while referrals of Hispanic youth account for the remaining 1.9% of the decisions about releasing youth. Most, 87.0%, of the total decisions to release youth were made on the basis of accepting the indicated decision on the JDTA. The remaining 13.0% of the total decisions to release youth were made on the basis of overrides down to release. Please refer to Table 13 for specific frequencies.

Table 13 JDTA Release Indicated Decision Retained and Overrides Down to Release by Sex and Race

**OSCA Extract of JIS Data
1/1/2017-6/30/2017**

Sex	White	Black	Hispanic	Grand Total
Female				
Release Decision Retained		14		14
Override Down to Release		2		2
Male				
Release Decision Retained	2	31		33
Override Down to Release	1	3	1	5
Total Release Decision Retained	2	45		47
Total Override Down to Release	1	5	1	7

Distinct Counts of Youth and Duplicated Counts of Referrals – JDTA Indicated Decisions

As indicated in Table 14, a distinct count of youth screened for detention between 1/1/2017 and 6/30/2017 shows that, for the indicated decision from JDTA scoring, 115 youth accounted for 131 referrals that scored “detention”. Further, a distinct count shows that 33 youth accounted for 33 referrals that scored “alternative” on the JDTA, while 47 youth accounted for 50 referrals that scored “release”.

Among those referrals scoring “detention” as the indicated decision on the JDTA, 14 white youth accounted for 18 referrals, 99 black youth accounted for 110 referrals, one Hispanic youth accounted for two referrals, and one Asian/Pacific Islander youth accounted for one referral. Among those referrals scoring “alternative” as the indicated decision on the JDTA, seven white youth accounted for seven referrals, 25 black youth accounted for 25 referrals, and one Hispanic youth accounted for one referral. Among those referrals scoring “release” as the indicated decision on the JDTA, two white youth accounted for two referrals, and 45 black youth accounted for 48 referrals.

Table 14 Duplicated and Distinct Counts for JDTA Indicated Decisions by Race
OSCA Extract of JIS Data
1/1/2017-6/30/2017

Indicated Decision	White	Black	Hispanic	Asian / Pacific Islander	Grand Total
Detention					
Distinct Count of Parties	14	99	1	1	115
Duplicated Count of Referrals	18	110	2	1	131
Alternative					
Distinct Count of Parties	7	25	1		33
Duplicated Count of Referrals	7	25	1		33
Release					
Distinct Count of Parties	2	45			47
Duplicated Count of Referrals	2	48			50
Total Distinct Count of Parties	20	163	2	1	186
Total Duplicated Count of Referrals	27	183	3	1	214

Distinct Counts of Youth and Duplicated Counts of Referrals – JDTA Final Decisions

As indicated in Table 15, a distinct count of youth screened for detention between 1/1/2017 and 6/30/2017 shows that, for the final decision after JDTA scoring, 115 youth accounted for 131 referrals about which the assessment indicated decision to detain was retained. A distinct count shows that six youth accounted for the final decision to override up to detention on six referrals. A distinct count shows that 23 youth account for 23 referrals about which the assessment indicated decision to assign to an alternative program was retained. A distinct count shows that 45 youth account for 47 referrals about which the assessment indicated decision to release was retained. A distinct count shows that seven youth accounted for the final decision to override down to release on seven referrals.

Among those referrals about which the final decision was to retain the assessment indicated decision to detain, 14 white youth accounted for 18 referrals, 99 black youth accounted for 110 referrals, one Hispanic youth accounted for two referrals, and one Asian/Pacific Islander youth accounted for one referral. Among those referrals that were overridden up to detention, one white youth accounted for one referral about which the assessment indicated decision was to assign to an alternative program, two black youth accounted for two referrals about which the assessment indicated decision was to assign to an alternative program, and three black youth accounted for three referrals about which the assessment indicated decision was to release. Among those referrals about which the final decision was to retain the assessment indicated decision to assign to an alternative program, five white youth accounted for five referrals, and 18 black youth accounted for 18 referrals. Among those referrals about which the final decision was to retain the assessment indicated decision to release, two white youth accounted for two referrals, and 43 black youth accounted for 45 referrals. Last, among those referrals that were overridden down to release, one white youth accounted for one referral about which the assessment indicated decision was to assign to an alternative program, five black youth accounted for five referrals about which the assessment indicated decision was to assign to an alternative program, and one Hispanic youth accounted for one referral about which the assessment indicated decision was to assign to an alternative program.

Table 15 Duplicated and Distinct Counts for JDTA Final Decisions by Race
OSCA Extract of JIS Data
1/1/2017-6/30/2017

Final Decision	Indicated Decision									Grand Total
	White			Black			Hispanic		Asian / Pacific Islander	
	DET	ALT	REL	DET	ALT	REL	DET	ALT	DET	
Detention Decision Retained										
Distinct Count of Parties	14			99			1		1	115
Duplicated Count of Referrals	18			110			2		1	131
Override up to Detention										
Distinct Count of Parties		1			2	3				6
Duplicated Count of Referrals		1			2	3				6
Alternative Decision Retained										
Distinct Count of Parties		5			18					23
Duplicated Count of Referrals		5			18					23
Release Decision Retained										
Distinct Count of Parties			2			43				45
Duplicated Count of Referrals			2			45				47
Override Down to Release										
Distinct Count of Parties		1			5			1		7
Duplicated Count of Referrals		1			5			1		7
Total Distinct Count of Parties	14	7	2	99	25	45	1	1	1	186
Total Duplicated Count of Referrals	18	7	2	110	25	48	2	1	1	214

Total Detention Decision by Reason Reporting Code

During the reporting period, the most common reporting reason for detention indicated on the JDTA for referrals for which the decision to detain was made was “JDDFP (Felony – Person)”, with 32 total detention decisions, followed closely by “JDEFP (Felony – Property)”, with 31 total detention decisions. With 22 of total detention decisions, “JDBTC (Supervision/Technical Violation, JO Authorization, or Court Order)” was the third most common overall. This overall pattern is consistent across sex, except for the fact that “JDEMP (Misdemeanor – Property)” was the most common reason for detention indicated for referrals of female youth. This overall pattern also holds for referrals of black youth, while the number one reason for detention for referrals of white youth is tied across “JDDFP (Felony – Person)”, “JDBTC (Supervision/Technical Violation, JO Authorization, or Court Order)”, and “JDACO (Court Ordered Detention at Hearing)”. “JDCSX (Sex Offense)” is almost as common among referrals of white youth as the top three reporting reasons. Please refer to Table 16 for specific frequencies.

Table 16 Total Count of Detention Decisions by JDTA Reporting Reason Code, Sex, and Race

**OSCA Extract of JIS Data
1/1/2017-6/30/2017**

Sex / Reporting Reason Code	White	Black	Hispanic	Asian / Pacific Islander	Grand Total
Female					
JDAWF (Warrant – FTA)		1			1
JDBTC (Sup/Tech Violation, JO Authorization, Court Order)	1	2			3
JDDFP (Felony – Person)	1	2			3
JDEFP (Felony – Property)		3			3
JDEMP (Misdemeanor – Property)		4			4
Male					
JDACO (Court Ordered Detention at Hearing)	4	8		1	13
JDAWF (Warrant – FTA)	1	11			12
JDBTC (Sup/Tech Violation, JO Authorization, Court Order)	3	14	2		19
JDCSX (Sex Offense)	3	7			10
JDDFP (Felony – Person)	3	26			29
JDDMP (Misdemeanor – Person)		2			2
JDDWE (Weapons Offense)		6			6
JDEDR (Drug Offense)	1				1
JDEFP (Felony – Property)	2	26			28
JDEMP (Misdemeanor – Property)		3			3
Grand Total	19	115	2	1	137

Total Alternative Decision by Reason Reporting Code

Between 1/1/2017 and 6/30/2017, the most common reporting reason for detention indicated on the JDTA for referrals for which the decision to assign youth to an alternative was made was “JDDMP (Misdemeanor – Person)”, with seven total alternative decisions, followed by “JDEMP (Misdemeanor – Property)”, with five total alternative decisions. With four of the total alternative decisions each, “JDEDR (Drug Offense)” and “JDEFP (Felony – Property)” were tied for the third most common overall. There were only three decisions to assign referrals of female youth to an alternative. All involved black female youth. For referrals of male youth, the most common reporting reason for detention was “JDDMP (Misdemeanor – Person)” with six total alternative decisions. Tied for second place were “JDEDR (Felony – Property)”, “JDEFP (Felony – Property)”, and “JDEMP (Misdemeanor – Property)”, with four total alternative decisions each. Most of the alternative decisions about referrals of black youth were associated with “JDDMP (Misdemeanor – Person)”, with five alternative decisions, followed by “JDEFP (Felony – Property)”, with four alternative decisions. There were five alternative decisions for referrals of white youth. “JDEDR (Felony – Property)” and “JDEMP (Misdemeanor – Property)” accounted for the majority, with two alternative decisions each. Please refer to Table 17 for specific frequencies.

Table 17 Total Count of Alternative Decisions by JDTA Reporting Reason Code, Sex, and Race
OSCA Extract of JIS Data
1/1/2017-6/30/2017

Sex / Reason Reporting Code	White	Black	Grand Total
Female			
JDDFP (Felony – Person)		1	1
JDDMP (Misdemeanor – Person)		1	1
JDEMP (Misdemeanor – Property)		1	1
Male			
JDDFP (Felony – Person)		1	1
JDDMP (Misdemeanor – Person)	1	5	6
JDDWE (Weapons Offense)		1	1
JDEDR (Drug Offense)	2	2	4
JDEFP (Felony – Property)		4	4
JDEMP (Misdemeanor – Property)	2	2	4
Grand Total	5	18	23

Total Release Decision by Reason Reporting Code

During the reporting period, the most common reporting reason for detention indicated on the JDTA for referrals for which the decision to release youth was made was “JDEMP (Misdemeanor – Property)”, with 29 total release decisions, followed by “JDDMP (Misdemeanor – Person)” with 17 total release decisions. The other reporting reasons trailed by a large amount behind those top two reasons. For referrals of female youth, all of which involved black, female youth, these were the only two reporting reasons indicated. For referrals of black youth, associated with the vast majority of decisions to release, these were the most common reporting reasons indicated. There were only three decisions to release referrals of white youth. Please refer to Table 18 for specific frequencies.

Table 18 Total Count of Release Decisions by JDTA Reporting Reason Code, Sex, and Race
OSCA Extract of JIS Data
1/1/2017-6/30/2017

Sex / Reason Reporting Code	White	Black	Hispanic	Grand Total
Female				
JDDMP (Misdemeanor – Person)		5		5
JDEMP (Misdemeanor – Property)		11		11
Male				
JDDMP (Misdemeanor – Person)	1	11		12
JDEDR (Drug Offense)	1	1		2
JDEFP (Felony – Property)		3	1	4
JDEMP (Misdemeanor – Property)	1	17		18
JDFMO (Misdemeanor – Other)		2		2

Grand Total	3	50	1	54
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Pre-Adjudication Detention Admissions

While it is important to track the use of an objective detention screening instrument, such as the JDTA, it is still important to also track actual detention admissions. This section focuses on data about referrals of youth detained before an adjudication hearing and excludes youth detained following an adjudication hearing.

Sex and Race

Between 1/1/2017 and 6/30/2017, the St. Louis County Family Court utilized secure, pre-adjudication detention for 109 delinquency referrals and one status offense referral¹⁶. Most (88.2%) of those secure detention admissions were admissions of male youth, while the remaining 11.8% were admissions of female youth. In addition, most (86.4%) of those detention admissions were admissions of black youth, while 11.8% were admissions of white youth, and the remaining 1.8% were admissions of Hispanic youth. Please refer to Table 19 for specific frequencies.

Table 19 Pre-Adjudication Detention Admissions by Sex and Race
OSCA Extract of JIS Data
1/1/2017-6/30/2017

Sex	White	Black	Hispanic	Grand Total
Female				
Admissions	1	12		13
Percentage Within Race	7.7 %	12.6 %		11.8 %
Percentage Across Race	7.7 %	92.3 %		100.0 %
Male				
Admissions	12	83	2	97
Percentage Within Race	92.3 %	87.4 %	100.0 %	88.2 %
Percentage Across Race	12.4 %	85.6 %	2.1 %	100.0 %
Total Admissions	13	95	2	110
Total Percentage Within Race	100.0 %	100.0 %	100.0 %	100.0 %
Total Percentage Across Race	11.8 %	86.4 %	1.8 %	100.0 %

A chi-square test for independence was performed on race and secure, pre-adjudication detention admission¹⁷. A statistically significant relationship was found between race and admission, $\chi^2(1, N = 2,456) = 30.03, p < 0.001$. More black referrals than expected in the test were admitted for secure detention, and fewer white referrals than expected were admitted. This test indicates that there is a race effect for black referrals, though the relationship is very weak, $V = 0.11, p < 0.001$.

Prior research has shown that youth of color are more likely to be detained before adjudication and also that pre-adjudication detention is a significant predictor in decision-making at subsequent juvenile justice stages, particularly in petitions, which refers to the formal filing of charges (Rodriguez, The cumulative effect of race and ethnicity in juvenile court outcomes and why preadjudication detention matters, 2010). More data analysis is required to substantiate that race has an effect on pre-adjudication detention in St. Louis County, especially when other variables, such as legal factors and risk/needs data, are included. Multiple regression will be required to more adequately address this, but more data than was available during the reporting period will be required for this.

Distinct Counts of Youth and Duplicated Count of Referrals Detained

As indicated by Table 20, a distinct count of youth securely detained pre-adjudication between 1/1/2017 and 6/30/2017 shows that 99 youth accounted for 110 secure, pre-adjudication detention admissions. Twelve white youth accounted for 13 secure, pre-adjudication detention admissions, 86 black youth accounted for 95 secure, pre-adjudication detention admissions, and one Hispanic youth accounted for two secure, pre-adjudication detention admissions.

**Table 20 Distinct Count of Youth and Duplicated Count of Referrals Detained by Sex and Race
OSCA Extract of JIS Data
1/1/2017-6/30/2017**

Sex	White	Black	Hispanic	Grand Total
Female				
Distinct Count of Parties	1	10		11
Duplicated Count of Referrals	1	12		13
Male				
Distinct Count of Parties	11	76	1	88
Duplicated Count of Referrals	12	83	2	97
Total Distinct Count of Parties	12	86	1	99
Total Duplicated Count of Referrals	13	95	2	110

Age and Race

The majority of secure, pre-adjudication detentions during the reporting period were for referrals of youth aged 15 or 16¹⁸, accounting for 31.8% and 37.3%, respectively, of total secure detention admissions. As indicated by

Table 21, white youth as young as 13 were admitted for secure detention, while black youth as young as 12 were admitted.

**Table 21 Pre-Adjudication Detention Admissions by Age at Detention and Race
OSCA Extract of JIS Data
1/1/2017-6/30/2017**

Age	White	Black	Hispanic	Grand Total
12				
Admissions		3		3
Percentage Within Race		3.2 %		2.7 %
Percentage Across Race		100.0 %		100.0 %
13				
Admissions	1	10		11
Percentage Within Race	7.7 %	10.5 %		10.0 %
Percentage Across Race	9.1 %	90.9 %		100.0 %
14				
Admissions	4	13		17
Percentage Within Race	30.8 %	13.7 %		15.5 %
Percentage Across Race	23.5 %	76.5 %		100.0 %
15				
Admissions	5	29	1	35
Percentage Within Race	38.5 %	30.5 %	50.0 %	31.8 %
Percentage Across Race	14.3 %	82.9 %	2.9 %	100.0 %
16				
Admissions	3	37	1	41
Percentage Within Race	23.1 %	38.9 %	50.0 %	37.3 %
Percentage Across Race	7.3 %	90.2 %	2.4 %	100.0 %
17				
Admissions		3		3
Percentage Within Race		3.2 %		2.7 %
Percentage Across Race		100.0 %		100.0 %
Total Admissions	13	95	2	110
Total Percentage Within Race	100.0 %	100.0 %	100.0 %	100.0 %
Total Percentage Across Race	11.8 %	86.4 %	1.8 %	100.0 %

A chi-square test for independence was performed on age and secure, pre-adjudication detention admission¹⁹, but this test showed no relationship between age and admission, $\chi^2 (4, N = 2,456) = 6.57, p = 0.16$.

Charges and Severity of Offense

As indicated in Table 22, 20.0% percent of secure, pre-adjudication detention admissions included as the most serious allegation one from the very serious felony person charge categories: “Forcible Rape”, “Felony Assault”, and “Felony Sex Offense”. When the most serious felony property charge category, “Robbery”, and miscellaneous felony charge category, “Felony Weapons Offense”, are added to this list, referrals with the most serious felony

allegations account for 30.0% of all secure, pre-adjudication detention admissions. Also, 26.3% of the secure, pre-adjudication detention admissions included allegations from the least serious charge category: “All Other Juvenile”²⁰.

**Table 22 Pre-Adjudication Detention Admissions by Charge Category and Race
(Ordered by Severity of Offense)
OSCA Extract of JIS Data
1/1/2017-6/30/2017**

Charge Category	White	Black	Hispanic	Grand Total
Murder		4		4
Robbery		9		9
Felony Assault	2	6		8
Felony Weapons Offense		2		2
Felony Sex Offense	3	7		10
All Other Adult Felonies ²¹		3		3
Misdemeanor Weapons Offenses		2		2
Misdemeanor Assault		3		3
Burglary		11		11
Felony Theft	1	14		15
Misdemeanor Theft		5		5
Felony Property Offense		2		2
Misdemeanor Property Offense	1	1		2
Misdemeanor Drug Offense	1			1
All Other Adult ²²	1	2		3
Status Offense ^{23 24}		1		1
All Other Juvenile	4	23	2	29
Grand Total	13	95	2	110

As indicated by

Table 23, a majority (60.9%) of the secure, pre-adjudication detention admissions were for referrals with a felony allegation. Another 18.8% of admissions were for referrals for “Violation of Valid Court Order”, which accounts for all but one of the “Juvenile” admissions in

Table 23. The fact that a majority of admissions were for either a felony or “Violation of Valid Court Order” is not surprising. However, a chi-square test for independence was performed on charge level²⁵ and secure, pre-adjudication detention admission²⁶, and this test showed no relationship between charge level (“Felony”/ “No Felony”) and admission, $\chi^2 (1, N = 108) = 0.42, p = 0.52$.

Table 23 Pre-Adjudication Detention Admissions by Charge Level and Race
OSCA Extract of JIS Data
1/1/2017-6/30/2017

Charge Level	White	Black	Hispanic	Grand Total
FELONY	7	60		67
JUVENILE ²⁷	3	15	2	20
MISDEMEANOR	3	20		23
Grand Total	13	95	2	110

Length of Stay

When examining the use of secure, pre-adjudication detention, it is important to examine the length of detention stays, because doing so makes it possible to ensure that youth are held in detention only for as long as needed. In the process, it is important to consider whether and how the length of detention stays may vary across groups based on factors, such as sex, age, race, and offense severity. This subsection uses data on mean (or average) length of stay (mean LOS) and median length of stay (median LOS) for this purpose.

In Missouri, the mean length of stay is the most frequently used measure of detention stays, but it is actually useful to consider both the mean and the median LOS. Both are measures of central tendency, which means that they are measures that report one score that defines the center of a distribution of values – the one that is the most typical or representative value. While the mean LOS is conventional for this, also reporting the median LOS allows one to see the impact of outliers on the calculation of the mean LOS. Since one, or a few, stays that are much longer (or shorter) than most of the others will either positively skew or negatively skew the mean LOS, the median LOS gives a better indication of the actual center of the distribution of lengths of stay, potentially indicating the more typical experience of youth in detention. At the same time, it is important to know if some detention stays are longer (or shorter) than the typical detention stay, so a mean LOS that is greater (or lesser) than the median will allow us to see that.

Between 1/1/2017 and 6/30/2017, the overall (or total) median length of stay (LOS) for youth in pre-adjudication detention was 17.0 days, while the overall (or total) mean LOS for youth was 23.8 days. The lengths of stay for female and male youth were very different, as indicated by both the median and mean length of stay reported in

Table 24. The lengths of stay for white youth and black youth are similar, the difference in the median LOS is 4.0 days, while the difference in the mean LOS is only 0.1 days. The mean LOS for black youth is 4.1 days longer than the median LOS for the same group, which indicates that some stays of black youth were long enough to skew their mean LOS slightly higher. The mean LOS and median LOS for white youth were more similar.

Table 24 Pre-Adjudication Detention Median and Mean Length of Stay (LOS) by Sex and Race
OSCA Extract of JIS Data

1/1/2017-6/30/2017

Sex	White	Black	Hispanic	Grand Total
Female				
Median LOS	6.0	5.0		6.0
Mean LOS	6.0	9.9		9.6
Male				
Median LOS	25.5	22.0	5.5	22.0
Mean LOS	25.8	26.1	5.5	25.7
Total Median LOS	23.0	19.0	5.5	17.0
Total Mean LOS	24.2	24.1	5.5	23.8

Detention lengths of stay vary across offenses/violations, so adding charge category can be helpful for drilling into length of stay. In

Table 25, median (LOS) and mean LOS for female youth are reported by charge category and race. The overall (or total) median length of stay (LOS) for female youth in pre-adjudication detention was 6.0 days, while the overall (or total) mean LOS for female youth was 9.6 days. The frequencies of referrals with pre-adjudication detention stays are quite small when slicing the data to look only at the detention of female youth, particularly when disaggregating by charge category and race, so the median LOS and mean LOS are the same for all charge categories other than for black youth with referrals categorized as “All Other Juvenile”, which had the longest length of stay overall. The detention admissions for female youth within the “All Other Juvenile” charge category were as follows: one white referral detention admission was for “Violation of Valid Court Order”, one black referral detention admission was for “Failure to Appear – Misdemeanor”, and two black youth detention admissions were for “Violation of Valid Court Order”. The median LOS and mean LOS for the two black youth with detention stays for “Violation of Valid Court Order” were considerably higher than those for the one white youth admitted for the same violation²⁸. The second longest length of stay was for referrals of female, black youth for the charge category of “Felony Assault”. Two referrals of black youth, both with the charge “Assault – 2nd Degree”, accounted for the median LOS of 15 days, which was the same as the mean LOS.

**Table 25 Female Pre-Adjudication Detention Median and Mean Length of Stay (LOS) by
Charge Level and Race
(Ordered by Severity of Offense)
OSCA Extract of JIS Data
1/1/2017-6/30/2017**

Charge Category	White	Black	Grand Total
Felony Assault			
Median LOS		15.0	15.0
Mean LOS		15.0	15.0
Felony Theft			
Median LOS		3.0	3.0
Mean LOS		3.0	3.0
Misdemeanor Theft			
Median LOS		4.5	4.5
Mean LOS		4.5	4.5
Felony Property Offense			
Median LOS		3.0	3.0
Mean LOS		3.0	3.0
All Other Juvenile			
Median LOS	6.0	27.0	16.5
Mean LOS	6.0	20.7	17.0
Total Median LOS	6.0	5.0	6.0
Total Mean LOS	6.0	9.9	9.6

In

Table 26, median (LOS) and mean LOS for male youth are reported by charge category and race. The overall (or total) median length of stay (LOS) for male youth in pre-adjudication detention was 22.0 days, while the overall (or total) mean LOS for male youth was 25.7 days. The frequencies of referrals with pre-adjudication detention stays are also quite small for certain charge categories when slicing the data to look only at the detention of male youth by charge category and race, though, as might be expected from the frequencies in Table 22, the categories of “All Other Juvenile”, “Felony Theft”, “Burglary” all had more than ten referrals each. The longest median LOS for referrals of white youth was for referrals in the charge category of “All Other Adult”, which accounts for one referral with the charge of “Terrorist Threat – 2nd Degree”. The longest median LOS for referrals of black youth was for referrals in the charge category of “Felony Assault”, which accounts for four referrals with the charges of “Assault – 1st Degree or Attempt” and “Assault – 1st Degree or Attempt – Serious Physical Injury or Special Victim”.

**Table 26 Male Pre-Adjudication Detention Median and Mean Length of Stay (LOS) by Charge Level and Race
(Ordered by Severity of Offense)
OSCA Extract of JIS Data
1/1/2017-6/30/2017**

Charge Category	White	Black	Hispanic	Grand Total
Murder				
Median LOS		5.5		5.5
Mean LOS		14.5		14.5
Robbery				
Median LOS		56.0		56.0
Mean LOS		57.2		57.2
Felony Assault				
Median LOS	3.5	61.0		38.0
Mean LOS	3.5	59.5		40.8
Felony Weapons Offense				
Median LOS		16.0		16.0
Mean LOS		16.0		16.0
Felony Sex Offense				
Median LOS	29.0	31.0		30.5
Mean LOS	20.7	25.6		24.1
All Other Adult Felonies				
Median LOS		50.0		50.0
Mean LOS		58.3		58.3
Misdemeanor Weapons Offenses				
Median LOS		23.5		23.5
Mean LOS		23.5		23.5
Misdemeanor Assault				
Median LOS		2.0		2.0
Mean LOS		2.0		2.0
Burglary				
Median LOS		5.0		5.0
Mean LOS		16.5		16.5
Felony Theft				
Median LOS	23.0	10.0		12.0
Mean LOS	23.0	17.3		17.7
Misdemeanor Theft				
Median LOS		2.0		2.0
Mean LOS		2.0		2.0
Felony Property Offense				
Median LOS		6.0		6.0
Mean LOS		6.0		6.0

Misdemeanor Property Offense				
Median LOS	5.0	25.0		15.0
Mean LOS	5.0	25.0		15.0
Misdemeanor Drug Offense				
Median LOS	43.0			43.0
Mean LOS	43.0			43.0
All Other Adult				
Median LOS	86.0	29.5		30.0
Mean LOS	86.0	29.5		48.3
Status Offense				
Median LOS		4.0		4.0
Mean LOS		4.0		4.0
All Other Juvenile				
Median LOS	28.0	17.0	5.5	15.0
Mean LOS	27.7	21.7	5.5	21.1
Total Median LOS	25.5	22.0	5.5	22.0
Total Mean LOS	25.8	26.1	5.5	25.7

Alternatives to Detention

This section reports on data about detention alternative programs that were utilized with youth in lieu of securely detaining them and detention alternative programs that were utilized by moving youth from detention into the alternative programs. Youth may be assigned to an alternative to detention program at the time of detention screening using the JDTA, or youth may be moved to an alternative program after a detention stay has begun, a practice that is explicitly encouraged by the Juvenile Detention Alternatives Initiative (Orlando, 1999). Sensibly, youth moved to programs after having been detained will not be counted in reports on the use of alternative to detention programs for the Juvenile Detention Alternatives Initiative (JDAI), so it is necessary to track them separately.

Sex and Race

Between 1/1/2017 and 6/30/2017, the St. Louis County Family Court utilized alternative programs for 58 delinquency referrals. As indicated in

Table 27, 23 referrals were assigned to an alternative in lieu of detention, while 58 referrals were assigned to detention before being moved to an alternative program. Most in both groups were male. In addition, most of the alternative programs were for black youth.

Table 27 Detention Alternatives by Sex and Race
OSCA Extract of JIS Data
1/1/2017-6/30/2017

Sex	White	Black	Hispanic	Asian / Pacific Islander	Grand Total
Female					
Alternative in lieu of Detention		3			3
Moved From Detention to Alternative	3	5			8
Male					
Alternative in lieu of Detention	5	15			20
Moved From Detention to Alternative	9	39	1	1	50
Total Alternative in lieu of Detention	5	18			23
Total Moved From Detention to Alternative	12	44	1	1	58

Age and Race

As shown in Table 28, the majority of alternative programs were for referrals of youth aged 15 or 16²⁹, accounting for 21.0% and 43.2%, respectively, of total alternative programs.

Table 28 Alternative Programs by Age and Race
OSCA Extract of JIS Data
1/1/2017-6/30/2017

Age	White	Black	Hispanic	Asian / Pacific Islander	Grand Total
12					
Alternative in lieu of Detention	1	1			2
Moved From Detention to Alternative		2			2
13					
Alternative in lieu of Detention		2			2
Moved From Detention to Alternative		6			6
14					
Alternative in lieu of Detention	1	6			7
Moved From Detention to Alternative	2	5			7
15					
Alternative in lieu of Detention	1	3			4
Moved From Detention to Alternative	4	9			13
16					
Alternative in lieu of Detention	1	6			7
Moved From Detention to Alternative	6	20	1	1	28
17					
Alternative in lieu of Detention	1				1
Moved From Detention to Alternative		2			2
Total Alternative in lieu of Detention	5	18			23

Total Moved From Detention to Alternative	12	44	1	1	58
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Alternative Programs

All but one (22 of 23 total) all of the referrals assigned to an alternative in lieu of detention were given “Conditional Release”. Most of these were referrals of black youth. The one exception was assigned to the “Drug/Alcohol Treatment” program. The remaining alternatives listed in Table 29, those that involved moving from detention to an alternative program, were distributed across a variety of programs. Most, with 18 programs, were assigned to “Global Positioning Program”. The next largest group, with 15 programs, was assigned to “Drug/Alcohol Treatment”, followed by the 14 assigned to “In Home Detention”. Ten were assigned to “Shelter Care”, and one was assigned to “Electronic Monitoring”.

Table 29 Alternative Programs by Race
OSCA Extract of JIS Data
1/1/2017-6/30/2017

Alternative Program	White	Black	Hispanic	Asian / Pacific Islander	Grand Total
Conditional Release					
Alternative in lieu of Detention	4	18			22
Moved From Detention to Alternative					
Drug/Alcohol Treatment					
Alternative in lieu of Detention	1				1
Moved From Detention to Alternative	7	6	1	1	15
Electronic Monitoring					
Alternative in lieu of Detention					
Moved From Detention to Alternative		1			1
Global Positioning System					
Alternative in lieu of Detention					
Moved From Detention to Alternative	2	16			18
In Home Detention					
Alternative in lieu of Detention					
Moved From Detention to Alternative	2	12			14
Shelter Care					
Alternative in lieu of Detention					
Moved From Detention to Alternative	1	9			10
Total Alternative in lieu of Detention	5	18			23
Total Moved From Detention to Alternative	12	44	1	1	58

Petition of Delinquency Referrals

A petition involves formally filing charges alleging acts of delinquency or status offenses in a case before a juvenile court judge. This section will consider only data about petitions of referrals with at least one charge that was not a status offense.

Sex and Race

Between 1/1/2017 and 6/30/2017, the St. Louis County Family Court resolved 276 delinquency referrals through petition. As indicated by Table 30, a majority, 84.8%, of referrals that were petitioned were referrals of male youth, while the remaining 15.2% were for female youth. Black youth accounted for the majority, 83.7%, of the referrals that were petitioned, while 14.1% of petitions were referrals of white youth, 0.7% were referrals of Hispanic youth, and 1.4% were referrals of Asian/Pacific Islander youth.

Table 30 Petition of Delinquency Referrals by Sex and Race
OSCA Extract of JIS Data
1/1/2017-6/30/2017

Sex	White	Black	Hispanic	Asian / Pacific Islander	Grand Total
Female					
Referrals	3	39			42
Percentage of Total Referrals	1.1 %	14.1 %			15.2 %
Male					
Referrals	36	192	2	4	234
Percentage of Total Referrals	13.0 %	69.6 %	0.7 %	1.4 %	84.8 %
Total Referrals	39	231	2	4	276
Total Percentage	14.1 %	83.7 %	0.7 %	1.4 %	100.0 %

A chi-square test for independence was performed on race and petition³⁰. A statistically significant relationship was found between race and petition, $\chi^2(1, N = 2,524) = 11.07, p < 0.001$. More black referrals than expected in the test were petitioned, and fewer white referrals than expected were petitioned. This test indicates that there is a race effect for black referrals, though the relationship is very weak, $V = 0.07, p < 0.001$.

This finding is not unexpected based on prior research (Bishop, Leiber, & Johnson, 2010), however, this does require subsequent investigation with more advanced statistical methods that will allow for one to control for more than two variables. Also, the fact that the direction of race effects was not consistent across all decision-making stages, meaning that black youth were more likely to be affected by negative outcomes at certain stages but not others (such as at adjudication), requires careful consideration of the role of various factors that might be influencing decision-making. This is beyond the scope of this initial report, but this does suggest questions for future analysis that will be elaborated later in this report.

Distinct Count of Youth by the Number of Referrals Petitioned During the Reporting Period

One hundred sixty eight youth accounted for 276 referrals that were petitioned during the reporting period. Twenty-six white youth accounted for 39 petitioned referrals, 140 black youth accounted for 231 petitioned referrals, one Hispanic youth accounted for two petitioned referrals, and one Asian/Pacific Islander youth accounted for four petitioned referrals.

As shown in Table 31, the majority of the youth (113, or 67.3% of the total youth) had only one referral within that time period. Black youth and male youth were more likely to have received more than one referral.

Table 31 Count of Youth by the Number of Delinquency Referrals Petitioned by Sex, and Race
OSCA Extract of JIS Data
1/1/2017-6/30/2017

Sex	White	Black	Hispanic	Asian / Pacific Islander	Grand Total
Female					
1 Referral	3	16			19
2 Referrals		7			7
3 Referrals		1			1
4 Referrals					
5 Referrals					
More Than 5 Referrals		1			1
Subtotal	3	25			28
Male					
1 Referral	16	78			94
2 Referrals	4	21	1		26
3 Referrals	2	5			7
4 Referrals		4		1	5
5 Referrals		4			4
More Than 5 Referrals	1	3			4
Subtotal	23	115	1	1	140
Grand Total	26	140	1	1	168

Prior Referrals

While it was common for youth who received referrals that were resolved informally to have received no prior referrals before the current referral, a majority of youth who received referrals that were petitioned had received five or more prior referrals³¹, as indicated by

Table 32.

Table 32 Count of Youth with Prior Referrals by the Number of Prior Referrals, Sex, and Race
OSCA Extract of JIS Data
1/1/2017-6/30/2017

Sex	White	Black	Hispanic	Asian / Pacific Islander	Grand Total
Female					
1st Referral		2			2
2nd Referral		3			3
3rd Referral		6			6
4th Referral	1	6			7
5th Referral		3			3
More Than 5 Prior Referrals	2	19			21
Subtotal	3	39			42
Male					
1st Referral	5	22			27
2nd Referral	2	20		1	23
3rd Referral	3	21		1	25
4th Referral	1	16			17
5th Referral	2	16		1	19
More Than 5 Prior Referrals	23	97	2	1	123
Subtotal	36	192	2	4	234
Grand Total	39	231	2	4	276

Age and Race

The majority of petitions were for referrals of youth aged 15 or 16³², accounting for 37.1% and 33.5%, respectively, of total petitioned referrals of youth aged 10-16. Black youth were somewhat more likely to be younger at the time of petition than white youth as indicated by percentage within race in

Table 33.

Table 33 Petitions of Delinquency Referrals by Age at Disposition and Race
OSCA Extract of JIS Data
1/1/2017-6/30/2017

Age	White	Black	Hispanic	Asian / Pacific Islander	Grand Total
11					
Referrals		1			1
Percentage Within Race		0.5 %			0.4 %
Percentage Across Race		100.0 %			100.0 %
12					
Referrals		9			9
Percentage Within Race		4.3 %			3.6 %
Percentage Across Race		100.0 %			100.0 %
13					
Referrals	1	18			19
Percentage Within Race	2.9 %	8.7 %			7.7 %
Percentage Across Race	5.3 %	94.7 %			100.0 %
14					
Referrals	6	38			44
Percentage Within Race	17.6 %	18.3 %			17.7 %
Percentage Across Race	13.6 %	86.4 %			100.0 %
15					
Referrals	15	75	1	1	92
Percentage Within Race	44.1 %	36.1 %	50.0 %	25.0 %	37.1 %
Percentage Across Race	16.3 %	81.5 %	1.1 %	1.1 %	100.0 %
16					
Referrals	12	67	1	3	83
Percentage Within Race	35.3 %	32.2 %	50.0 %	75.0 %	33.5 %
Percentage Across Race	14.5 %	80.7 %	1.2 %	3.6 %	100.0 %
Total Referrals	34	208	2	4	248
Total Percentage Within Race	100.0 %	100.0 %	100.0 %	100.0 %	100.0 %
Total Percentage Across Race	13.7 %	83.9 %	0.8 %	1.6 %	100.0 %

Charges and Severity of Offense

As might be expected, referrals petitioned include more serious charge categories than those informally resolved. As shown in Table 34, while still not the most frequent, the more serious charge categories of “Murder”, “Felony Assault”, and “Felony Sex Offense” account for 10.1% of all petitions. When “Robbery” and “Felony Weapons Offense” are included, this percentage increases to 17.4% of all petitions. In fact, unlike with informally resolved referrals, “Felony Assault” and “Felony Sex Offense” do represent two of the top ten charge categories petitioned during the reporting period. See below for fuller discussion of the most common charge categories.

**Table 34 Petitioned Delinquency Referrals by Charge Category and Race
(Ordered by Severity of Offense)
OSCA Extract of JIS Data
1/1/2017-6/30/2017**

Charge Categories	White	Black	Hispanic	Asian / Pacific Islander	Grand Total
Murder		5			5
Robbery		16			16
Felony Assault	2	8			10
Felony Weapons Offense	1	3			4
Felony Sex Offense	4	9			13
All Other Adult Felonies ³³		6			6
Misdemeanor Weapons Offenses		4			4
Misdemeanor Assault	6	16		1	23
Burglary		17			17
Felony Theft	3	24			27
Misdemeanor Theft	4	20			24
Misdemeanor Property Offense	3	17			20
Misdemeanor Drug Offense	1	1			2
Disorderly Conduct		3			3
All Other Adult ³⁴	1	11			12
All Other Juvenile ³⁵	14	71	2	3	90
Grand Total	39	231	2	4	276

Table 35 presents the top ten delinquency charge categories that were petitioned within the reporting period. This accounts for 91.3% of all referrals that were petitioned. The most common charge types were “All Other Juvenile” and “Felony Theft”, as indicated by the within race percentages.

**Table 35 Top Ten Petitions of Delinquency Referrals by Charge Category and Race
(Ordered by Count of Referrals of Black Youth)
OSCA Extract of JIS Data
1/1/2017-6/30/2017**

Charge Category	White	Black	Hispanic	Asian / Pacific Islander	Grand Total
All Other Juvenile					
Referrals	14	71	2	3	90
Percentage Within Race	37.8 %	34.0 %	100.0 %	75.0 %	35.7 %
Percentage Across Race	15.6 %	78.9 %	2.2 %	3.3 %	100.0 %
Felony Theft					
Referrals	3	24			27
Percentage Within Race	8.1 %	11.5 %			10.7 %

Percentage Across Race	11.1 %	88.9 %			100.0 %
Misdemeanor Theft					
Referrals	4	20			24
Percentage Within Race	10.8 %	9.6 %			9.5 %
Percentage Across Race	16.7 %	83.3 %			100.0 %
Misdemeanor Property Offense					
Referrals	3	17			20
Percentage Within Race	8.1 %	8.1 %			7.9 %
Percentage Across Race	15.0 %	85.0 %			100.0 %
Burglary					
Referrals		17			17
Percentage Within Race		8.1 %			6.7 %
Percentage Across Race		100.0 %			100.0 %
Robbery					
Referrals		16			16
Percentage Within Race		7.7 %			6.3 %
Percentage Across Race		100.0 %			100.0 %
Misdemeanor Assault					
Referrals	6	16		1	23
Percentage Within Race	16.2 %	7.7 %		25.0 %	9.1 %
Percentage Across Race	26.1 %	69.6 %		4.3 %	100.0 %
All Other Adult					
Referrals	1	11			12
Percentage Within Race	2.7 %	5.3 %			4.8 %
Percentage Across Race	8.3 %	91.7 %			100.0 %
Felony Sex Offense					
Referrals	4	9			13
Percentage Within Race	10.8 %	4.3 %			5.2 %
Percentage Across Race	30.8 %	69.2 %			100.0 %
Felony Assault					
Referrals	2	8			10
Percentage Within Race	5.4 %	3.8 %			4.0 %
Percentage Across Race	20.0 %	80.0 %			100.0 %
Total Referrals	37	209	2	4	252
Total Within Race Percentage	100.0 %	100.0 %	100.0 %	100.0 %	100.0 %
Total Across Race Percentage	14.7 %	82.9 %	0.8 %	1.6 %	100.0 %

It was only possible to conduct a chi-square test on the “All Other Juvenile” charge category. A chi-square test of the relationship between race and petition of referrals with this charge category when only referrals of white and black youth were included showed no relationship between race and petition, $\chi^2 (1, N = 270) = 0.41, p = 0.52$.

Delinquency Referrals Dismissed for Informal Adjustment

Previously, data on referrals disposed informally was presented, but it had excluded those referrals that had initially been filed formally but later dismissed for informal adjustment. Data about these referrals are considered in this section.

Sex and Race

Between 1/1/2017 and 6/30/2017, the St. Louis County Family Court disposed of 24 referrals through informal means after initially filing formal charges. As indicated by Table 36, a majority, 91.7%, of these referrals were referrals of male youth, while the remaining 8.3% were referrals of female youth. All referrals were referrals of youth of color. Black youth accounted for the majority, 66.7%, of the referrals, while the remaining 33.3% were referrals of Hispanic youth.

Table 36 Referrals Dismissed for Informal Adjustment by Sex and Race
OSCA Extract of JIS Data
1/1/2017-6/30/2017

Sex	Black	Hispanic	Grand Total
Female			
Referrals	2		2
Percentage of Total Referrals	8.3 %		8.3 %
Male			
Referrals	14	8	22
Percentage of Total Referrals	58.3 %	33.3 %	91.7 %
Total Referrals	16	8	24
Total Percentage	66.7 %	33.3 %	100.0 %

Distinct Count of Youth and Duplicated Count of Referrals

As indicated by

Table 37, a distinct count of youth with referrals disposed by informal handling after dismissal between 1/1/2017 and 6/30/2017 shows that 15 youth accounted for 24 informally resolved referrals. 13 black youth accounted for 16 informally resolved referrals, and two Hispanic youth accounted for eight informally resolved referrals.

Table 37 Distinct Count of Youth and Duplicated Count of Referrals Dismissed for Informal Adjustment by Sex and Race
OSCA Extract of JIS Data
1/1/2017-6/30/2017

Sex	Black	Hispanic	Grand Total
Female			
Distinct Count of Parties	2		2
Duplicated Count of Referrals	2		2
Male			
Distinct Count of Parties	11	2	13
Duplicated Count of Referrals	14	8	22
Total Distinct Count of Parties	13	2	15
Total Duplicated Count of Referrals	16	8	24

Age and Race

Consistent with other referral patterns, most of the referrals resolved informally after dismissal were referrals of youth aged 15-16³⁶ as indicated by percentage within race in Table 38.

Table 38 Referrals Dismissed for Informal Adjustment by Age at Disposition and Race
OSCA Extract of JIS Data
1/1/2017-6/30/2017

Age	Black	Hispanic	Grand Total
11			
Referrals	1		1
Percentage Within Race	7.7 %		4.8 %
Percentage Across Race	100.0 %		100.0 %
13			
Referrals	1		1
Percentage Within Race	7.7 %		4.8 %
Percentage Across Race	100.0 %		100.0 %
14			
Referrals	1		1
Percentage Within Race	7.7 %		4.8 %
Percentage Across Race	100.0 %		100.0 %
15			
Referrals	6	7	13
Percentage Within Race	46.2 %	87.5 %	61.9 %
Percentage Across Race	46.2 %	53.8 %	100.0 %
16			
Referrals	4	1	5

Percentage Within Race	30.8 %	12.5 %	23.8 %
Percentage Across Race	80.0 %	20.0 %	100.0 %
Total Referrals	13	8	21
Total Percentage Within Race	100.0 %	100.0 %	100.0 %
Total Percentage Across Race	61.9 %	38.1 %	100.0 %

Charges and Severity of Offense

As indicated in Table 39, the range of charge categories for referrals resolved informally after dismissal is similar to that of other informally resolved referrals: mostly person and property offenses. The twenty-four referrals were evenly split between felonies and misdemeanors.

Table 39 Referrals Dismissed for Informal Adjustment by Charge Category and Race (Ordered by Severity of Offense³⁷)

**OSCA Extract of JIS Data
1/1/2017-6/30/2017**

Charge Category	Black	Hispanic	Grand Total
Forcible Rape	1		1
Felony Assault	3		3
Felony Sex Offense	1	1	2
All Other Adult Felonies ³⁸	1	1	2
Misdemeanor Assault	3	2	5
Burglary	1		1
Felony Theft	3		3
Misdemeanor Theft	3	1	4
Misdemeanor Property Offense		1	1
Misdemeanor Drug Offense		2	2
Grand Total	16	8	24

Findings of Delinquency

Youth are judged, or found, to be delinquent during adjudication hearings in juvenile court. This formal finding of responsibility for alleged offenses “sustains the petition”. After the adjudication hearing, if a delinquency ruling is made, a disposition hearing is held to determine which court orders would be in the best interests of the youth. This section reports only on the data for cases adjudicated in which the most serious allegation was disposed as “Allegation True – Juv”.

Sex and Race

Between 1/1/2017 and 6/30/2017, the St. Louis County Family Court found delinquency charges true in 100 cases. As indicated by Table 40, a majority, 93.0%, were cases involving male youth, while the remaining 7.0% were cases involving female youth. A majority, 83.0%,

were for cases involving black youth, while the remaining 15.0% of those findings were for cases involving white youth, 1.0% were for cases involving Hispanic youth, and 1.0% were for cases involving Asian/Pacific Islander youth.

Table 40 Findings of Delinquency by Sex and Race
OSCA Extract of JIS Data
1/1/2017-6/30/2017

Sex	White	Black	Hispanic	Asian / Pacific Islander	Grand Total
Female					
Cases	1	6			7
Percentage of Total	1.0 %	6.0 %			7.0 %
Male					
Cases	14	77	1	1	93
Percentage of Total	14.0 %	77.0 %	1.0 %	1.0 %	93.0 %
Total Cases	15	83	1	1	100
Total Percentage	15.0 %	83.0 %	1.0 %	1.0 %	100.0 %

A chi-square test for independence was performed on race and adjudicated delinquent³⁹. A statistically significant relationship was found between race and adjudicated delinquent, $\chi^2 (1, N = 226) = 8.47, p = 0.004$. More white referrals than expected in the test were petitioned and adjudicated delinquent, and fewer black referrals than expected were petitioned and adjudicated delinquent. This test indicates that there is a race effect for white referrals that were petitioned, though the relationship is weak, $V = 0.19, p = 0.004$.

The fact that the findings for petitions and findings of delinquency are reversed, with more referrals of black youth than expected being petitioned but more referrals of white youth adjudicated delinquent than expected, is not uncommon, since other research has found mixed results for the effect of race (and other extra-legal factors) on decision-making at different stages of the juvenile justice process (Bishop, Leiber, & Johnson, 2010; Leiber & Peck, Race, gender, crime severity, and decision making in the juvenile justice system, 2012). While further analysis using multiple regression is required to investigate this, this other research suggests that questions that should be considered include: what role, if any, might stereotypes about different groups of youth play in decision-making at different stages, how does the fact of greater or lesser discretion at various stages matter for different outcomes, and what role does crime severity play in influencing decisions?

Age and Race

The majority of findings of delinquency involved youth aged 15 or 16⁴⁰, accounting for 33.0% and 39.0%, respectively, of total findings of delinquency. Black youth were somewhat more likely to be younger at the time of adjudication than white youth as indicated by percentage within race in

Table 41.

Table 41 Findings of Delinquency by Age at Finding and Race
OSCA Extract of JIS Data
1/1/2017-6/30/2017

Age	White	Black	Hispanic	Asian / Pacific Islander	Grand Total
13					
Cases	1	7			8
Percentage Within Race	6.7 %	8.5 %			8.1 %
Percentage Across Race	12.5 %	87.5 %			100.0 %
14					
Cases	2	13			15
Percentage Within Race	13.3 %	15.9 %			15.2 %
Percentage Across Race	13.3 %	86.7 %			100.0 %
15					
Cases	7	26			33
Percentage Within Race	46.7 %	31.7 %			33.3 %
Percentage Across Race	21.2 %	78.8 %			100.0 %
16					
Cases	5	32	1	1	39
Percentage Within Race	33.3 %	39.0 %	100.0 %	100.0 %	39.4 %
Percentage Across Race	12.8 %	82.1 %	2.6 %	2.6 %	100.0 %
17					
Cases		4			4
Percentage Within Race		4.9 %			4.0 %
Percentage Across Race		100.0 %			100.0 %
Total Cases	15	82	1	1	99
Total Percentage Within Race	100.0 %	100.0 %	100.0 %	100.0 %	100.0 %
Total Percentage Across Race	15.2 %	82.8 %	1.0 %	1.0 %	100.0 %

Charges and Severity of Offense

As indicated in

Table 42, most of the charges for which the St. Louis Family Court made a finding of guilty were property offenses, with 17.0% of the findings being for charges of “Robbery”, 16.0% of the findings being for charges of “Misdemeanor Theft”, and 12.0% of the findings being for charges of “Felony Theft”. The next most common charge category was “Misdemeanor Assault”, accounting for 13.0% of the findings of delinquency. “All Other Juvenile”, which represents “Violation of Valid Court Order”, account for 12.0% of the findings of delinquency. Most of those findings were for cases involving black youth, because this group accounted for 83.0% of the findings of delinquency overall.

**Table 42 Findings of Delinquency by Charge Category and Race
(Ordered by Severity of Offense⁴¹)**

**OSCA Extract of JIS Data
1/1/2017-6/30/2017**

Charge Category	White	Black	Hispanic	Asian / Pacific Islander	Grand Total
Forcible Rape		1			1
Robbery	1	16			17
Felony Assault		1			1
Felony Weapons Offense		2			2
Felony Sex Offense	1				1
All Other Adult Felonies	1	3			4
Misdemeanor Weapons Offenses		2			2
Misdemeanor Assault	2	11			13
Burglary		4			4
Felony Theft	1	11			12
Misdemeanor Sex Offense	2	2			4
Misdemeanor Theft	3	13			16
Misdemeanor Property Offense	2	4			6
Misdemeanor Drug Offense	2				2
Disorderly Conduct		1			1
All Other Adult		1		1	2
All Other Juvenile		11	1		12
Grand Total	15	83	1	1	100

Initial Disposition is Commitment to the Department of Youth Services

When youth are adjudicated delinquent, one option is to commit them to a stay in secure confinement at the Department of Youth Services (DYS). This section focuses on data for cases for which an order has been issued to transfer custody to DHS at a disposition hearing and for which no other dispositions have previously been entered, meaning that the disposition to commit to DHS is the initial one.

Sex and Race

Between 1/1/2017 and 6/30/2017, there were five delinquency cases for which the initial disposition was commitment to DHS⁴². As indicated by

Table 43, all of these cases involved male youth. One of those commitments was for a case involving a white youth, while the other four were for cases involving black youth.

Table 43 Initial Disposition is DYS Commitment by Sex and Race
OSCA Extract of JIS Data
1/1/2017-6/30/2017

Sex	White	Black	Grand Total
Male	1	4	5
Grand Total	1	4	5

Age and Race

All but one of the cases disposed with DYS commitment involved youth aged 15-16⁴³ as indicated by Table 44.

Table 44 Initial Disposition is DYS Commitment by Age at Commitment and Race
OSCA Extract of JIS Data
1/1/2017-6/30/2017

Age	White	Black	Grand Total
13	1		1
15		1	1
16		3	3
Grand Total	1	4	5

Geography

One way to examine patterns within juvenile justice decision-making is to map the geographical areas that contribute the highest proportion of youth experiencing contact with the juvenile justice system at key points or stages. Doing so may help to better inform an understanding of how and why youth experiencing contact with the juvenile justice system may be concentrated in certain areas and also to inform strategies for addressing any racial and ethnic disproportionality⁴⁴ in youth court contact that may exist within the system.

Table 45 lists the four mailing address ZIP codes⁴⁵ for delinquency cases in which the initial disposition is commitment to DYS.

Table 45 Initial Disposition is DYS Commitment by ZIP Code and Race
OSCA Extract of JIS Data
1/1/2017-6/30/2017

ZIP Code	White	Black	Grand Total
63033		2	2
63074		1	1
63134	1		1
63136		1	1
Grand Total	1	4	5

ZIP codes are used by the U.S. Postal Service to determine service areas for the delivery of mail. As such, ZIP codes do not correspond to other geographical units (Census tracts and blocks) and administrative units (such as cities and counties), and they may even cut across them. However, the U.S. Census Bureau developed ZIP Code Tabulation Areas (ZCTAs)⁴⁶ to identify ZIP codes within geographical areas that can be related to other Census geographical units for which demographic data is available. Therefore, ZCTAs will be used in this report to provide some demographic context for the geographic distribution of court cases.

According to the 2011-2015 American Community Survey, one of the ZIP Code Tabulation Areas (ZCTAs) in which the mailing addresses of youth committed to DYS were located was an area with a very high concentration (greater than 70%) of black, non-Hispanic residents (United States Census Bureau, 2015). Please refer to Table 46.

**Table 46 Racial and Ethnic Composition of ZCTAs with Cases Committed to DYS⁴⁷
(ZCTAs Ordered by Percent Black NH)
2011-2015 American Community Survey 5 Year Estimates
1/1/2017-6/30/2017**

ZCTA	City	State	White NH	Black NH	Hispanic	Asian / Pacific Islander NH	Native American NH
			% ± MoE ⁴⁸	% ± MoE	% ± MoE	% ± MoE	% ± MoE
63136	St. Louis	Missouri	7.6% ± 1.0	89% ± 1.7	0.9% ± 0.7	0.1% ± 0.3	0.2% ± 0.1
63033	St. Louis	Missouri	31.8% ± 2.5	60.9% ± 2.6	0.5% ± 0.3	1.8% ± 1.5	0.0% ± 0.1
63134	St. Louis	Missouri	32.5% ± 4.2	56.5% ± 5.1	4.9% ± 2.1	1.0% ± 1.2	0.0% ± 0.2
63074	St. Louis	Missouri	59.9% ± 4.8	29.5% ± 4.1	4.1% ± 2.2	3.2% ± 1.8	0.1% ± 0.1

As illustrated by

Figure 1, the mailing addresses of youth committed to DYS during the reporting period were concentrated in north St. Louis County. Note that one of the ZCTAs overlaps with the City of St. Louis.

**Figure 1 ZCTAs with Cases Committed to DYS
1/1/2017-6/30/2017**



As indicated by Table 47, two of the ZCTAs in which the mailing addresses of youth committed to DYS were located were areas that would be considered “poverty areas” by the U.S. Census Bureau (Bishaw, 2014), with 20% or more of the total population below the poverty threshold in those areas.

**Table 47 Percentage of Total Population Below Poverty in ZCTAs with Commitments to DYS⁴⁹
(ZCTAs Ordered by Percent in Poverty)
2011-2015 American Community Survey 5 Year Estimates
1/1/2017-6/30/2017**

ZCTA	City	State	Percent of Total Pop in Poverty % ± MoE ⁵⁰
63136	St. Louis	Missouri	29.3% ± 3.2
63134	St. Louis	Missouri	21.3% ± 4.6
63074	St. Louis	Missouri	17.7% ± 4.0
63033	St. Louis	Missouri	10.0% ± 2.4

Taken together, the data on the racial/ethnic and economic composition of the ZCTAs in which youth committed to DYS resided raises the possibility that there *could* be a relationship between DYS commitment (as the initial disposition) and neighborhood disadvantage resulting from residential and economic segregation. However, since there were only four cases, we should be cautious about interpreting the significance of this distribution. More data is required to substantiate that there is a structural pattern to the commitment of cases to DYS (as the initial disposition), let alone the reasons for this possible relationship (such as differential offending or differential treatment by the court for example), so this will be something to carefully consider as reporting continues.

Charges and Severity of Offense

Table 48 lists all cases committed to DYS by charge category. As indicated, all allegations were felonies, ranging from felony A to felony B. All youth committed to DYS were charged within the category of “Robbery”: “Robbery 1st Degree” or “Robbery 2nd Degree.”

Table 48 Initial Disposition is DYS Commitment by Charge Category and Race
OSCA Extract of JIS Data
1/1/2017-6/30/2017

Charge Category / Charge	Level	White	Black	Grand Total
Robbery		1	4	4
Robbery 1 st Degree	Felony A	1	2	3
Robbery 2 nd Degree	Felony B		2	2
Grand Total		1	4	5

DYS Commitment Due to Violation of Valid Court Order

A valid court order is “an order issue[d] by a court of competent jurisdiction regarding a juvenile who has been brought before said court, which sets forth specific conditions of behavior for the juvenile and the consequences of violations of the conditions” (Juvenile Standards Work Group, 2017, p. II-14). This section considers data on the commitment to DYS of cases with the most serious allegation of “Violation of Valid Court Order”.

Sex and Race

Between 1/1/2017 and 6/30/2017, there were three cases for which the initial disposition was to make the youth a ward of the state but in which the youth was later committed to DYS for Violation of Valid Court Order (VVCO)⁵¹. As indicated by Table 49, one of those commitments was for a case involving a black female youth, while the other two were for cases involving black male youth.

Table 49 DYS Commitments for VVCO by Sex and Race
OSCA Extract of JIS Data
1/1/2017-6/30/2017

Sex	Black	Grand Total
Female	1	1
Male	2	2
Grand Total	3	3

Age and Race

All of the cases disposed with DYS commitment for Violation of Valid Court Order involved youth aged 16⁵² as indicated by Table 50.

Table 50 DYS Commitment for VVCO by Age at Commitment and Race
OSCA Extract of JIS Data
1/1/2017-6/30/2017

Age	Black	Grand Total
16	3	3
Grand Total	3	3

Geography

Table 51 lists the three mailing address ZIP codes⁵³ for cases disposed with DYS commitment for Violation of Valid Court Order.

Table 51 DYS Commitment for VVCO by ZIP Code and Race
OSCA Extract of JIS Data
1/1/2017-6/30/2017

ZIP Code	Black	Grand Total
63005	1	1
63130	1	1
63138	1	1
Grand Total	3	3

According to the 2011-2015 American Community Survey, one of the ZIP Code Tabulation Areas (ZCTAs) in which the mailing addresses of youth committed to DYS were located was an area with a very high concentration (greater than 70%) of black, non-Hispanic residents (United States Census Bureau, 2015). By contrast, one ZCTA had a very low concentration of black, non-Hispanic residents. Please refer to Table 52.

Table 52 Racial and Ethnic Composition of ZCTAs with Cases Committed to DYS for VVCO⁵⁴
(ZCTAs Ordered by Percent Black NH)
2011-2015 American Community Survey 5 Year Estimates
1/1/2017-6/30/2017

ZCTA	City	State	White NH	Black NH	Hispanic	Asian / Pacific Islander NH	Native American NH
			% ± MoE ⁵⁵	% ± MoE	% ± MoE	% ± MoE	% ± MoE
63138	St. Louis	Missouri	20.2% ± 2.4	73.6% ± 3.0	1.3% ± 1.0	0.5% ± 0.7	0.1% ± 0.1
63130	St. Louis	Missouri	51.6% ± 2.6	37.8% ± 2.6	3.4% ± 1.3	3.7% ± 1.0	0.2% ± 0.2
63005	Chesterfield	Missouri	88.7% ± 1.7	1.0% ± 0.9	2.4% ± 0.9	6.8% ± 1.5	0.2% ± 0.1

As illustrated by

Figure 2, the mailing addresses of youth committed to DYS for VVCO during the reporting period were spread across St. Louis County.

**Figure 2 ZCTAs with Cases Committed to DYS for VVCO
1/1/2017-6/30/2017**



As indicated by Table 53, one of the ZCTAs in which the mailing addresses of youth committed to DYS were located were areas that would be considered a “poverty area” by the U.S. Census Bureau (Bishaw, 2014), with 20% or more of the total population below the poverty threshold in those areas. One of the ZCTAs had much less poverty than the other two.

**Table 53 Percentage of Total Population Below Poverty in ZCTAs with Commitments to DYS
for VVCO⁵⁶
(ZCTAs Ordered by Percent in Poverty)
2011-2015 American Community Survey 5 Year Estimates
1/1/2017-6/30/2017**

ZCTA	City	State	Percent of Total Pop in Poverty % ± MoE ⁵⁷
63138	St. Louis	Missouri	22.7% ± 4.5
63130	St. Louis	Missouri	17.6% ± 2.4
63005	Chesterfield	Missouri	3.4% ± 1.4

The small number of cases and the lack of a clear geographical pattern makes it difficult to discern whether and how geography might inform our understanding of commitment to DYS for violations of valid court order. As with cases for which commitment to DYS is the initial disposition, more data is required.

Initial Disposition of DYS Commitment is Suspended but Later Youth are Committed

It is possible for an order to be issued to commit to transfer custody to DYS for commitment that is then suspended only to later be reinstated, resulting in commitment to DYS. This section focuses on data for such cases.

Sex and Race

Between 1/1/2017 and 6/30/2017, there were two cases committed to DYS after a conditional suspension of the order. As indicated by Table 54, one of those commitments was for a case involving a black female youth, while the other one was for a case involving a black male youth.

Table 54 Cases Committed to DYS after Stay by Sex and Race
OSCA Extract of JIS Data
1/1/2017-6/30/2017

Sex	Black	Grand Total
Female	1	1
Male	1	1
Grand Total	2	2

Age and Race

Of the two cases disposed with DYS commitment after conditional suspension, one involved a youth aged 16⁵⁸ as indicated by Table 55.

Table 55 Cases Committed to DYS after Stay by Age at Commitment and Race
OSCA Extract of JIS Data
1/1/2017-6/30/2017

Age	Black	Grand Total
16	1	1
17	1	1
Grand Total	2	2

Charge and Severity of Offense

Table 56 lists cases committed to DYS after conditional suspension by charge category. As indicated, both allegations were for "Theft," though one was for "Felony Theft," while the other was for "Misdemeanor Theft." With only two cases, no pattern in charging could be discerned.

Table 56 Cases Committed to DYS after Stay by Charge Category and Race
OSCA Extract of JIS Data
1/1/2017-6/30/2017

Charge Category	Black	Grand Total
Felony Theft	1	1
Misdemeanor Theft	1	1
Grand Total	2	2

Geography

Table 57 lists the two mailing address ZIP codes⁵⁹ for cases disposed with DYS commitment after conditional suspension.

Table 57 Cases Committed to DYS after Stay by ZIP Code and Race
OSCA Extract of JIS Data
1/1/2017-6/30/2017

ZIP Code	Black	Grand Total
63114	1	1
63138	1	1
Grand Total	2	2

According to the 2011-2015 American Community Survey, one of the ZIP Code Tabulation Areas (ZCTAs) in which the mailing addresses of youth committed to DYS after conditional suspension were located was an area with a very high concentration (greater than 70%) of black, non-Hispanic residents (United States Census Bureau, 2015). Please refer to Table 58.

Table 58 Racial and Ethnic Composition of ZCTAs with Cases Committed to DYS after Stay⁶⁰
(ZCTAs Ordered by Percent Black NH)
2011-2015 American Community Survey 5 Year Estimates
1/1/2017-6/30/2017

ZCTA	City	State	White NH	Black NH	Hispanic	Asian / Pacific Islander NH	Native American NH
			% ± MoE ⁶¹	% ± MoE	% ± MoE	% ± MoE	% ± MoE
63138	St. Louis	Missouri	20.2% ± 2.4	73.6% ± 3.0	1.3% ± 1.0	0.5% ± 0.7	0.1% ± 0.1
63114	St. Louis	Missouri	59.3% ± 3.2	27.1% ± 2.6	9.0% ± 2.2	1.7% ± 0.8	0.2% ± 0.2

Figure 3 illustrates the location of the two mailing addresses of youth committed to DYS after conditional suspension during the reporting period. With only two cases, it is not possible to discern a geographical pattern.

Figure 3 ZCTAs with Cases Committed to DYS after Stay
1/1/2017-6/30/2017



As indicated by Table 59, one of the ZCTAs in which the mailing addresses of youth committed to DYS after conditional suspension were located were areas that would be considered a “poverty area” by the U.S. Census Bureau (Bishaw, 2014), with 20% or more of the total population below the poverty threshold in that area.

**Table 59 Percentage of Total Population Below Poverty in ZCTAs with Cases Committed to DYS after Stay⁶²
(ZCTAs Ordered by Percent in Poverty)
2011-2015 American Community Survey 5 Year Estimates
1/1/2017-6/30/2017**

ZCTA	City	State	Percent of Total Pop in Poverty % ± MoE ⁶³
63138	St. Louis	Missouri	22.7% ± 4.5
63114	St. Louis	Missouri	17.4% ± 2.8

As before, it is important to recognize the limitation that such a small sample size imposes on the ability to interpret the geographical significance of DYS commitment (after a suspension). More data is required to allow for anything more than descriptive analysis.

Certifications

According to Missouri Statute § 211.071, a youth may be certified during a certification court hearing for any felony allegation based on a review of ten criteria⁶⁴ established in statute. Certification involves dismissing the petition in juvenile court and transferring the youth to the court of general jurisdiction to be prosecuted under the general law as an adult. This is discretionary, except when a youth has been alleged to have committed felony offenses that are defined as mandatory⁶⁵ or when a youth has been alleged to have committed a third unrelated felony⁶⁶. This section focuses on data about cases that have been certified.

Sex and Race

Between 1/1/2017 and 6/30/2017, the St. Louis County Family Court certified eleven cases. As shown in Table 60, all of the youth were male, and all but one of the youth certified were black youth. Counts of certifications are always distinct counts, so one certified case represents one youth.

Table 60 Cases Certified to Criminal Court by Sex and Race
OSCA Extract of JIS Data
1/1/2017-6/30/2017

Sex	White	Black	Grand Total
Male	1	10	11
Grand Total	1	10	11

Age and Race

Table 61 summarizes the ages of youth certified by St. Louis Family Court during the reporting period. All youth were ages 16 or older at the time of certification.

Table 61 Cases Certified by Age at Certification and Race
OSCA Extract of JIS Data
1/1/2017-6/30/2017

Age	White	Black	Grand Total
16	1	3	4
17		4	4
18		2	2
19		1	1
Grand Total	1	10	11

Charges and Severity of Offense

As indicated in Table 62, based on motions filed in the eleven cases, eight were considered mandatory under statute, while three were considered to be discretionary. Six of the mandatory certifications were due to an allegation that the youth committed one of the mandatory felonies, while two were due to the allegation that the youth committed a third unrelated felony.

Table 62 Breakdown of Mandatory and Discretionary Certifications by Docket Code and Race
OSCA Extract of JIS Data
1/1/2017-6/30/2017

Docket Code	White	Black	Grand Total
VMMCA – Motion Cert Mand Allegation	1	5	6
VMMCU – Motion Cert Mand 3 rd Unrelated		2	2

VMMCD – Motion Cert Discretionary		3	3
Grand Total	1	10	11

Table 63 lists all cases certified by charge category, in order of severity, and allegation. As indicated, all allegations were felonies, ranging from felony A to unclassified felony. The single white youth certified was charged with “Felony Assault”. The remaining youth certified were all black youth. They were charged within the following charge categories: “Murder”, “Forcible Rape”, “Robbery”, and “Burglary”.

**Table 63 Cases Certified by Charge Category and Race
(Ordered by Severity of Offense⁶⁷)
OSCA Extract of JIS Data
1/1/2017-6/30/2017**

Charge Category / Charge	Level	White	Black	Grand Total
Murder			2	2
Murder 1 st Degree	Felony A		1	1
Murder 2 nd Degree	Felony A		1	1
Forcible Rape			1	1
Atmp Stat Rape-1 st Inj/Wep-Vic <12	Felony U		1	1
Robbery			2	2
Robbery 1 st Degree	Felony A		1	1
Robbery 2 nd Degree	Felony B		1	1
Felony Assault		1	3	4
Assault 1 st Degree or Attempt - Serious Physical Injury or Special Victim	Felony A	1	3	4
Burglary			2	2
Burglary 1 st Degree	Felony B		1	1
Burglary 2 nd Degree	Felony C		1	1
Grand Total		1	10	11

Geography

Table 64 lists the eleven ZIP codes⁶⁸ from which delinquency cases were certified.

**Table 64 Cases Certified by ZIP Code and Race
OSCA Extract of JIS Data
1/1/2017-6/30/2017**

ZIP Code	City	State	White	Black	Grand Total
62208	Fairview Heights	Illinois		1	1
63042	Hazelwood	Missouri		1	1
63120	St. Louis	Missouri		1	1
63121	St. Louis	Missouri		2	2
63129	St. Louis	Missouri	1		1
63134	St. Louis	Missouri		1	1
63136	St. Louis	Missouri		1	1
63137	St. Louis	Missouri		1	1
63138	St. Louis	Missouri		1	1
65202	Columbia	Missouri		1	1
Grand Total			1	10	11

According to the 2011-2015 American Community Survey, five of the ZCTAs in which the mailing addresses of youth certified were located were areas with very high concentrations (greater than 70%) of Black, non-Hispanic residents, while two were areas with very high concentrations of White, non-Hispanic residents (United States Census Bureau, 2015). Please refer to Table 65.

**Table 65 Racial and Ethnic Composition of ZCTAs with Cases Certified⁶⁹
(ZCTAs Ordered by Percent Black NH)
2011-2015 American Community Survey 5 Year Estimates
1/1/2017-6/30/2017**

ZCTA	City	State	White NH	Black NH	Hispanic	Asian / Pacific Islander NH	Native American NH
			% ± MoE ⁷⁰	% ± MoE	% ± MoE	% ± MoE	% ± MoE
63120	St. Louis	Missouri	2.6% ± 2.4	95.7% ± 2.8	0.6% ± 0.5	0.2% ± 0.5	0.2% ± 0.3
63136	St. Louis	Missouri	7.6% ± 1.0	89.0% ± 1.7	0.9% ± 0.7	0.1% ± 0.1	0.2% ± 0.1
63121	St. Louis	Missouri	14.0% ± 1.6	81.3% ± 1.8	1.0% ± 0.5	1.8% ± 0.9	0.1% ± 0.1
63137	St. Louis	Missouri	18.9% ± 1.8	77.1% ± 2.4	1.5% ± 1.1	0.2% ± 0.4	0.0% ± 0.1
63138	St. Louis	Missouri	20.2% ± 2.4	73.6% ± 3.0	1.3% ± 1.0	0.5% ± 0.7	0.1% ± 0.1
63134	St. Louis	Missouri	32.5% ± 4.2	56.5% ± 5.1	4.9% ± 2.1	1.0% ± 1.2	0.0% ± 0.2
63042	Hazelwood	Missouri	54.2% ± 4.1	35.4% ± 3.8	2.9% ± 2.0	2.3% ± 1.3	0.2% ± 0.3
62208	Fairview Heights	Illinois	62.0% ± 3.7	27.5% ± 3.6	3.7% ± 1.5	4.3% ± 1.9	0.2% ± 0.3
65202	Columbia	Missouri	74.7% ± 1.9	12.8% ± 1.4	4.3% ± 1.1	2.9% ± 0.8	0.0% ± 0.1
63129	St. Louis	Missouri	93.3% ± 1.5	1.4% ± 0.8	2.3% ± 1.0	1.9% ± 0.9	0.0% ± 0.1

As illustrated by Figure 4, the mailing addresses of youth certified during the reporting period were mostly concentrated in north St. Louis County⁷¹. Also note that three of the ZCTAs overlap with the City of St. Louis. Two of the ZCTAs were not located within St. Louis County.

**Figure 4 ZCTAs with Cases Certified
1/1/2017-6/30/2017**



As indicated by Table 66, six of the ZCTAs in which the mailing addresses of youth certified were located were areas that would be considered “poverty areas” by the U.S. Census Bureau (Bishaw, 2014), with 20% or more of the total population below the poverty threshold in those areas. One ZCTA, 63120, would be considered an area of highly concentrated poverty, with more than 40% of the total population in poverty in 2015 (Jargowsky, 2014).

**Table 66 Percentage of Total Population Below Poverty in ZCTAs with Cases Certified⁷²
(ZCTAs Ordered by Percent in Poverty)
2011-2015 American Community Survey 5 Year Estimates
1/1/2017-6/30/2017**

ZCTA	City	State	Percent of Total Pop in Poverty % ± MoE ⁷³
63120	St. Louis	Missouri	41.6% ± 6.2
63136	St. Louis	Missouri	29.3% ± 3.2
63137	St. Louis	Missouri	28.3% ± 5.0
63121	St. Louis	Missouri	24.4% ± 3.5
63138	St. Louis	Missouri	22.7% ± 4.5
63134	St. Louis	Missouri	21.3% ± 4.6
65202	Columbia	Missouri	15.7% ± 2.1
63042	Hazelwood	Missouri	14.3% ± 3.7

62208	Fairview Heights	Illinois	9.6% ± 2.6
63129	St. Louis	Missouri	5.4% ± 0.9

The data presented in this section suggest that youth certified to adult court are more likely to have resided in areas characterized by residential segregation and concentration of poverty⁷⁴. As with the previous data on geography considered in this report, more data is required.

Attorney Representation for Youth

The Memorandum of Agreement requires that the St. Louis Family Court “collect and make available data recording whether counsel was made available to the juvenile for dispositional proceedings” (United States Department of Justice, 2016). This section focuses on data about cases for which a juvenile attorney was recorded as an active party to the case at dispositional hearings.

Sex and Race

Between 1/1/2017 and 6/30/2017, the St. Louis County Family Court held 286 adjudication hearings. As indicated by Table 67, attorneys represented youth at most, 96.9%, of these hearings⁷⁵. Hearings involving male, black youth were the most common, and attorneys represented these youth at the vast majority, 97.0%, of these hearings. Hearings involving male, white youth were the second most common, and attorneys also represented these youth at the majority, 95.2%, of hearings. There was no attorney representation at only eleven hearings. Most of those hearings were hearings involving male, black youth. Among female youth, most, 91.7%, had attorney representation. Hearings involving black, female youth were the most common. No white, female youth were involved with hearings with no attorney representation, but two black, female youth had no representation at hearings.

Table 67 Count of Cases With and Without an Attorney Recorded as an Active Party to the Case at Dispositional Hearings by Sex and Race
OSCA Extract of JIS Data
1/1/2017-6/30/2017

Sex	White	Black	Hispanic	Asian / Pacific Islander	Grand Total
Female					
Attorney Representation	4	18			22
No Attorney Representation		2			2
Male					
Attorney Representation	36	212	4	3	255
No Attorney Representation	2	5			7
Total of Representation	40	230	4	3	277
Total of No Representation	2	7			9

Discussion

This first bi-annual report has presented considerable descriptive data about the decision points of: informal adjustment, pre-adjudication secure detention, petition, adjudication, formal disposition (for those cases that result in commitment to the Department of Youth Services), and certification. As required by the Agreement between the United States Department of Justice and the St. Louis Family Court, the data included cover sex, race, age, offense information, and geography. Overall, the data is not sufficient to substantiate claims about disparity, or unequal treatment, by the St. Louis Family Court, but it does indicate that race is likely to be a factor in decision making at various points in the juvenile decision making process. This calls for explanation, so future reports will build on this preliminary examination. For now, the following observations are notable.

Black youth accounted for the majority referrals and formal cases at all of the decision points examined. This may be expected, since referrals of black youth accounted for 63.7% of all referrals in the first half of CY 2017, which is remarkable given that black youth aged 10-17 only account for 31.2% of all youth aged 10-17. While not required by the Agreement with the DOJ, the St. Louis Family Court may wish to consider that any attempt to examine and address potential DMC in subsequent decision points will be impacted by disproportionality at the referral point. In particular, it could be worth considering how to engage with referral sources, such as law enforcement, school resource officers, and school personnel, to better understand how and why black youth were 3.6 times more likely to be referred when compared to white youth and whether it would be appropriate to find ways to reduce that risk of referral (please refer to Appendix 1 for Relative Rate Index results).

Among those whose referrals were handled informally in place of the formal filing of charges, referrals of black youth were more likely to be counseled and warned, while white youth were more likely to receive warning letters and were also more likely to be placed on informal adjustment. Black youth whose referrals were informally adjusted were more likely to be placed on informal supervision. This data does not inform us as to whether or not these outcomes were appropriate. They merely indicate that a statistically significant relationship existed between race and the outcomes in question, which is a meaningful finding in and of itself, since this suggests that legal factors alone do not account for decision making in the juvenile justice process.

Black youth were more likely to be detained during the reporting period. In fact, the Relative Rate Index (RRI) for detention indicates that, during the reporting period, black youth were 2.7 times more likely to be detained than white youth (please refer to Appendix 1). While this risk did decline since the CY 2016 RRI results were calculated, this remains a point for concern, because research evidence demonstrates that pre-adjudication detention has a significant impact on subsequent court outcomes, particularly by increasing the likelihood that youth will receive more severe sanctions (Rodriguez, 2010). In fact, in a study of Missouri data, Patterson (2013) found that detention in JDAI sites impacted subsequent court decisions even more than it did in non-JDAI sites. At the same time, it is important to remember that this

evidence does not indicate that the use of detention was inappropriate. Future research that is able to incorporate other variables, such as risk and needs data, will need to address that question.

Black youth were more likely to be petitioned. In fact, the Relative Rate Index (RRI) for petition indicates that, during the reporting period, black youth were 1.5 times more likely to be petitioned than white youth (please refer to Appendix 1). While this risk did decline since the CY 2016 RRI results were calculated, this remains a point for concern, since the formal filing of charges increases the likelihood that these youth will be moved deeper into the juvenile justice system, potentially resulting in secure confinement. Again, the evidence presented only indicates that there is a relationship between race and petition and that black youth are over-represented at petition when taking into account the relative numbers of referrals of white youth and black youth. Additional data is required to address the question of whether or not there is disparity in petitions.

Data about commitment to the Department of Youth Services and certification were insufficient to allow even for the modest use of chi square tests. Nonetheless, the information presented on the geographical distribution of cases suggests that examining the neighborhood contexts experienced by youth involved with the court could be important for making sense of their influence on juvenile justice outcomes. A voluminous research literature has shown that youth from disadvantaged neighborhoods are at greater risk for experiencing court contact and for penetrating deeper into the juvenile and criminal justice systems (Freiburger & Jordan, 2011; Leiber & Stairs, 1999; Rodriguez, 2013; Sampson & Laub, 1993). It is not possible to directly assess the potential effect of social class on court outcomes, because no class data is collected in the Judicial Information System, so using U.S. Census data associated with ZIP Code Tabulation Areas (ZCTAs) is likely to be the best that can be currently accomplished. Poverty and racial composition were presented here to provide context for examining the distribution of cases. In the future, it could be desirable to create an index of concentrated disadvantage that combines multiple socio-economic measures together to assess whether exposure to disadvantaged neighborhood contexts can help to account for juvenile justice decision making outcomes.

While black youth were more likely to experience negative outcomes at most of the decision points considered, there was an exception at adjudication, since white youth were more likely to be found delinquent. As stated previously, more statistical analysis is required to substantiate that a race effect would remain after other variables are appropriately controlled. Looking forward toward the possibility that regression analysis would confirm what the chi-square tests of independence indicate – that there is a statistically significant relationship between race and outcomes at informal disposition, detention, petition, and adjudication, it is important to consider how best to approach an interpretation of the meaning of these findings. As suggested throughout the report, continuing to collect the data reported here is necessary, but it may not be completely sufficient to fully inform an understanding of any disparity that might be found. In particular, it may not be enough to make sense of mixed results in which negative outcomes are not consistently experienced by black youth. To address this, the Court

may wish to consider collecting additional qualitative data in the form of surveys, interviews, observations, and/or case-level document analysis to allow for additional questions to be posed about the juvenile justice process.

Various researchers have focused on how “focal concerns” influence justice system decision-making in combination with “causal attributions” about those who are processed through the system (Harris, 2008; Harris, 2009; Steffensmeier, Ulmer, & Kramer, 1998). Recognizing that juvenile justice decision makers, such as family court judges, have limited time and information to make fully informed decisions about the youth with whom they work, these researchers have highlighted the importance of heuristics, or decision making shortcuts, these decision makers use to narrow the field of information available to facilitate decisions, pointing out that three focal concerns stand out in shaping them: 1. Individuals’ perceived blameworthiness and degree of harm done to victims, 2. The importance of protecting the community and maintaining public safety, and 3. The practical implications of decisions, particularly the desire to reduce negative social consequences of decisions. These may or may not be the only or main focal concerns of juvenile justice decision makers, since it is possible to identify very different orientations when one contrasts a *parens patriae* focus on youth needs and treatment with a law enforcement focus on criminal harms and public safety (Leiber & Peck, 2012). In any case, the claim is that it is important to consider how causal attributions that decision makers apply to interpreting youth behavior are shaped by these focal concerns, since these heuristics may lead, on the basis of implicit bias, to drawing on stereotypes about groups of youth, whether those be stereotypes about black youth or stereotypes about youth who engage in certain types of crime (Bridges & Steen, 1998; Thomas, Moak, & Walker, 2012), to disproportionately impose formal social control on already disadvantaged groups who are likely to be perceived as more threatening and less amenable to rehabilitation.

More recently, researchers have joined this focus on focal concerns with an examination of the social organization of the juvenile justice system, searching for instances in which the relative “looseness” of “organizational coupling” impacts decision-making (Bishop, Leiber, & Johnson, 2010; Ericson & Eckberg, 2016; Leiber & Peck, 2012). The concept of “loose coupling” comes from organizational theory of the 1970s, particularly from the work of Karl Weick (1976) on educational organizations, in which he uses the imagery of coupling within a system to account for how and why intentions and goals do not always adequately explain decisions and other actions that are actually carried out within organizations, pretty much exactly the kind of concern for an attempt to address racial inequality in juvenile justice. In the juvenile justice context, this concept has been used to assist in making sense of the fact that the research literature consistently reports mixed results about the effect of race in juvenile justice outcomes. These researchers have observed that the amount of discretion available to decision makers varies throughout the juvenile justice process and is dependent upon the extent to which decisions are the sole prerogative of a single organizational unit, such as a law enforcement officer making a referral, or is informed by the joint consideration of personnel from multiple agencies, such as may happen at a disposition hearing. These researchers have argued that, at loosely coupled stages, “an array of sociodemographic, legal, and contextual factors will shape processing outcomes,” whereas, at more tightly coupled stages, decisions

should be “influenced by legal but not contextual considerations” (Bishop, Leiber, & Johnson, 2010, p. 219). To the extent that this may be true, any attempt to make sense of the outcomes of juvenile justice decision making that does not adequately account for the context of decisions (“organizational coupling” and the role of attributions and stereotypes) is likely to fail to fully account for those decisions, hampering the ability to propose appropriate reforms and policies.

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Appendix 1

All states are required to report evidence of Disproportionate Minority Contact (DMC) in the juvenile justice system to the Office of Juvenile Justice and Delinquency Prevention (OJJDP) and to make efforts to reduce disproportionality. DMC occurs whenever the overall volume of activity for minority youth at various juvenile justice contact points is disproportionately larger than the volume of activity for White youth at those points (Feyerherm, 2011; Feyerherm, Snyder, & Villarruel, 2009). The Relative Rate Index (RRI) is the standard diagnostic measure used to start the process of investigating DMC. The RRI measures over- or under-representation of minorities at various contact points in the juvenile justice system by dividing the rate of activity for minority youth by the rate of activity for majority youth at each contact point (Feyerherm, Snyder, & Villarruel, 2009). The ratio that is produced by dividing these two rates provides a measure of “relative risk”. When a Relative Rate Index indicates disproportionality, it can be interpreted as indicating the extent of risk for the minority group of experiencing over-representation at a particular contact point, as will be demonstrated shortly.

Because an RRI is calculated by measuring the volume of contact at particular points and not by tracking the experiences of individual youth, it is important to understand that the relative volume of contact between two groups may be a result of the churning of a few youth multiple times (multiple referrals for the same youth within a year for instance), or it may be the result of a lower level of involvement of a large number of youth (Feyerherm, Snyder, & Villarruel, 2009). Also, it is very important to understand that the RRI is an indicator of the existence of disproportionality and its extent, but it does not tell us *why* disproportionality occurs (Coleman, 2011).

The Relative Rate Indices at each of the contact points tracked for DMC are calculated based on activity at the preceding contact point, except for the RRI for referrals, which is based on youth population. Table 68 lists the numerical bases for the rates in the RRIs reported here.

Table 68 Identifying the Numerical Bases for Rate Calculations

Contact Point	Base for Rates
Referral	Rate per 1,000 youth population
Diversion	Rate per 100 referrals
Secure Detention	Rate per 100 referrals
Petition	Rate per 100 referrals
Adjudication	Rate per 100 petitions filed
Supervision	Rate per 100 delinquency findings
Secure Confinement	Rate per 100 delinquency findings
Certification	Rate per 100 petitions filed

Using Missouri statewide data, the following will illustrate how to calculate the Relative Rate Index for the referral contact point. First, one calculates the rate of referral for black youth by dividing the number of referrals of black youth by the black youth population in the community.

$$\frac{\text{Black Youth Referrals}}{\text{Black Youth Population}} = \frac{9,459}{81,397} = 0.12 \times 100 = 11.6\% \text{ RATE}$$

Then, one calculates the rate of referral of white youth by dividing the number of referrals of white youth by the white youth population in the community.

$$\frac{\text{White Youth Referrals}}{\text{White Youth Population}} = \frac{23,280}{419,074} = 0.055 \times 100 = 5.6\% \text{ RATE}$$

The rate of referral of black youth is then divided by the rate of referral of white youth to produce the *relative* rate, or Relative Rate Index.

$$\frac{\text{Black Youth Rate}}{\text{White Youth Rate}} = \frac{0.12}{0.055} = 2.18 \text{ RRI for referral of black youth}$$

Each RRI is tested to determine if it is statistically significant. Those that are not found to be statistically significant are not reported, even if a value greater or less than 1.0 could be calculated using the process described above. Calculating the RRIs also depends on a sufficient volume of contact for both groups being compared.

We can interpret the result of the RRI calculation with reference to the value of 1.0, which indicates parity, or equal contact, for the two groups being compared. An RRI of 1.0 indicates no disproportionality. For most of the contact points, values greater than 1.0 indicate over-representation for the minority group at the contact point, while values less than 1.0 indicate under-representation at the contact point. The contact points of diversion and supervision represent the exception to this, because these contact points measure outcomes that represent positive outcomes for the youth (diversion from formal processing and being placed on supervision rather than being placed in secure confinement). At these two contact points, RRIs less than 1.0 still indicate under-representation, but under-representation is not desired for the outcomes of diversion and supervision. Table 69 presents a guide to interpreting the various RRIs.

Table 69 Interpreting the Relative Rate Indices at Each Contact Point

Contact Point	DMC is Indicated When the RRI is:
Referral	> 1.0
Diversion	< 1.0
Secure Detention	> 1.0
Petition	> 1.0
Adjudication	> 1.0
Supervision	< 1.0
Secure Confinement	> 1.0
Certification	> 1.0

The Relative Rate Indices for youth contact with the St. Louis Family Court were calculated for the reporting period of 1/1/2017-6/30/2017. They are presented below. To provide context for these values, the RRIs for CY 2016 are presented first.

As indicated by Table 70, disproportionality for black youth existed at the referral, diversion, secure detention, cases petitioned, and secure confinement court contact points in CY 2016. The St. Louis County RRI for referrals of black youth was 3.4. This means that Black youth were almost three and a half times more likely to be referred in that year. The St. Louis County RRI for diversion of black youth was 0.9, which means that black youth were a little less likely than white youth to be diverted from formal processing. Black youth were 3.4 times more likely to have been securely detained, 2.5 times more likely to have been petitioned, and 1.5 times more likely to have been securely confined at DYS. Adjudication did not indicate disproportionality for black youth, so that result can be ignored. Likewise, there was no disproportionality for Hispanic or Asian / Pacific Islander youth in that year.

**Table 70 CY16 Relative Rate Index Compared With White Youth
OSCA Extract of JIS Data for CY 2016**

Contact Point	Black	Hispanic	Asian / Pacific Islander
Referral	3.4	0.5	0.2
Diversion	0.9		
Secure Detention	3.4		
Petition	2.5		
Adjudication	0.9		
Supervision			
Secure Confinement	1.5		
Certification			

As indicated by

Table 71, there was both improvement and worsening of disproportionality, as measured by the Relative Rate Indices, for black youth in the first half of CY 2017. The RRI for referral of black youth increased slightly to 3.6, meaning that black youth were just over three and a half times more likely to be referred during that period. The RRI for diversion of black youth remained the same, with black youth slightly less likely to be diverted from formal processing. The RRI for secure detention of black youth decreased to 2.7 from 3.4, and the RRI for petition of black youth decreased to 1.5 from 2.5. As before, the measure for adjudication of black youth does not indicate disproportionality, so it can be ignored. Whereas the RRI for secure confinement of black youth had previously indicated disproportionality, in the first half of CY 2017, there was no indication of this. Last, there was no disproportionality for Hispanic or Asian / Pacific Islander youth in the first half of CY 2017, which is consistent with the earlier RRIs for those groups.

**Table 71 CY17 Relative Rate Index Compared With White Youth
OSCA Extract of JIS Data for 1st Half of CY 2017**

Contact Point	Black	Hispanic	Asian / Pacific Islander
Referral	3.6	0.6	0.3
Diversion	0.9		
Secure Detention	2.7		
Petition	1.5		
Adjudication	0.7		
Supervision			
Secure Confinement			
Certification			

¹ To facilitate an understanding for the reader of how youth experience contact with the juvenile justice system, this report considers the contact points in the order that they occur in the juvenile justice decision-making process, which departs somewhat from the order of the list of data elements laid out in the Department of Justice Memorandum of Agreement.

² As mentioned, referrals may be dismissed due to insufficient evidence for allegations, but allegations may also be rejected due to the lack of a lab report, no Miranda warning issued, no police report sent, and a number of additional possible reasons.

³ Jurisdiction over formal cases may also be transferred to another juvenile court after adjudication so that the other court can handle disposition and, if relevant, supervision, but any transfers in the data presented in this first section concern only the handling of referrals.

⁴ This section does not include data on referrals that were petitioned but then dismissed for informal adjustment, because that data is discussed elsewhere in this report.

⁵ Unless otherwise noted, counts of referrals in this report will represent duplicated counts, which means that an individual youth may be counted more than once if that youth was referred to the juvenile office multiple times during the reporting period.

⁶ Prior referrals may have been disposed in any year, not just the current calendar year.

⁷ 56.5% of Hispanic youth, 38.5% of Asian/Pacific Islander youth, and 100.0% of Native American youth had no prior referrals. The small referral counts for these three groups makes using percentages less useful for making this type of comparison.

⁸ Age is calculated at the time referrals were disposed through informal handling.

⁹ The chi-square test for independence uses frequency data to evaluate whether or not a significant relationship exists between two nominal variables, which are categorical variables that do not have any numeric value. Race is a prime example of a nominal variable examined in this report.

¹⁰ When referrals of Hispanic youth are included, the test still shows a weak significant relationship, though it is only just statistically significant: $\chi^2 (2 N = 1,346) = 6.06, p = 0.048. V = 0.07, p = 0.048.$

¹¹ The “All Other Juvenile” category summarized in this table includes the following charges: “Failure to Appear – Misdemeanor”, and “Violation of Valid Court Order”.

¹² This ranking was proposed by St. Louis Family Court staff. The intention is to produce a list of charge categories in which the distinctions between immediately adjacent categories are less important than the distinctions between categories that are farther apart on the list. For instance, depending on a given reader’s interpretation of “severity”, the rankings of “Felony Assault” and “Felony Weapons Offense” could conceivably be swapped, but most people could probably agree that both of these offenses are more severe than “All Other Traffic” offenses, which rank last in the list.

¹³ The “All Other Adult Felonies” category summarized in this table includes the following charge: “Resisting/Interfering with Arrest for Felony”.

¹⁴ The “All Other Adult” category summarized in this table includes the following charge: “Animal Abuse-1st Offense”, “Assault - 3rd Degree”, “Carry Concealed in Restricted Areas - 1st Offense”, “Child Molestation - 3rd Degree - Child Less Than 14 YOA”, “Discharging Fireworks in City Limits”, “Distribution of Prescription Medication on School Property”, “Harassment-Phone Calls”, “Interference with Legal Process”, “Interfere with Custody”, “Making False Declaration”, “Misusing ‘911’”, “Muni - Other Violation”, “Obstructing Traffic”, “Peace Dist-1st Offense”, “Possess Marijuana/Synthetic Cannabinoid of 10 Grams or Less - Prior Drug Offense”, “Possession of an Imitation Controlled Substance”, “Possession of Marijuana/Synthetic Cannabinoid of 10 Grams or Less”, “Resist/Interfere Arrest”, “Seatbelt Violation - Other”, “Terrorist Threat - 3rd Degree”, “Unlawful Delivery of Controlled Substance by Manufacture or Distributor”, “Unlawful Use of Weapon Motivated by Discrimination”, and “Violation of Child Protection Order - 1st Offense”.

¹⁵ There are 16 reporting reason codes for detention: JDACO (Court Ordered Detention at Hearing); JDAAF (Warrant – FTA); JDBTC (Supervision/Technical Violation, JO Authorization, or Court Order); JDCPA (Pre-Adjudication Placement or Program Failure); JDCSX (Sex Offense); JDDFP (Felony – Person); JDDMP (Misdemeanor – Person); JDDWE (Weapons Offense); JDEDR (Drug Offense); JDEF (Felony – Property); JDEMP (Misdemeanor – Property); JDFFO (Felony – Other); JDFMO (Misdemeanor – Other); JDFOR (Municipal Ordinance); JDFST (Status

Offense); and JDRAR (Pre-Adjudication – New Offense Referral). The reporting reason code cannot be selected by itself.

¹⁶ The alleged status offense was coded as “Status Offense – Other”.

¹⁷ This test was performed on the official “DYS Extract” that is used for DMC reporting and also for the Missouri Juvenile and Family Division Annual Report. The reporting period for this extract was 1/1/2017 to 6/30/2017. It was necessary to use a different extract than the one used for the rest of the data on secure, pre-adjudication detention admissions in this report, because data on referrals not securely detained before adjudication hearings was needed. The Cognos report used for secure detention only provides data on admissions, not on referrals not admitted for detention. In the “DYS Extract,” age is calculated as age at the time referrals were initiated. This differs from the criterion used to calculate age for the Cognos report, but this parameter could not be changed in the script for the “DYS extract”, which is not a Cognos report. The ages should be almost entirely the same however. Only ages 12-16 were included in the test.

¹⁸ Age is calculated at the time of detention admission.

¹⁹ This test was also performed on the “DYS Extract” for the same reporting period. In the “DYS Extract”, age is calculated as age at the time referrals were initiated. Only ages 12-16 were included in the test.

²⁰ The “All Other Juvenile” category summarized in this table includes the following charges: “Failure to Appear – Misdemeanor”, and “Violation of Valid Court Order”.

²¹ The “All Other Adult Felonies” category summarized in this table includes the following charge: “Resisting/Interfering with Arrest for a Felony”, and “Resisting Arrest/Detention/Stop by Fleeing – Creating a Substantial Risk of Serious Injury/Death to Any Person”.

²² The “All Other Adult” category summarized in this table includes the following charges: “Robbery – 2nd Degree”, and “Terrorist Threat – 2nd Degree”.

²³ The “Status Offense” category summarized in this table includes the following charge: “Status Offense – Other”.

²⁴ The youth with a detention stay for the referral with “Status Offense – Other” charge was admitted on the basis of a JDTA score of 23 due to a “Supervision/Technical Violation” in the City of St. Louis. In the absence of a “Capias for Secure Detention”, the youth would not have scored “detention” on the JDTA for that status offense referral.

²⁵ The variable for charge level was coded 1 if “Felony” and 0 if “Not Felony”.

²⁶ This test was performed on the extract used for secure, pre-adjudication detention admissions, not the “DYS Extract”. Only admissions of white youth and black youth were included in the test.

²⁷ One of the “Juvenile” secure, pre-adjudication detention admissions was for an allegation of “Status Offense – Other”. The remaining 19 were for “Violation of Valid Court Order”.

²⁸ The actual mean LOS and median LOS by charge (not charge category) were calculated but not shown here.

²⁹ Age is calculated at the start of the alternative program.

³⁰ This test was performed on the official “DYS Extract” that is used for DMC reporting and also for the Missouri Juvenile and Family Division Annual Report. The reporting period for this extract was 1/1/2017 to 6/30/2017. It was necessary to use a different extract than the one used for the rest of the data on petitions in this report, because data on referrals not petitioned was needed. The Cognos report used for petition only provides data on referrals petitioned, not on referrals not petitioned. In the “DYS Extract,” age is calculated as age at the time referrals were initiated. This differs from the criterion used to calculate age for the Cognos report, but this parameter could not be changed in the script for the “DYS extract”, which is not a Cognos report. The ages would not be the same as those in the Cognos extract, but this could not be helped. Only ages 11-16 were included in the test.

³¹ Prior referrals may have been disposed in any year, not just the current calendar year.

³² Age is calculated at the time referrals were disposed through petition.

³³ The “All Other Adult Felonies” category summarized in this table includes the following charge: “Resisting/Interfering with Arrest for a Felony”, and “Resisting Arrest/Detention/Stop by Fleeing – Creating a Substantial Risk of Serious Injury/Death to Any Person”.

³⁴ The “All Other Adult” category summarized in this table includes the following charges: “Assault – 3rd Degree”, “Assault – 3rd Degree – Special Victim”, “Escape From Custody”, “Littering – 1st Offense”, “Possession of Marijuana/Synthetic Cannabinoid of 10 Grams or Less”, “Resist/Interfere Arrest”, “Robbery – 2nd Degree”, and “Terrorist Threat – 2nd Degree”.

³⁵ The “All Other Juvenile” category summarized in this table includes the following charges: “Failure to Appear – Misdemeanor”, and “Violation of Valid Court Order”.

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- ³⁶ Age is calculated at the time referrals were disposed through informal adjustment.
- ³⁷ This ranking was proposed by St. Louis Family Court staff.
- ³⁸ The “All Other Adult Felonies” category summarized in this table includes the following charges: “Making a Terrorist Threat” and “Resisting Arrest/Detention/Stop by Fleeing – Creating a Substantial Risk of Serious Injury/Death to Any Person”.
- ³⁹ This test was performed on the official “DYS Extract” that is used for DMC reporting and also for the Missouri Juvenile and Family Division Annual Report. The reporting period for this extract was 1/1/2017 to 6/30/2017. It was necessary to use a different extract than the one used for the rest of the data on findings of delinquency in this report, because data on petitioned referrals not adjudicated delinquent was needed. The Cognos report used for findings of delinquency only provides data on cases found delinquent, not on cases not found delinquent. In the “DYS Extract,” age is calculated as age at the time referrals were initiated. This differs from the criterion used to calculate age for the Cognos report, but this parameter could not be changed in the script for the “DYS extract”, which is not a Cognos report. The ages would not be the same as those in the Cognos extract, but this could not be helped. Only ages 13-16 were included in the test.
- ⁴⁰ Age is calculated at the time of the “Allegation True” finding.
- ⁴¹ This ranking was proposed by St. Louis Family Court staff.
- ⁴² A distinct count of youth with cases for which the initial disposition was commitment to DYS between 1/1/2017 and 6/30/2017 is identical to the count of cases.
- ⁴³ Age is calculated at the time of the “Order to Commit to DYS”.
- ⁴⁴ By itself, noting a geographical pattern in within-circuit court processing does not indicate disparity, though such disparity may exist.
- ⁴⁵ ZIP code is from the active mailing address of the youth’s party ID, which may or may not have changed since the date of commitment.
- ⁴⁶ ZIP Code Tabulation Areas (ZCTAs) are “are approximate areal representations of U.S. Postal Service (USPS) five-digit ZIP Code service areas that the Census Bureau creates using whole blocks to present statistical data from censuses and surveys. The Census Bureau defines ZCTAs by allocating each block that contains addresses to a single ZCTA that reflects the most frequently occurring ZIP Code for the addresses within that tabulation block” (United States Census Bureau, 2017). In most cases, a five-digit ZCTA is nearly identical to a five-digit ZIP code.
- ⁴⁷ Hispanic may be of any race. The other racial and ethnic categories are non-Hispanic. “NH” refers to “non-Hispanic”.
- ⁴⁸ 90% Margin of Error (MoE).
- ⁴⁹ The measure is for “percentage of all persons whose income in the past 12 months is below the poverty level”.
- ⁵⁰ 90% Margin of Error (MoE).
- ⁵¹ A distinct count of youth with cases committed to DYS for Violation of Valid Court Order between 1/1/2017 and 6/30/2017 is identical to the count of cases.
- ⁵² Age is calculated at the time of the “Order to Commit to DYS”.
- ⁵³ ZIP code is from the active mailing address of the youth’s party ID, which may or may not have changed since the date of commitment.
- ⁵⁴ Hispanic may be of any race. The other racial and ethnic categories are non-Hispanic. “NH” refers to “non-Hispanic”.
- ⁵⁵ 90% Margin of Error (MoE).
- ⁵⁶ The measure is for “percentage of all persons whose income in the past 12 months is below the poverty level”.
- ⁵⁷ 90% Margin of Error (MoE).
- ⁵⁸ Age is calculated at the time of the Hearing.
- ⁵⁹ ZIP code is from the active mailing address of the youth’s party ID, which may or may not have changed since the date of commitment.
- ⁶⁰ Hispanic may be of any race. The other racial and ethnic categories are non-Hispanic. “NH” refers to “non-Hispanic”.
- ⁶¹ 90% Margin of Error (MoE).
- ⁶² The measure is for “percentage of all persons whose income in the past 12 months is below the poverty level”.
- ⁶³ 90% Margin of Error (MoE).
- ⁶⁴ The ten criteria for consideration by the court: (1) The seriousness of the offense alleged and whether the protection of the community requires transfer to the court of general jurisdiction; (2) Whether the offense alleged

involved viciousness, force, and violence; (3) Whether the offense alleged was against persons or property, with greater weight being given to the offense against persons, especially if personal injury resulted; (4) Whether the offense alleged is a part of a repetitive pattern of offenses, which indicates that the child may be beyond rehabilitation under the juvenile code; (5) The record and history of the child, including experience with the juvenile justice system, other courts, supervision, commitments to juvenile institutions, and other placements; (6) The sophistication and maturity of the child, as determined by consideration of home and environmental situation, emotional condition and pattern of living; (7) The age of the child; (8) The program and facilities available to the juvenile court in considering disposition; (9) Whether or not the child can benefit from the treatment or rehabilitative programs available to the juvenile court; and (10) Racial disparity in certification.

⁶⁵ Mandatory allegations for certification: “Murder 1st Degree” under § 565.050, “Murder 2nd Degree” under § 565.021, “Assault 1st Degree” under § 565.050, “Rape 1st Degree” under § 566.030, “Sodomy 1st Degree” under § 566.060, “Robbery 1st Degree” under § 570.023, or distribution of drugs under § 579.055.

⁶⁶ § 211.071 indicates that the youth must have “committed two or more prior unrelated offenses which would be felonies if committed by an adult”.

⁶⁷ This ranking was proposed by St. Louis Family Court staff.

⁶⁸ ZIP code is from the active mailing address of the youth’s party ID, which may or may not have changed since the date of certification.

⁶⁹ Hispanic may be of any race. The other racial and ethnic categories are non-Hispanic. “NH” refers to “non-Hispanic”.

⁷⁰ 90% Margin of Error (MoE).

⁷¹ Not pictured is 65202 in Boone County, Missouri.

⁷² The measure is for “percentage of all persons whose income in the past 12 months is below the poverty level”.

⁷³ 90% Margin of Error (MoE).

⁷⁴ Note that the 63129 ZCTA is also an area that is characterized by racial residential segregation, since 93.3% of that ZCTA’s residents were classified as white, non-Hispanic persons. Many think of residential segregation in terms of the concentration of persons of color within bounded geographical areas, but the U.S. is also characterized by many areas with highly segregated white persons, areas that are often characterized by concentrated affluence as well (Sharp & Iceland, 2013). Unlike the other ZCTAs in which the mailing addresses of youth certified were located, 63129 was a relatively low poverty area.

⁷⁵ Upon a review of the legal files, court staff discovered that youth were, in fact, represented by counsel in all cases. The inconsistency in the data will be examined and appropriate action will be taken by staff to address the issue in future reports.