

# Effect of Extra-Legal Factors on Juvenile Probation Officers' Sentencing Recommendations, Roles, and Practices



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## Abstract

The traditional method of studying dispositional outcomes by pre-court and court level officials in the juvenile court system focus on legal and extra-legal variables. A number of studies have documented variations in case processing by police, probation officers, and judges in the juvenile court. Missing from the research is the influence that juvenile probation officers have on judicial decision making. This study sought to examine the relationship between individual characteristics of juvenile probation officers: age, gender, race, level of education, tenure, and jurisdiction, and their perceptions regarding their sentencing recommendations, roles, and probation practices. Chi-square tests of independence were used to understand the relationship between the dependent and independent variables. Several significant interactions were found among the independent variables gender, level of education, and tenure. Suggestions for future research are offered.

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## Introduction

Although most decisions the court produces require judicial approval, many courtroom workgroup actors influence the judge's decision. Several studies look at the role of the prosecutor, defense attorney, defendant's demeanor, defendant's age, race, and gender, pre-trial detention, and the "going rate" on judicial decision making (Bridges & Steen, 1998; Chambliss & Seidman, 1971; Cole, 1993; Guevara, Herz, & Spohn, 2006; Hessick & Saujani, 2002; Langer, 2006; Leiber, Beaudry-Cyr, Peck, & Mack, 2018; Leifker & Sample, 2010; 2011; Mears, 1998; MacDonald & Chesney-Lind, 2001; Spohn, 2002). Probation officers, however, are often not included in this group although they also influence dispositional outcomes through sentencing recommendations in Presentence Investigation Reports (PSI) that often correlate to the actual sentence the offender receives (Bishop & Frazier, 1996; Carter, 1966; Carter & Wilkins, 1967; Frazier, Bock, & Henretta, 1983; Leifker, 2009; Norman & Wadman, 2000; Petersilia, 1997; Rosecrance, 1987; Rush & Robertson, 1987; Stinchcomb & Hippenstell, 2001).

The influence of probation officers on dispositional outcomes has received some attention in the literature. Much of this has centered on probation officer's perceptions of their role and on their job satisfaction (Bryan, 1995; Corbett, 1999; Griffin & Torbet, 2002; Steiner, Purkiss, Kifer, Roberts, & Hemmens, 2004; Torbet, 1993). There has been some limited research on the legal and extra-legal factors that influence dispositional outcomes at the juvenile level, outside of the role of the juvenile probation officer, in judicial decision making (Barton, 1976; Cohn, 1963; Goldman, 1963; McEachem & Bauzer, 1967; Sieverdes, Shoemaker, & Cunningham, 1979; Shook & Sarri, 2007; Terry, 1967). These have included studies on the influence of the juvenile's race, gender, and social status on sentencing decisions (Weiner and Willie, 1971; Thornberry, 1973; Wolfgang, Figlio, & Selling, 1972; Ferdinand & Luchterhand, 1970; Terry, 1967; Arnold, 1971; Blankenship & Singh, 1976).

There has been some research on the influence of juvenile probation officers' personality traits, background, and their role in the judicial decision-making process. Sluder and Reddington (1993) found that extra-legal factors such as gender, age, level of education, length of employment, and political beliefs did affect the individual views of the officers regarding their role. Anderson and Spanier (1980) found that the level of education completed by the juvenile probation officer influenced the perception of the role of that officer.

## *The Current Study*

Juvenile probation is called the cornerstone of the juvenile justice system. Juvenile probation officers across the United States screen cases, determine how cases are processed, make detention decisions, prepare investigation reports, provide supervision, and deliver aftercare services. Juvenile probation plays a central role in the administration of juvenile justice in the United States. The policies and programs advanced by juvenile probation departments greatly define the nation's response to juvenile crime.

In 2017, law enforcement agencies across the United States made an estimated 809,700 arrests of persons under the age of 18 (OJJDP, 2018). Law enforcement agencies referred approximately two-thirds of all arrested youth to the juvenile probation office for further processing in the juvenile justice system (Sickmund & Puzzanchera, 2014). Parents, victims, and school personnel were responsible for the other one-third.

This study posits that juvenile probation officers' individual characteristics with respect to age, gender, race, level of education, tenure, and jurisdiction influence their perceptions regarding their sentencing recommendations, roles, and probation practices, having the ability to negatively impact thousands of youths and their families.

## **Methods**

### *Overview*

This study sought to examine the relationship between individual characteristics of juvenile probation officers and their perceptions regarding their sentencing recommendations, roles, and probation practices. In determining these relationships, the analysis sought to answer the following questions. Whether age, gender, race, level of education, tenure, and jurisdiction are significantly related to the probation officer's perceptions about:

1. whether the primary goal of the juvenile justice system is rehabilitation;
2. whether transferring juveniles to the adult criminal court deters crime;
3. whether judicial waivers ensure community safety;
4. whether juvenile court judges consider their sentencing recommendation in their judicial decisions;
5. their role as a juvenile probation officer;
6. probation practice;
7. their day-to-day activities, and;

8. what factors are most important in making a sentencing recommendation.

Additional qualitative strategy questions asked the following:

1. In your opinion, what are the current issues facing juvenile probation officers?
2. In your opinion, what are the strengths of the juvenile probation system?
3. In your opinion, what are the weaknesses of the juvenile probation system?

### *Participants*

The population for this study consisted of juvenile probation officers in the Tri-State area: Illinois, Indiana, and Kentucky from January 1 to December 31, 2016. A sampling frame was established (N=758) and determined to be manageable enough for a census. The expected rate of return for this study was set at 30 percent (n=227).

### *Instrumentation*

The survey instrument for this study was constructed by the primary investigator in consultation with prior research (D'Angelo, 2007; Griffin & Torbet, 2002; Kerbs, Jones, & Jolley, 2009; Micle, Gabriel, & Saucan, 2013), and disseminated using Survey Monkey. The instrument consisted of four sections: court information; sanctioning and disposition issues; demographic information; and qualitative strategy questions. This study was quantitative using forced-choice questions.

### *Procedures*

The survey instrument was disseminated using Survey Monkey. All survey responses were considered confidential and no individual identifiers were used. The survey was accompanied by an email of explanation and an information sheet for consent to participate in the study. Participants were given the opportunity to receive, via email, a copy of the executive summary by responding to the email provided in the email of explanation. There were three disseminations of the survey through Survey Monkey; the initial and two follow up.

## Data Analysis

Given that there are no prior studies specifically looking at the extra-legal factors of juvenile probation officers and their perceptions regarding their sentencing recommendations, roles, and probation practices, this project was exploratory. Chi-square tests of independence were utilized to examine the relationship between individual characteristics of juvenile probation officers and their perceptions regarding their sentencing recommendations.

*Independent variables.* The independent variables were age, gender, race, level of education, tenure as a probation officer, and jurisdiction. Age was assessed in years. Gender was dichotomized: male and female. Race was divided into five categories: White, not of Hispanic origin; Black, not of Hispanic origin; Hispanic; American Indian or Alaskan Native; and Asian or Pacific Islander. Level of education was divided into four categories: high school diploma/GED, undergraduate degree, graduate degree, and other. Tenure as a probation officer was assessed in years. Jurisdiction was divided into three categories: urban, suburban, and rural.

*Dependent variables.* The dependent variables “primary goal of the juvenile justice system is rehabilitation,” “transferring juveniles to the adult criminal court deters crime,” “judicial waivers ensure community safety,” and “juvenile court judges consider their sentencing recommendations in their judicial decisions,” were divided into five levels: Completely Agree, Agree, No Opinion, Disagree, and Completely Disagree. “Role as a juvenile probation officer” was divided into five levels: law enforcer/control-oriented, time server, therapeutic or social service, synthetic or combine approach, and other. “Probation Practice” was divided into four levels: mission driven, performance based, outcome focused, and other. “Day-to-day activities” was divided into three levels: intake, screening, and assessment; pre-sentence investigations; and supervision. Finally, factors that were most important in making a sentencing recommendation were divided into ten levels: socioeconomic status, completeness of the juvenile’s family/family arrangement, presence of co-offender(s), seriousness of offense(s), number of prior offense(s), number of years with delinquent record, age of onset of delinquency, race of juvenile, gender of juvenile, and age at offense(s).

The survey was disseminated three times to ensure maximum response rate. The survey data was exported to SPSS 21.0 for Windows for analysis.

## Results

The independent variables age and tenure, continuous quantitative values, were collapsed. The chronological age range of the juvenile probation officers were collapsed into five categories by decades: 20-29 (9%), 30-39 (26%), 40-49 (31%), 50-59 (19%), and 60 and above (4%). Thirty-one respondents (11%) did not indicate their age. Tenure was measured in years and was collapsed into four categories; 0-9 years (34%), 10-19 years (43%), 20-29 years (13%), and 30 or more years (3%). Twenty-one (8%) of the respondents did not indicate their tenure. Level of education was divided into four categories; high school diploma/GED, undergraduate degree, graduate degree, and other. None of the respondents indicated the high school diploma/GED as their highest educational attainment; therefore, it was dropped from the statistical analysis.

### *Descriptive*

Of the total population (N=758), 272 juvenile probation officers returned usable questionnaires for an overall response rate of 35.88 percent. (See Table 1).

**Table 1. State participation (N=758)**

State	Population	Respondents	Percentage
Illinois	191	37	19.37%
Indiana	367	114	31.06%
Kentucky	200	101	50.50%
Missing		20	7.35%
Total	758	272	35.88%

The 272 respondents ranged in age from 23 to 69. The mean age of the respondents was 42.47 with a standard deviation of 9.70 years. The descriptive statistics for the demographic questions are provided below in Table 2. There were approximately twice as many female as male respondents, and the mean age of the respondents was 42.47. The respondents were overwhelming white, not of Hispanic origins (82%). Many of the respondents had undergraduate or graduate degrees in criminal justice, social work, sociology, or psychology. More than half of the respondents were in rural jurisdictions. Finally, the newest probation officers in the group had been on the job three weeks, while the probation officer with the greatest tenure had 41 years of experience.

### Statistical Analysis

Chi-square tests of independence were utilized to examine the relationship between individual characteristics of juvenile probation officers; age, gender, race, level of education, tenure, and jurisdiction, and their perceptions regarding their sentencing recommendations. Contingency tests were determined using Statistical Package for the Social Sciences (SPSS), version 21 that provided a Chi-square value.

When analyzing the statement *“the primary goal of the juvenile justice system is rehabilitation,”* no significant relationships were found between age ( $\chi^2(16) = 8.921$ ,  $p > .05$ ), gender ( $\chi^2(4) = 3.930$ ,  $p > .05$ ), race ( $\chi^2(16) = 22.010$ ,  $p > .05$ ), level of education ( $\chi^2(4) = 1.431$ ,  $p > .05$ ), tenure ( $\chi^2(12) = 3.696$ ,  $p > .05$ ), and jurisdiction ( $\chi^2(8) = 12.712$ ,  $p > .05$ ). In this study, the majority of juvenile probation officers regardless of age, gender, race, level of education, tenure, and jurisdiction believe the primary goal of the juvenile justice system is rehabilitation.

**Table 2. Descriptive statistics for sample population (N=272)**

Variable	n	%
<b>Age</b>		
20-29 years old	24	8.82%
30-39 years old	71	26.10%
40-49 years old	85	31.25%
50-59 years old	51	18.75%
60+ years old	10	3.68%
Missing	31	11.40%
<b>Gender</b>		
Male	86	31.62%
Female	165	60.66%
Missing	21	7.72%
<b>Race</b>		
White, not of Hispanic origins	223	81.99%
Black, not of Hispanic origins	17	6.25%
American Indian/Alaskan Native	2	0.74%
Asian/Pacific Islander	3	1.10%
Hispanic	3	1.10%
Missing	24	8.82%

<b>Level of Education</b>		
Undergraduate	171	62.87%
Graduate	81	29.78%
Missing	20	7.35%
<b>Tenure</b>		
0-9 years	93	34.19%
10-19 years	116	42.65%
20-29 years	34	12.50%
30-39+ years	8	2.94%
Missing	21	7.72%
<b>Jurisdiction</b>		
Urban	73	26.84%
Suburban	55	20.22%
Rural	141	51.84%
Missing	3	1.10%

When analyzing the statement “*transferring juveniles to the adult criminal justice system deters crime*,” no significant relationships were found between age ( $X^2(16) = 10.951, p > .05$ ), race ( $X^2(16) = 5.855, p > .05$ ), and jurisdiction ( $X^2(8) = 4.422, p > .05$ ).

Several significant interactions were found among the independent variables gender ( $X^2(4) = 9.804, p < .05$ ), level of education ( $X^2(4) = 10.700, p < .05$ ), and tenure ( $X^2(12) = 27.641, p < .05$ ).

**Table 3. “The primary goal of the juvenile justice system is rehabilitation” (n=272)**

	<b>Completely Agree</b>	<b>Agree</b>	<b>No Opinion</b>	<b>Disagree</b>	<b>Strongly Disagree</b>		
<b>Variables</b>	<b>n (%)</b>	<b>n (%)</b>	<b>n (%)</b>	<b>n (%)</b>	<b>n (%)</b>	<b>df</b>	<b><math>\chi^2</math></b>
<b>Age</b>						16	8.921
20-29 years old	14 (58.33)	10 (41.67)	0 (0.00)	0 (0.00)	0 (0.00)		
30-39 years old	24 (33.80)	43 (60.56)	2 (2.82)	1 (1.41)	1 (1.41)		
40-49 years old	37 (43.53)	44 (51.76)	2 (2.35)	2 (2.35)	0 (0.00)		
50-59 years old	19 (37.25)	30 (58.82)	1 (1.96)	1 (1.96)	0 (0.00)		
60+ years old	3 (33.33)	6 (66.67)	0 (0.00)	0 (0.00)	0 (0.00)		

<b>Gender</b>						4	3.930
Male	35 (40.70)	47 (54.65)	1 (1.16)	3 (3.49)	0 (0.00)		
Female	66 (40.24)	92 (56.10)	4 (2.44)	1 (0.61)	1 (0.61)		
<b>Race</b>						16	22.010
White, not of Hispanic origins	90 (40.54)	124 (55.86)	4 (1.80)	3 (1.35)	1 (0.45)		
Black, not of Hispanic origins	7 (41.18)	10 (58.82)	0 (0.00)	0 (0.00)	0 (0.00)		
American Indian/Alaskan Native	1 (50.00)	1 (50.00)	0 (0.00)	0 (0.00)	0 (0.00)		
Asian/Pacific Islander	2 (66.67)	0 (0.00)	0 (0.00)	1 (33.33)	0 (0.00)		
Hispanic	1 (33.33)	2 (66.67)	0 (0.00)	0 (0.00)	0 (0.00)		
<b>Level of Education</b>						4	1.431
Undergraduate	69 (40.59)	94 (55.29)	4 (2.35)	2 (1.18)	1 (0.59)		
Graduate	34 (41.98)	44 (54.32)	1 (1.23)	2 (2.47)	0 (0.00)		
<b>Tenure</b>						12	3.696
0-9 years	41 (44.09)	49 (52.69)	1 (1.08)	1 (1.08)	1 (1.08)		
10-19 years	46 (39.66)	65 (56.03)	3 (2.59)	2 (1.72)	0 (0.00)		
20-29 years	13 (38.24)	19 (55.88)	1 (2.94)	1 (2.94)	0 (0.00)		
30-39+ years	3 (42.86)	4 (57.14)	0 (0.00)	0 (0.00)	0 (0.00)		
<b>Jurisdiction</b>						8	12.712
Urban	19 (26.76)	51 (71.83)	1 (1.41)	0 (0.00)	0 (0.00)		
Suburban	26 (49.06)	25 (47.17)	1 (1.89)	1 (1.89)	0 (0.00)		
Rural	60 (45.45)	65 (49.24)	3 (2.27)	3 (2.27)	1 (0.76)		

\*\*\*p<.001, \*\*p<.01, \*p<.05

**Table 4. “Transferring juveniles to the adult criminal justice system deters crime” (n=272)**

	<b>Completely Agree</b>	<b>Agree</b>	<b>No Opinion</b>	<b>Disagree</b>	<b>Strongly Disagree</b>		
<b>Variables</b>	<b>n (%)</b>	<b>n (%)</b>	<b>n (%)</b>	<b>n (%)</b>	<b>n (%)</b>	<b>df</b>	<b>χ<sup>2</sup></b>
<b>Age</b>						16	10.951
20-29 years old	0 (0.00)	2 (8.33)	7 (29.17)	11 (45.83)	4 (1.67)		

30-39 years old	0 (0.00)	12 (16.90)	15 (21.11)	39 (54.93)	5 (7.04)		
40-49 years old	1 (1.18)	12 (14.12)	27 (31.76)	40 (47.06)	5 (5.88)		
50-59 years old	1 (1.96)	8 (15.69)	15 (29.41)	22 (43.14)	5 (9.80)		
60+ years old	0 (0.00)	2 (22.22)	1 (11.11)	6 (66.67)	0 (0.00)		
<b>Gender</b>						4	9.804*
Male	1 (1.16)	22 (25.58)	21 (24.42)	37 (43.02)	5 (5.81)		
Female	1 (0.61)	18 (10.98)	44 (26.83)	85 (51.83)	16 (9.76)		
<b>Race</b>						16	5.855
White, not of Hispanic origins	2 (0.90)	34 (15.32)	60 (27.03)	106 (47.75)	20 (9.01)		
Black, not of Hispanic origins	0 (0.00)	4 (23.53)	2 (11.76)	10 (58.82)	1 (5.88)		
American Indian/Alaskan Native	0 (0.00)	0 (0.00)	1 (50.00)	1 (50.00)	0 (0.00)		
Asian/Pacific Islander	0 (0.00)	1 (33.33)	1 (33.33)	1 (33.33)	0 (0.00)		
Hispanic	0 (0.00)	0 (0.00)	1 (33.33)	2 (66.67)	0 (0.00)		
<b>Level of Education</b>						4	10.700*
Undergraduate	2 (1.18)	29 (17.06)	43 (25.29)	88 (51.76)	8 (4.71)		
Graduate	0 (0.00)	11 (13.58)	22 (27.16)	35 (43.21)	13 (16.05)		
<b>Tenure</b>						12	27.641**
0-9 years	0 (0.00)	13 (13.98)	29 (31.18)	41 (44.09)	10 (10.75)		
10-19 years	0 (0.00)	20 (17.24)	28 (24.14)	64 (55.17)	4 (3.45)		
20-29 years	2 (5.88)	5 (14.71)	8 (23.53)	14 (41.18)	5 (14.71)		
30-39+ years	0 (0.00)	2 (28.57)	0 (0.00)	3 (42.86)	2 (28.57)		
<b>Jurisdiction</b>						8	4.422
Urban	1 (1.41)	14 (19.72)	16 (22.54)	36 (50.70)	4 (5.63)		
Suburban	0 (0.00)	9 (16.98)	14 (26.42)	25 (47.17)	5 (9.43)		
Rural	2 (1.52)	16 (12.12)	39 (29.55)	63 (47.73)	12 (9.09)		

\*\*\*p<.001, \*\*p<.01, \*p<.05

First, with regard to gender, most males and females indicated a general disagreement with the statement; however, females had more definitive viewpoints on the statement with the majority disagreeing or indicating no opinion. Second,

nearly 52% (n=88) of those with undergraduate degrees and 43% (n=35) of those with graduate degrees indicated disagreeing with the statement. Those with graduate degrees disagreed or strongly disagreed more than those with undergraduate degree. Finally, with regard to tenure, the majority of all respondents in all categories either disagreed or completely disagreed with the statement.

**Table 5. “Discretionary/judicial waivers ensure community safety” (n=272)**

	Completely Agree	Agree	No Opinion	Disagree	Strongly Disagree		
Variables	n (%)	n (%)	n (%)	n (%)	n (%)	df	$\chi^2$
<b>Age</b>						16	9.833
20-29 years old	3 (12.50)	11 (45.83)	6 (25.00)	4 (16.67)	0 (0.00)		
30-39 years old	4 (5.71)	28 (40.00)	24 (34.29)	13 (18.57)	1 (1.43)		
40-49 years old	6 (7.06)	30 (35.29)	32 (37.65)	16 (18.82)	1 (1.18)		
50-59 years old	3 (6.00)	22 (44.00)	15 (30.00)	10 (20.00)	0 (0.00)		
60+ years old	0 (0.00)	7 (77.78)	1 (11.11)	1 (11.11)	0 (0.00)		
<b>Gender</b>						4	5.352
Male	8 (9.30)	41 (47.67)	23 (26.74)	13 (15.12)	1 (1.16)		
Female	9 (5.56)	60 (37.04)	58 (35.80)	34 (20.99)	1 (0.62)		
<b>Race</b>						16	17.614
White, not of Hispanic origins	16 (7.27)	92 (41.82)	70 (31.82)	40 (18.18)	2 (0.91)		
Black, not of Hispanic origins	0 (0.00)	7 (41.18)	4 (23.53)	6 (35.29)	0 (0.00)		
American Indian/Alaskan Native	1 (50.00)	1 (50.00)	0 (0.00)	0 (0.00)	0 (0.00)		
Asian/Pacific Islander	0 (0.00)	1 (33.33)	1 (33.33)	1 (33.33)	0 (0.00)		
Hispanic	0 (0.00)	0 (0.00)	3 (100.00)	0 (0.00)	0 (0.00)		
<b>Level of Education</b>						4	3.570
Undergraduate	12 (7.14)	69 (41.07)	59 (35.12)	27 (16.07)	1 (0.60)		
Graduate	5 (6.17)	33 (40.74)	22 (27.16)	20 (24.69)	1 (1.23)		
<b>Tenure</b>						12	6.135
0-9 years	7 (7.69)	35 (38.46)	31 (34.07)	17 (18.68)	1 (1.10)		

10-19 years	6 (5.17)	48 (41.38)	40 (34.48)	21 (18.10)	1 (0.86)		
20-29 years	3 (8.82)	13 (38.24)	11 (32.35)	7 (20.59)	0 (0.00)		
30-39+ years	1 (14.29)	5 (71.43)	0 (0.00)	1 (14.29)	0 (0.00)		
<b>Jurisdiction</b>						8	6.753
Urban	7 (10.00)	30 (42.86)	21 (30.00)	11 (15.71)	1 (1.43)		
Suburban	3 (5.66)	24 (45.28)	18 (33.96)	7 (13.21)	1 (1.89)		
Rural	7 (5.38)	51 (39.23)	42 (32.31)	30 (23.08)	0 (0.00)		

\*\*\*p<.001, \*\*p<.01, \*p<.05

When analyzing the statement “*judicial waivers ensure community safety,*” no significant relationships were found between age ( $X^2(16) = 9.833, p > .05$ ), gender ( $X^2(4) = 5.352, p > .05$ ), race ( $X^2(16) = 17.614, p > .05$ ), level of education ( $X^2(4) = 3.570, p > .05$ ), tenure ( $X^2(12) = 6.135, p > .05$ ), and jurisdiction ( $X^2(8) = 6.753, p > .05$ ). In this study, the majority of juvenile probation officers regardless of age, gender, race, level of education, tenure, and jurisdiction either agreed or had no opinion on juvenile waivers ensuring community safety.

**Table 6. “Juvenile court judges consider the recommendation of the probation officer in their decision” (n=272)**

	Completely Agree	Agree	No Opinion	Disagree	Strongly Disagree		
Variables	n (%)	n (%)	n (%)	n (%)	n (%)	df	$\chi^2$
<b>Age</b>						16	9.174
20-29 years old	10 (41.67)	10 (41.67)	3 (12.50)	1 (4.17)	0 (0.00)		
30-39 years old	23 (32.39)	42 (59.15)	3 (4.23)	2 (2.82)	1 (1.41)		
40-49 years old	31 (36.47)	46 (54.12)	5 (5.88)	3 (3.53)	0 (0.00)		
50-59 years old	19 (37.25)	26 (50.98)	4 (7.84)	1 (1.96)	1 (1.96)		
60+ years old	2 (22.22)	6 (66.67)	0 (0.00)	1 (11.11)	0 (0.00)		
<b>Gender</b>						4	6.865
Male	26 (30.23)	48 (55.81)	6 (6.98)	6 (6.98)	0 (0.00)		
Female	65 (39.63)	84 (51.22)	10 (6.10)	3 (1.83)	2 (1.22)		
<b>Race</b>						16	8.569
White, not of Hispanic origins	82 (36.94)	117 (52.70)	12 (5.41)	9 (4.05)	2 (0.90)		
Black, not of Hispanic origins	2 (11.76)	13 (76.47)	2 (11.76)	0 (0.00)	0 (0.00)		

American Indian/Alaskan Native	1 (50.00)	1 (50.00)	0 (0.00)	0 (0.00)	0 (0.00)		
Asian/Pacific Islander	2 (66.67)	1 (33.33)	0 (0.00)	0 (0.00)	0 (0.00)		
Hispanic	1 (33.33)	2 (66.67)	0 (0.00)	0 (0.00)	0 (0.00)		
<b>Level of Education</b>						4	.399
Undergraduate	60 (35.29)	92 (54.12)	11 (6.47)	6 (3.53)	1 (0.59)		
Graduate	30 (37.04)	42 (51.85)	5 (6.17)	3 (3.70)	1 (1.23)		
<b>Tenure</b>						12	7.839
0-9 years	29 (31.18)	51 (54.84)	7 (7.53)	4 (4.30)	2 (2.15)		
10-19 years	46 (39.66)	59 (50.86)	6 (5.17)	5 (4.31)	0 (0.00)		
20-29 years	14 (41.18)	18 (52.94)	2 (5.88)	0 (0.00)	0 (0.00)		
30-39+ years	2 (28.57)	4 (57.14)	1 (14.29)	0 (0.00)	0 (0.00)		
<b>Jurisdiction</b>						8	4.296
Urban	24 (33.80)	39 (54.93)	6 (8.45)	2 (2.82)	0 (0.00)		
Suburban	19 (35.85)	27 (50.94)	5 (9.43)	2 (3.77)	0 (0.00)		
Rural	51 (38.64)	68 (51.52)	6 (4.55)	5 (3.79)	2 (1.52)		

\*\*\*p<.001, \*\*p<.01, \*p<.05

When analyzing the statement “juvenile court judges consider the recommendations of the probation officer in their decision,” no significant relationships were found between age ( $X^2(16) = 9.174, p > .05$ ), gender ( $X^2(4) = 6.865, p > .05$ ), race ( $X^2(16) = 8.569, p > .05$ ), level of education ( $X^2(4) = .399, p > .05$ ), tenure ( $X^2(12) = 7.839, p > .05$ ), and jurisdiction ( $X^2(8) = 4.296, p > .05$ ). In this study, regardless of age, gender, race, level of education, tenure, and jurisdiction juvenile probation officers agreed that juvenile court judges considered their recommendations when making their judicial decision.

**Table 7. “My Role as a Juvenile Probation Officer” (n=272)**

	Law Enforcer/ control- oriented	Time Server	Therapeutic/ Social Service	Synthetic/ Combined Approach	Other		
Variables	n (%)	n (%)	n (%)	n (%)	n (%)	df	$\chi^2$
<b>Age</b>						16	19.163
20-29 years old	2 (8.33)	0 (0.00)	8 (33.33)	11 (45.83)	3 (12.50)		

30-39 years old	6 (8.57)	1 (1.42)	22 (31.43)	31 (44.29)	10 (14.29)		
40-49 years old	5 (5.88)	0 (0.00)	27 (31.76)	25 (29.41)	28 (32.94)		
50-59 years old	4 (8.00)	0 (0.00)	18 (36.00)	18 (36.00)	10 (20.00)		
60+ years old	2 (22.22)	0 (0.00)	1 (11.11)	2 (22.22)	4 (44.44)		
<b>Gender</b>						4	3.604
Male	6 (7.05)	0 (0.00)	21 (24.71)	35 (41.18)	23 (27.06)		
Female	14 (8.70)	1 (0.62)	55 (34.16)	56 (34.78)	35 (21.74)		
<b>Race</b>						16	12.339
White, not of Hispanic origins	17 (7.76)	1 (0.46)	70 (31.96)	82 (37.44)	49 (22.37)		
Black, not of Hispanic origins	2 (11.76)	0 (0.00)	7 (41.17)	4 (23.53)	4 (23.53)		
American Indian/Alaskan Native	0 (0.00)	0 (0.00)	0 (0.00)	2 (100.00)	0 (0.00)		
Asian/Pacific Islander	1 (33.33)	0 (0.00)	0 (0.00)	1 (33.33)	1 (33.33)		
Hispanic	0 (0.00)	0 (0.00)	0 (0.00)	1 (33.33)	2 (66.67)		
<b>Level of Education</b>						4	6.712
Undergraduate	18 (10.78)	1 (0.60)	48 (28.74)	64 (38.32)	36 (21.55)		
Graduate	2 (2.50)	0 (0.00)	29 (36.25)	28 (35.00)	21 (26.25)		
<b>Tenure</b>						12	5.636
0-9 years	9 (9.78)	1 (1.09)	29 (31.52)	36 (39.13)	17 (18.48)		
10-19 years	8 (7.08)	0 (0.00)	38 (33.63)	39 (34.51)	28 (24.78)		
20-29 years	3 (8.82)	0 (0.00)	8 (23.53)	13 (38.24)	10 (29.41)		
30-39+ years	0 (0.00)	0 (0.00)	2 (28.57)	3 (42.86)	2 (28.57)		
<b>Jurisdiction</b>						8	13.094
Urban	6 (8.45)	0 (0.00)	20 (28.17)	31 (43.66)	14 (19.72)		
Suburban	2 (4.00)	1 (2.00)	11 (22.00)	24 (48.00)	12 (24.00)		
Rural	12 (9.45)	0 (0.00)	46 (36.22)	37 (29.13)	32 (25.20)		

\*\*\*p<.001, \*\*p<.01, \*p<.05

When analyzing the statement “my role as a juvenile probation officer,” no significant relationships were found between age ( $X^2(16) = 19.163, p > .05$ ), gender

( $\chi^2(4) = 3.604$ ,  $p > .05$ ), race ( $\chi^2(16) = 12.339$ ,  $p > .05$ ), level of education ( $\chi^2(4) = 6.712$ ,  $p > .05$ ), tenure ( $\chi^2(12) = 5.636$ ,  $p > .05$ ), and jurisdiction ( $\chi^2(8) = 13.094$ ,  $p > .05$ ).

Ninety-two of the 272 juvenile probation officers (34%) indicated their primary role as a juvenile probation was using a synthetic or a combined approach. The remaining roles ranked as follows; 78 a therapeutic or social service role (29%), 59 other (22%), 20 law enforcer/control-oriented (7%), and 1 time server (0.4%). Examples of the “other” included ensuring juveniles’ safety, agent of change, supervisor of other juvenile probation officers, and a combination of some or all choices.

**Table 8. “Probation Practice” (n=272)**

	Mission-Driven	Performance Based	Outcome Focused	Other		
Variables	n (%)	n (%)	n (%)	n (%)	df	$\chi^2$
<b>Age</b>					12	10.349
20-29 years old	5 (20.83)	2 (8.33)	12 (50.00)	5 (20.83)		
30-39 years old	18 (25.35)	7 (9.86)	39 (54.93)	7 (9.86)		
40-49 years old	13 (15.48)	10 (11.90)	46 (54.76)	15 (17.86)		
50-59 years old	11 (21.57)	3 (5.88)	32 (62.75)	5 (9.80)		
60+ years old	1 (11.11)	0 (0.00)	5 (55.55)	3 (33.33)		
<b>Gender</b>					3	6.912
Male	16 (18.82)	4 (4.71)	56 (65.88)	9 (10.59)		
Female	32 (19.75)	20 (12.34)	83 (51.23)	27 (16.67)		
<b>Race</b>					12	7.997
White, not of Hispanic origins	40 (18.10)	20 (9.05)	127 (57.47)	34 (15.38)		
Black, not of Hispanic origins	4 (25.00)	1 (6.25)	9 (56.25)	2 (12.50)		
American Indian/Alaskan Native	1 (50.00)	0 (0.00)	1 (50.00)	0 (0.00)		
Asian/Pacific Islander	1 (33.33)	1 (33.33)	1 (33.33)	0 (0.00)		
Hispanic	1 (33.33)	1 (33.33)	1 (33.33)	0 (0.00)		
<b>Level of Education</b>					3	1.719
Undergraduate	31 (18.34)	19 (11.24)	96 (56.80)	23 (13.61)		

Graduate	17 (21.52)	5 (6.33)	45 (56.96)	12 (15.19)		
<b>Tenure</b>					9	10.537
0-9 years	23 (25.00)	7 (7.61)	50 (54.35)	12 (13.04)		
10-19 years	15 (13.16)	16 (14.03)	67 (58.77)	16 (14.03)		
20-29 years	9 (26.47)	1 (2.94)	18 (52.94)	6 (17.65)		
30-39+ years	1 (14.29)	0 (0.00)	5 (71.42)	1 (14.29)		
<b>Jurisdiction</b>					6	5.835
Urban	13 (18.31)	10 (14.08)	37 (52.11)	11 (15.49)		
Suburban	10 (20.41)	7 (14.29)	26 (53.06)	6 (12.24)		
Rural	25 (19.38)	7 (5.43)	77 (59.69)	20 (15.50)		

\*\*\*p<.001, \*\*p<.01, \*p<.05

When analyzing the statement “*as a juvenile probation officer, I am,*” no significant relationships were found between age ( $X^2(12) = 10.349$ ,  $p > .05$ ), gender ( $X^2(3) = 6.912$ ,  $p > .05$ ), race ( $X^2(12) = 7.997$ ,  $p > .05$ ), level of education ( $X^2(3) = 1.719$ ,  $p > .05$ ), tenure ( $X^2(9) = 10.537$ ,  $p > .05$ ), and jurisdiction ( $X^2(6) = 5.835$ ,  $p > .05$ ). The majority of each indicated being outcome focused.

Fifty-two percent of the 272 juvenile probation officers ( $n=142$ ) indicated their probation practice is outcome focused. The remaining probation practices were ranked as follows: 48 mission-driven (18%), 37 other (14%), and 24 performances based (9%). Examples of the “other” included client based, situational (depending on the case), and/or a combination.

*Day-to-day activities.* Day-to-day activities was divided into three levels: intake, screening, and assessment; presentence investigation; and supervision. The respondents were asked to rank each factor 1-3: 1-least important and 3-most important. The majority of juvenile probation officers (62%) regardless of individual characteristics believed supervision is the most important day-to-day activity, pre-sentence investigation is the second most important, and intake, screening, and assessment to be the least important. However, there were some interesting exceptions. First, those in suburban (46%) and rural (41%) jurisdictions believed that pre-sentence investigations should be the least important day-to-day activity. In addition, those in rural jurisdictions (51%) strongly believed that intake, screening, and assessment should be the second most important day-to-day activity. Finally, juvenile probation officers with 0-9 years of tenure (52%) believed on average that pre-sentence investigations should be the least important day-to-day activity.

*Factors in making a sentencing recommendation.* Factors that were most important in making a sentencing recommendation were divided into ten levels: socioeconomic status, completeness of the juvenile's family/family arrangement, presence of co-offender(s), seriousness of offense(s), number of prior offense(s), number of years with delinquent record, age of onset of delinquency, race of juvenile, gender of juvenile, and age at offense(s). Respondents were asked to rank each factor 1-10: 1-least important and 10-most important.

Overall, juvenile probation officers' individual characteristics did not impact their ranking decisions, with a few exceptions. Age of the probation officer seemed to have the most influence on how factors in making a sentencing recommendation were ranked. Probation officers between 20-29 years of age (43%) and 40-49 years of age (33%) believed the completeness of the juvenile's family/family arrangement warranted a lower score than what the overall average indicated. In addition, probation officers between 20-29 years of age (58%) believed the age of offense(s) warranted a lower score than what the overall average indicated.

Tenure of the probation officers also seemed to have some influence on how factors in making a sentencing recommendation were ranked. Probation officers holding tenure of 0-9 years (52%), 10-19 years (53%), and 20-29 years (53%) all felt that the presence of co-offender(s) should be ranked more importantly than the overall indicated average.

*Ancillary analyses.* In addition to the quantitative data collection, participants were given the opportunity to provide answers to open-ended questions regarding current issues facing juvenile probation officers, juvenile probation, and the juvenile justice system in their jurisdiction.

The current issues facing juvenile probation officers were related to five factors: job; resources; juvenile (client); client's family; and societal. Examples of job related factors facing juvenile probation officers were current laws, changes to the laws, the Juvenile Detention Alternatives Initiative (JDAI), personal safety, balancing community safety and victim empathy with offender needs, too much emphasis on paperwork and not enough on supervision, case overload, not enough staff, not appreciated, under paid, burn-out, and lack of agency collaboration between DCS, mental health, and juvenile probation. Examples of resources related factors facing juvenile probation officers were not enough resources, not enough placement options for females, and lack of funding available for placement. Examples of client related factors were the juvenile's demeanor and lack of respect. Similarly, examples of clients' family related factors facing juvenile probation officers were lack of parenting skills, lack of positive familial support, and disruption of family unit. Finally, examples of societal related factors facing juvenile probation officers

were increased mental health diagnoses, gangs, guns, substance abuse, and poverty.

Juvenile probation officers listed several strengths of the juvenile probation system with relation to their job. These included a system that is rehabilitation-focused, flexible, and allows the juvenile probation officer to make recommendations on a case-by-case basis. Furthermore, the system follows the case all the way through to disposition, the role of juvenile probation officers is moving in the direction of "agents of change," officers are dedicated, and probation officers are diverse in ethnic and socioeconomic backgrounds and age. Other strengths included having a good judge, a good supervisor, good working relationships with other agencies, getting ideas from other officers at conferences, and the ability to have more one-on-one interaction with clients.

Resource strengths of the juvenile probation system were state paid services for juvenile and their families, pretrial programs, early interventions, youth development centers, home-based services, and the systems focus on strength-based programming and evidence-based practices.

The juvenile probation officers also identified client-related, client-family related and societal related strengths. Examples of client-related factors and strengths of the juvenile probation system were more accountability, good assessment of needs and risks, and the ability for the juvenile to have the opportunity to become productive members of society before reaching the adult system. Similarly, examples of clients' family related factors and strengths of the juvenile probation system were getting to know the families and treating the whole family. Finally, examples of societal related factors and strengths of the juvenile probation system were the ability to care for the juveniles in our communities, and the cost effectiveness of community programs verses long incarceration.

Weaknesses of the juvenile probation system with relation to their job were the new SB200 law, high case load, too much paperwork and red tape, the need for more officers, the need to be more proactive, the cookie cutter approach and not enough thinking outside the box, lack of training, high turn-over rate, Judges and prosecutors who do not buy into evidence-based practices, and lack of systems-agencies collaboration.

Resource weaknesses of the juvenile probation system included lack of statewide resources, not using detention appropriately, less treatment focused, lack of steps between probation and being placed outside the home, lack of resources for mental health clients, lack of placement facilities in area, the cost of

residential placement options, and low-level offenders receiving longer probation or commitment than more serious offenders.

Client-related weaknesses identified by the juvenile probation officers surveyed included an overly lenient system, lack of immediate consequences, "aging out", kids whose cases are closed after 18 without resolution of the underlying issues, and high case load leading to denial of services for some youth. Similarly, examples related to the weakness of the juvenile probation system and clients' family factors were lack of family support, and parental accountability. Finally, examples related to the weakness of the juvenile probation system and societal factors were lack of community-based services, and community based mental health treatment.

## **Discussion and Conclusion**

The juvenile justice system was founded on the concept of rehabilitation through individualized justice. Today's juvenile justice system still maintains rehabilitation as its primary goal, which distinguishes it from the adult criminal justice system. In this study, the majority of juvenile probation officers believed that the primary goal of the juvenile justice system is rehabilitation validating this philosophy.

With the primary goal of the juvenile justice system being rehabilitation, community safety has been lost. In this study, a majority of juvenile probation officers agreed that juvenile waivers ensured community safety. In addition, the majority of the juvenile probation officers perceived that juvenile court judges did consider their recommendation when making judicial decision. This finding would suggest that the juvenile probation officers, in fact, do have a great deal of influence on judicial decision making, and significant control over whether a juvenile receives rehabilitation or punishment, which presumably makes the community safer.

Four main roles of probation officers have been identified through the literature; law enforcer/control-oriented, time server, therapeutic or social service, and synthetic or combine. In this study, 34% of the juvenile probation officers indicated that their primary role as a probation officer was using a synthetic or a combined approach. Of course, this means that approximately two-thirds saw their role as one and only one of the following; law enforcer/control oriented, time server, or therapeutic. It is presumed that juvenile probation officer's sentencing recommendation to the juvenile judge would follow the role in which they see themselves. Further, for those that did see themselves as using a synthetic or combined approach, their sentencing recommendations presumably reflect a more individualized approach to justice.

The juvenile probation officers, at least in this study, appear to be following the best practices as outlined in the Desktop Guide to Good Juvenile Probation Practice (2002). The guide asserts that good juvenile probation practices are mission-driven, performance-based, and outcome-focused. In addition, it states that protecting the public is one of the primary responsibilities of juvenile probation. Further, it stresses that accountability is an important value both for juvenile offenders and for juvenile probation. Finally, that juvenile probation should be an optimistic profession, focused on the practical rehabilitation of youth. In this study, 52% indicated their probation practice is outcome focused, and the majority of juvenile probation officers believed supervision was the most important day-to-day activity as a probation officer. This is a significant finding because for many juvenile probation officers their day is filled with less meaningful and important tasks than supervision. The supervising of juveniles is what often make the difference in the juveniles' future not only in the juvenile justice system, but in the adult system as well. Efforts should be made to ensure that juvenile probation officers have enough time and resources to engage in effective supervision of the juveniles on their caseload.

Finally, when ranking factors from 1- least important to 10- most important in making a sentencing recommendation, the majority of juvenile probation officers (66%) ranked seriousness of offense as number ten; 44% ranked number of prior offenses as nine; 31% ranked number of years with delinquent record number eight; 24% ranked age of onset of delinquency number seven; 22% ranked age at offense(s) number six; 25% ranked completeness of the juvenile's family as five; 26% ranked presence of co-offender(s) as number four; 38% ranked socioeconomic status as number three; 51% ranked gender of juvenile as number two; and 60% ranked race of the juvenile as number one.

### *Limitations*

There are several limitations of this study. First, the participants in this study were current juvenile probation officers in the Tri-State area: Kentucky, Illinois, and Indiana. Second, a survey was used to gather the quantitative and qualitative data allowing respondents, if they wished, to mark "no opinion" for portions of the quantitative questions and skip certain qualitative questions and or answer with one-word responses, which lacks depth. Finally, the researchers disseminated the survey via Survey Monkey that might have caused technological challenges for one or more of the respondents.

In closing, despite the prominence of juvenile probation officers in the sentencing process and on judicial decision-making, little theoretical or empirical attention has been paid to how juvenile probation officers come to their sentence recommendation. What juvenile probation officers think, how they do their jobs, and what legal and extra-legal factors they consider when make their sentencing recommendations has a profound effect on the dispositional outcome of thousands of juveniles each year across this county.

### *Future Research*

This research begins the process of focusing on the juvenile probation officers, sentencing recommendation and its effect on juvenile judicial decision-making. More research is needed. Future research should focus on the result of increased supervision, how juvenile probation officers perceive the role of their judge(s) and/or the district attorney as well as the disposition of technical violations.

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