Juveniles in Police Lockups: Reducing Length of Stay

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This paper was presented at the American Society of Criminology conference, November 20, 1991, in San Francisco, California. The project was supported by PCCD subgrant #88-J-01-3152, awarded by Office of Justice Programs, U.S. Department of Justice. The Assistant Attorney General, Office of Justice Programs, coordinates the activities of the following program offices and bureaus: Bureau of Justice Assistance, Bureau of Justice Statistics, National Institute of Justice, Office of Juvenile Justice and Delinquency, and the Office for Victims of Crime. Points of view or opinions contained within this document are those of the authors and do not necessarily represent the official position or policies of the U.S. Department of Justice.

ABSTRACT

Many states have faced the problem of noncompliance with the federal requirement that police not hold juveniles in custody for more than six hours, as long as the same facility is used to hold adults. Pennsylvania was found to be out of compliance, largely as a result of practices Philadelphia's police department. The mean time in lockup was 9.3 hours and ranged up to 57 hours.

This article describes a study of time in police custody that was designed to identify those factors responsible for excessively long confinement of juveniles. In addition, it presents a case study of the implementation of the findings of this research. It was found that prior implementation of a policy of fingerprinting youths charged with felony offenses occurred without regard for the implications this added procedure would have on time in custody. Fingerprinting alone nearly doubled time in custody. Other factors included whether or not the youth was charged with a drug offense, the seriousness of the offense, and whether or not parents refused to pick up their children.

Implementation of the research findings has resulted in a 50% reduction of average time in custody. More importantly, it was found that several factors accounted for the success of this effort: clarity of goals, coercion from outside the system, the availability of relevant information, meaningful payoffs, stakeholder support, and a credible implementation champion. At present, Philadelphia's police department holds very few youths in custody beyond six hours.

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INTRODUCTION

Excessively long confinement of juveniles in police lockups has concerned standard-setting bodies for at least a decade. This concern stems from two issues: 1) juveniles are vulnerable to the inherently coercive nature of interactions with the police, and 2) children should not be subjected to experiences that have the potential of producing "long-lasting psychological damage" (Standards and Goals, 1976: 214). Further, controlling the use of police lockups in juvenile cases is a component of the Federal objective of removing juveniles from jail settings.

Although a secure room in a police station, reserved exclusively for holding juveniles, may not be considered by some as a jail, it is sufficiently different from a juvenile detention center that issues pertaining to the jailing of juveniles apply. Still, police need to be permitted to hold some juveniles for a period of time in order that investigative responsibilities can be carried out.

In 1988, auditors from the Office of Juvenile Justice and Delinquency Prevention (OJJDP) produced information demonstrating excessively long lockups in Philadelphia. Federal requirements specify a six-hour maximum period in police lockup; in most of the cases reviewed, the period in lockup exceeded six hours and most of the youths in these cases were later released to their parents. This situation meant that Pennsylvania was failing to comply with a Federal requirement linked to approximately $2,000,000 in Federal funding. OJJDP's willingness to pursue compliance had been demonstrated through litigation in other states (see e.g. Hendrickson v. Briggs, USDC NIowa, No. 2C 84-3012, 4/13/87).

A study was conducted to provide in-depth information on the reasons for police lockups of juveniles in Philadelphia that exceed six hours. This article reports the findings of that research and describes and evaluates the implementation of its findings.

A BRIEF REVIEW OF THE LITERATURE

The current Federal standard of a six-hour maximum for police lockup is generous when compared to recommendations of three national standard-setting bodies: the Task Force on Juvenile Justice and Delinquency Prevention of the National Advisory Committee on Criminal Justice Standards and Goals called for immediate referral to juvenile intake or release to parents, the Juvenile Justice Standards of the Institute of Judicial Administration and the American Bar Association recommended a two-our limit, and the National Advisory Committee for Juvenile Justice and Delinquency Prevention set the limit at four hours. All three of the standards cited above underscore a need to limit the range of cases in which juveniles are taken into custody. Strong preference is expressed for issuing citations and summons to appear (see e.g. NAC Standard 2.231). Further recommended by these standards are the immediate notification of parents and clear separation of juveniles and adults.

The social science literature is surprisingly quiet on the issue of police lockups. Much has been written about the police decision to arrest or take a juvenile into custody (Black and Reiss, 1970; Lundman et al., 1979; Doob and Chan, 1982; Pepinsky, 1976), as well as the outcome of police investigative reviews that determine which cases are to be referred to court, released, or handled otherwise (Andriessen, 1978; Doob and Chan, 1982; Fisher and Mawby, 1982; Landau, 1981; Landau and Nathan, 1983; and Dannefer and Schutt, 1982). A vast literature exists on juvenile detention (Aubry, 1971;

Sarri, 1974; Kihm, 1980; Pappenfort and Young, 1980; Pawlack, E.J., 1977; Worrell, 1985; Thome et al., 1986; McCarthy and Smith, 1986; Schwartz et al, 1987) and the jailing of youths in adult facilities (Saari, 1974; Wald, 1976; Children's Defense Fund, 1976; Poulin et al., 1979; Flaherty, 1980, Community Research Center, 1983, 1984, 1985). We are unaware of any study that has examined as a separate phenomenon the length of stay of juveniles in police lockups.

Police in Philadelphia routinely place juveniles in locked rooms or cells at police district facilities. Juveniles are held in these facilities during case processing in order to facilitate the investigative tasks of the police, including identification, questioning, and, in felony cases, fingerprinting and photographing.

The length of time juveniles are held in police lockups often exceeds the six-hour limit specified in the Federal guidelines that comprised a portion of the 1980 amendment to the Juvenile Justice and Delinquency Prevention Act (42 USC Section 5601). In order to develop a strategy for addressing these violations of Federal requirements, an in-depth study of case processing was needed that included procedures, processing time, and processing obstacles.

Much of this literature is devoted to investigations of the influence of extra-legal factors on decisions made about juvenile cases. Guided by this body of research, we purposefully studied the impact on time in police custody of offense characteristics, offender characteristics, complainant characteristics, processing characteristics, and structural characteristics of the department. In addition, we sought to exploit this research to determine whether or not race played a role in determining length of stay. Much of the research cited above addressed race effects, and interest in the

overrepresentation of minority youths at various points in the system continues to be an important policy issue.

DESIGN OF THE STUDY

The research attempted determine what factors explained length of time in police lockup in juvenile cases. In order to investigate as thoroughly as possible the factors that explain the length of time juveniles spend in police custody, it was necessary to conduct both statistical analyses of record data and to observe directly the processing of juvenile cases. Since many of the factors likely to affect processing time are informal, they are likely to not appear in records. At the same time, observation, unless resourced extremely well, results in very small samples that may not be representative of practices in the Philadelphia Police Department. We viewed our observation study as supplementary rather than a primary source of data.

To investigate length of custody, we conducted a study of 1,870 randomly-selected juvenile cases from December 1988 through July 1990 using data obtained from several sources of record data. The sampling frame consisted of all juveniles taken into custody for an offense during this time period, a number estimated at 10,606. The entire sample was traced by means of the police departments Juvenile Case Flow Chart through the stages of the police intake process in order that comparisons could be made at any stage of the process.

Length of lockup is partly the result of a series of discretionary decisions including the decision to place in lockup, the decision to hold for fingerprinting,[1] the decision to divert the case, and the decision to not begin processing the case until the next shift begins. Other factors believed to determine length of lockup are situational; these include: time of day relative to a shift change,[2] number of cases being processed at any one time,

and condition of the laserfax machine used to transmit fingerprints to the central Identification Unit.[3] A third category of factors includes those that stem from administrative or policy decisions. Nature of the offense, for example, determines what investigative unit will handle the case,[4] where the youth will be held,[5] and whether or not the youth will be fingerprinted. Interactions among these factors played an important role in the analysis.

During our initial discussions with members of the Philadelphia Police Department, several police personnel suggested reasons why juveniles were held in lockup in excess of six hours. These hypotheses, based on experience, were often supported by empirical data developed within the police department.

These informal hypotheses, listed below, were incorporated into the research:

1. Unreadable fingerprints combined with the time needed to transport the youth to the PAB increases time in custody.
2. Out-of-order fax machines combined with the time needed to transport the youth the PAB increases time in custody.
3. Cases that arrive close to the end of a shift are held over to the next shift, thus adding two to three hours to the length of time in custody.
4. A lack of available investigative personnel increases time in custody.
5. As the time required to locate parents increases, time in custody also increases.
6. Parents refusing to pick up their child from a police facility increases time in custody.

THE CASE PROCESSING STUDY

Our case processing study was based solely on quantitative data obtained from police records. Our aim was to uncover answers to our two research questions through statistical analyses of these data. Three types of record data were used: 1) Juvenile Case Flow Charts which record specific times and dates when processing events occur, 2) Arrest Reports, and 3) Investigative Reports. The latter two types of reports provide offender, complainant, and offense information. In some cases, processing information, such as the need to transport the juvenile to the PAB, was available and was taken from the Investigative Reports.

The Sample

Our objective was to study a sample of approximately 2,000 cases from recent months. We selected our time frame as December 1988 through July 1989. July 1989 was the month when the study began. December 1988 was selected as the starting point because November was the month when the Police Department implemented its JAD Flowchart. Since these data were not otherwise available, and since they were seen as crucial to the study, November 1988 was the earliest possible starting time.

We estimated that 10,606 cases would have been processed during the selected time period. Of these we selected randomly a 25% sample. Due to missing reports and misidentification of cases, the final number of cases selected for the study was 1881.

The Data

Data collected and analyzed for this study included offense data (type, codefendants), offender data (age, sex, race, prior offense history, family status), and case processing data, some of which are situational and others of which are policy-related (e.g. investigative unit, use of fingerprinting,

number of cases being processed at that time, availability of JAD officer). Table 1 lists the variables selected for analysis.

Insert Table 1 about here

Analysis

Four primary methods of statistical analysis were used. Length of time in lockup is a continuous dependent variable and was investigated using ordinary least squares regression, while logistic regression was used to investigate dichotomized measures of time in custody. Partial regressions and cross-tabulation analyses supplemented the analysis.

It quickly became clear that one variable was explaining the majority of the variance in time in lockup: youths who were fingerprinted and photographed (the CCTV (closed circuit television) process) were held in custody more than twice as long as youths whose offense behavior did not justify this procedure. So strong was this relationship, that we split the sample into fingerprinted and non-fingerprinted sub-samples for much of the analysis. One implication of this split was that some independent variables were relevant to one sub-sample and not the other. Both type of investigative unit and type of offense, for example, interacted as expected with fingerprinting.

FINDINGS

Results of the Observation Study

As stated above, this project consisted of an observation study as well as a quantitative study of case processing records. Two observers separately observed the processing of juvenile cases in two districts, for a total of

twelve shifts. For one additional shift, both observers were present. The findings of this sub-study are summarized in Table 2.

Insert Table 2 about here

Following the arrival of a youth, it was not unusual for several hours to pass during which no activity relevant to the case took place. Often six or seven hours would pass before a youth was taken to the fingerprinting room. Then it was approximately three hours before the release decision was made, and another three hours before the youth was actually released. It was difficult to determine why so much time was allowed to elapse. Although answers could be obtained, there seemed to be no pattern to the delays. We were told, but never saw, that fingerprints were frequently rejected by the Identification Unit. This, in fact, was raised as a major reason for time in custody by most police personnel to whom we spoke.

Two categories of cases were held in custody, often for more than six hours, for reasons we were unable to understand. Youths arrested for summary offenses were often given citations <u>after</u> spending several hours in custody. Youths who were passengers in stolen autos, who by policy are never charged, were frequently held in custody for more than six hours. Police personnel who were asked about these kinds of cases were unable to provide satisfactory explanations for these patterns.

In most cases, parents or relatives were prompt to respond when asked by the police to pick up their children. In many cases, however, several hours would go by between the phone call to the parents and the arrival of the

parents. In many other cases, family members refused to take possession of their children. .

Our discussions with police personnel, including operating room supervisors, detectives, and, occasionally, Lieutenants, demonstrated an absence of awareness of a six hour time limit for processing juveniles. Some vaguely remembered the existence of a time limit, but this information was not regarded as important. We concluded that parental inaction, information redundancy, and technological problems with fax machines and typewriters contribute to the length of time youths are in lockups. Much of the excess time, however, appeared to be due to a lack of any sense of urgency: an absence of effective time limits and a sense that the system was out of control characterize much of what was communicated to us by police personnel.

Results of the Case Processing Study

Sample Characteristics:

A substantial majority of juveniles in the sample were male and black. As can be seen from Table 3, 86% of the sample were male and 70% were black. Most of these cases had primary charges of a summary offense (21%), auto theft (20%), a violent offense such as aggravated assault (18%), or a drug offense (14%). In contrast to the primary charge, however, 81% of the cases involved some form of violence against a person, but only 8% involved use of a weapon. Ten percent of the cases involved drug selling, while drug use was indicated in only 6%.

Insert Table 3 about here

This sample is also a sample of case processing. Each case provided measures of the actions of police personnel, parents, assistant district attorneys, and probation intake officers. Following entry into a police station, the juveniles in our sample spent an average of 9.3 hours in a secure facility. Youths who were fingerprinted because of the seriousness of their offenses, however, spent much longer in lockup than those who were not, a topic we will highlight at a later point.

Processing times were accounted for as follows: for non-fingerprinted cases, the 6 hours in lockup consisted of one hour of arrest report processing, two hours of investigative time, and three hours of discharge time (the time needed to arrange release with parents or other release authority). The 13 hours that fingerprinted cases spent in custody consisted of two hours of arrest report time, five hours of investigative time, one hour of CCTV time, one and one-half hours during which the District Attorney's Charging Unit (DACU) and the Probation Department's Intake Unit (Intake) process the case, and two and one-half hours of discharge time.

The Impact of Fingerprinting

The impact of fingerprinting on average time in lockup is shown in Table 4. For fingerprinted cases the mean number of hours is more than twice that for non-fingerprinted cases. Furthermore, after nine hours (the mean for the total sample) only 19 percent of non-fingerprinted cases, but 68% of fingerprinted cases, are still in lockup.

Insert Table 4 about here

Discussions with police personnel in preparation for this study indicated that they saw fingerprinting as a problem. Their view of the

problem was technological: inferior fax machines often broke down and even more often produced fingerprints that Identification Unit personnel could not read. This meant taking another set of prints and faxing two and often three sets before obtaining acceptable fingerprints.

In many cases, multiple rejections resulted in the need to transport the juvenile to the Identification Unit at the PAB for fingerprinting. Because of a scarcity of vans, transportation time, including waiting for a van, consumed several hours, and this time counted toward total time in police lockup. Although our data underestimated this problem, both observational and record data indicate that the biggest problem with fingerprinting is the time that is allowed to elapse before fingerprinting begins. What we saw in the data was a two-stage process in which the investigative phase consumed 6 to 7 hours, before the identification/charging/detention-decision process began.

Explaining Time in Custody

Exploration of the data by means of zero-order correlations, partial regressions, and several OLS regression models, guided by our hypotheses, produced a consistent set of variables that were used in the multivariate analysis. These variables are listed in Table 5.

Our interval measure of total time in lockup, CUSTY, was examined using OLS regression. The method used was backwards stepwise regression, with all variables entered except for the offender race variable, OBLACK (offender black vs. not black), and the variable that measured the time from the release decision to actual release (DISCHRG). The latter two measures were investigated by means of a forward regression procedure. Since the racial variable was clearly extra-legal, and the DISCHRG variable could be regarded as introducing unnecessary multicolinearity (actually, DISCHRG was only weakly

correlated with any of the variables entered), they were entered after the legally-relevant variables.

As can be seen from Table 5, FINGR, whether or not the youth was fingerprinted, accounted substantially for the strength of the model. The model produced a respectable R square of .30, but the beta for FINGR was so much stronger than those of the other variables in the model, that their impact was difficult to interpret. It was for this reason that separate analyses were conducted for fingerprinted and non-fingerprinted juveniles.

Insert Table 5 about here

Table 5 shows that among fingerprinted youths, we are less able to explain variance in CUSTY, but whether or not the juvenile is charged with a drug offense is significant. Drug cases are processed more quickly than other serious delinquency cases. Detectives, on the other hand appear to be inefficient in processing juvenile cases. Moreover, DISCHRG, the time it takes to release a juvenile, contributes greatly to total time in secure custody, even after the impact of other key variables is taken into account.

For our CUSTY measure, violence and being released to one's parents both reduce total time in custody. It was expected that the violence measure was picking up the contrasting picture for auto theft cases: auto theft cases are processed much more slowly than other types of offenses. Similarly, being released to one's parent was contrasted with being released to secure or open detention. Because of overcrowding and limitations on admitting youths during the night, it is likely that placement in detention can consume several hours.

Among non-fingerprinted juveniles, a different but slightly more powerful model emerged. Variables measuring offense seriousness and

difficulties in discharging youths dominated the results. Having a weapon and being charged with more than two offenses increased time in custody, while having a minor offense as one's primary charge decreased time in custody. Additionally, parental refusal to take custody of the child and simply the time involved in achieving a discharge contributed greatly to explaining time in secure police custody.

Dichotomous Measures of Time in Lockup

Three dichotomous measures of time in custody were developed, one based on the federal time limit of six hours, one based on the mean time in lockup for the entire sample (9.3 hours), and one based on the mean time in lockup plus two standard deviations (12 hours). Because of the skewed distribution of cases on time in custody, however, we elected to investigate predictions of time in custody with the dependent variable split at the median, using appropriate medians depending on whether the whole sample was being tested or tests were being conducted of fingerprinted or non-fingerprinted sub-samples.

Table 6 shows the final logistical regression models for time in custody dichotomized at the median. Although a stronger model was found for the whole sample, the sub-sample analyses produced findings relevant to understanding time in custody. As with the OLS analysis, FINGR continues to be the dominant explanatory variable for the total sample. Some differences were found, however. POLICE (Complainant was a police officer) and OFFRACE (Race of offender) emerge as predictors, but NUMOFF (Number of charges) and DETECT (Case was investigated by a Detective) have little effect on the probability of being in custody over 7.8 hours. Aside from the influence of the decision to fingerprint and photograph (FINGR), the influence of other variables is more clearly seen when the sample is split on FINGR.

Insert Table 6 about here

Among those youths who were fingerprinted, TIMLOCK is affected by one factors: whether or not the initial charge is for a drug offense (DRUGS). Drug charges are handled more expeditiously than are other offenses for one simple reason. In Philadelphia, cases involving drugs are transported directly to the Narcotics Unit located at the Police Administration Building. Not only does it appear that this unit is more efficient in processing cases, it uses the Identification Unit (IDENT) for fingerprinting and photographing, thus eliminating the cost in time of faxing prints and transporting cases to IDENT when readable prints cannot be obtained. The relative inefficiency of the other investigative units was significant enough to influence overall time in custody. Some of this apparent inefficiency, however, is due to the excessive amount of time taken in processing auto theft cases.

A separate model was developed for youths who were not fingerprinted. The best model we found identified four variables as predictors: WEAPON (was a weapon used in the offense?), MINOR (was the offense a felony?), NUMOFF (was more than one charge listed?), and PREFUSE (did the parents refuse to pick up their child?). The emergence of MINOR came as a surprise, since felony cases should all be fingerprinted. This, apparently, is not the case in practice. Although WEAPON, MINOR and NUMOFF were not strongly interrelated, in combination they appear to be indicators of case seriousness that differentiate among relatively minor cases. Cases involving weapons or in which the number of charges is greater than one are likely to take longer to process. Similarly, non-felony cases are likely to require less time for processing.

Parental refusal to pick up their child is perhaps the most interesting of these predictors. It is a factor outside the control of the police and, in Philadelphia, the police were not provided with options. They were often forced to "baby-sit" while efforts were made to find a responsible guardian.

Race

As was discussed above, a secondary aim of this study was to determine whether race played a role in determining time in custody. It was found that the offender's race predicted time in custody for the total sample but failed to contribute to either the OLS or logistic regression models when the sample was split on FINGR. Further analysis shows that both age and race are predictors of whether or not a youth is fingerprinted.

Analyses using logistic regression with FINGR as the dependent variable showed age and race of offender to add significantly to the odds of a youth being fingerprinted. Age and race were entered into the model following entry of legally relevant variables. Legally relevant variables for the full model were selected by means of backwards stepwise procedures entering legally relevant variables only.

The finding for age is relatively easy to explain: both formal and informal police policies discriminate among juveniles on the basis of age. Race, however, is never regarded as a legitimate factor in determining how a youth should be processed. It is expected that age and offense category (felony, use of a firearm, or retail theft if 16 years of age or more) only will be used by police personnel in their decisions to fingerprint.

Although race was found to be associated with the fingerprinting decision with offense variables controlled, further investigation revealed that race predicted fingerprinting within the narcotics offense category only ($X^2 = 19.07$, $df = 3$, $p < .001$, $n = 244$). For youths charged with drug

offenses, Hispanics were most likely to be fingerprinted (92%), followed closely by Blacks (76%). The very few White youths in this offense category (7) were rarely fingerprinted (28%).

Conclusions

It is clear from these findings that fingerprinting was the major source of time consumption in the police processing of juveniles. Procedurally, the identification process, which includes fingerprinting and photographing, begins after all investigative work is completed. This two-stage process produces a time-in-lockup average that is more than twice the average time for youths who are not fingerprinted.

We cannot ignore the obvious, however. Much of our unexplained variance in time in custody is likely due to the lack of awareness of the rule limiting time in custody. Little effort was made to comply with the six-hour rule because no effort had been made to make it an issue.

Other factors that were found to be contributors to time in custody were:

1. unreadable fingerprints
2. transportation time to the Identification Unit
3. type of offense
4. offense seriousness
5. parental refusal to pick child
6. transportation delays to detention

IMPLEMENTATION OF FINDINGS

Implementation of the research findings was assumed from the beginning. Coordination of efforts to reduce time in police lockups state-wide was managed by the juvenile justice subcommittee of the Pennsylvania Commission on

Crime and Delinquency and members of its Police Liaison Project headed by Joseph Goebel. The Philadelphia project was regarded as high priority, and aside from funding the research, monitoring efforts in Philadelphia was an ongoing task.

Our implementation efforts, designed primarily by police personnel, did not include addressing the problem of racial bias in processing narcotics cases. Our goal from the beginning was to reduce the amount of time youths were held in police lockups. Our findings on a race effect were, however, passed on to police personnel with the recommendation that they be discussed within the Narcotics Unit and the Juvenile Aid Division.

There is a vast literature on policy implementation, action research and organizational change, much of which we have discussed at length elsewhere (Harris and Harland, 1984; Harris and Harland, 1985; Harland and Harris, 1987). The following case study examines the manner in which the Philadelphia police department changed its practices with regard to juveniles. In doing so, we note those factors most significant in explaining the changes that took place.

Ellickson and Petersilia (1983) identify six characteristics of successful implementation that also characterize the process of implementation in Philadelphia: "Sincere motivation at adoption; Support from top leadership combined with director and staff commitment and, where appropriate, external cooperation; Staff competence; A benefit/cost surplus, Clarity of the innovation's goals and procedures; and Clear lines of authority." (p. v.) They also caution that because of structural changes that may occur during the implementation, the following strategies increase the probability of success: "Producing multiple payoffs; Ensuring key actor participation in planning and problem solving over time; and building a flexible problem-solving process."

(p. vi) As the following case study demonstrates, we purposefully observed these factors as facilitators of success.

Even before the research commenced we began with a shared goal: to reduce time in custody. Great care was taken to develop and maintain a tone of teamwork, and the Juvenile Aid Division of the Philadelphia police department clearly committed itself to the change process from the beginning.

Implementation of the research findings can be described in terms of the following steps:

Revising the Process

Removing Status Offenders

Reducing Identification Time

Eliminating Identification-related Transportation

Increasing Timeliness of Discharge

Following a careful reading of our research report, Inspector Robert Muhly, then head of Philadelphia's Juvenile Aid Division, developed a strategy for correcting five major flaws in the processing of juvenile case. The report had indicated that 1) police personnel were unaware of the six-hour rule and, thus, could not be expected to comply, 2) some status offenders were being held in secure custody, 3) the identification process (fingerprinting and photographing) was typically not initiated until after the investigation process was completed, 4) in many cases, parents are not retrieving their children when notified of that the child could be released, and 5) the fingerprinting technology was inefficient. Each of these flaws was contributing to time in custody, and to reduce time in custody to satisfactory levels would require correcting all five. Muhly's strategy involved increasing awareness of the six hour rule throughout the department, revising the process for handling juvenile cases, hiring private child welfare agencies

to remove juveniles from police custody, and replacing the existing fingerprint technology with a more efficient one.

Two problems were the driving forces behind Muhly's efforts to bring about change in this system. First, loss of federal funds to the state of Pennsylvania would affect juvenile justice programs statewide. Many of the affected programs were in Philadelphia or served Philadelphia's juvenile justice system. Second, if the state was convinced of Philadelphia's willingness and capacity to modify its handling of juvenile cases, it might be possible to convince the state to fund the purchase of an advanced fingerprinting technology. Inadequate transportation resources and unreliable fingerprint machinery were largely responsible for inappropriately long stays in custody: unreadable fingerprints necessitated transportation of the youth to the Identification Unit at police headquarters. Since the chances of adding to the fleet of vans used to transport prisoners were unlikely, reducing the need for transportation was the best option.

Revising the Process

Muhly first contacted the detective division and JAD captains by sending them memos summarizing the issues to be addressed. Since Inspector Muhly had himself been a detective division captain, his credibility was not questioned. The issue of compliance with the six hour rule was raised at their biweekly meeting. The captains did not see the issue as a high priority, but agreed to do the best they could to move juvenile cases forward more rapidly.

Muhly then met with representatives from the detective divisions, most of whom were supervisors. He asked them for ideas on how to speed up the processing of juvenile cases. Each representative agreed to discuss the matter with their colleagues and send to Muhly a page or two of suggestions. Muhly's aim was to engage the detectives in developing solutions to the

problem, thus increasing the probability of their "buying into" the revised process. The common element in all of the recommendations received was to begin the identification process immediately after the arrest report was completed, rather than waiting for completion of the investigation.

Muhly then called a meeting with representative of the divisions that had both detective and narcotics functions. Approximately 40 people attended this meeting. He found that no one knew of the six hour rule. A commitment was made to increase awareness throughout the department.

To revise the process for handling juvenile cases, Muhly establishing a committee made up of representatives from each detective division. Each representative was given the task of developing at the division level detailed recommendations regarding ways to speed up the processing of juvenile cases.

After several iterations, the following process was agreed upon:

1. uniformed officer completes initial incident report
2. district unit officer notifies Juvenile Aid Division (JAD) of case and obtains case number
3. district unit officer notifies parents that their child is in custody
4. district unit officer notifies investigative unit of case and investigator is assigned to case
2. investigating officer decides whether or not to arrest (defined as the police decision to seek further processing of the case) and releases juveniles who are not to be arrested
3. investigating officer completes arrest report
4. identification process (fingerprinting, photographing, and identification by Identification Unit (IDENT)) is initiated in felony cases

5. investigating officer conducts investigation, and prepares fact sheet and investigative report
6. investigating officer faxes fact sheet to district attorney's charging unit (DACU)
7. IDENT notifies DACU of accuracy of identification
8. DACU decides on charge, completes petition, and faxes petition to investigating officer
9. Investigating officer faxes fact sheet and petition to probation intake
10. Intake uses court computer to check for bench warrants and prior offenses
11. Intake decides on detention and notifies Juvenile Aid Division
12. JAD notifies district of decision
13. District notifies parents of decision
14. Juvenile is either released or transported to detention

The revised process was introduced and each division agreed to try it on a pilot basis. The South Division produced the fastest time, but this was attributed to the unique nature of this division. South had been the site of a pilot community policing project for more than two years and was the single decentralized division in the city. Since the department had no plans to decentralize at that time, the model selected was one that assumed a centralized structure. JAD, which is under the Detective Bureau, retained responsibility for monitoring the processing of juvenile cases, including the development and operation of a computerized processing information system.

<u>Removing Status Offenders</u>

During the time that these changes were taking place, the Police Liaison Project (PLP) of the Pennsylvania Commission on Crime and Delinquency provided

ongoing support. The project's director, Joseph Goebel, a retired police chief, offered to speak to district personnel. In addition, the PLP director assisted Muhly in obtaining funds from the state to support purchase of private transportation services for status offenders, a category of cases that required an immediate solution. Cases involving curfew violation or running away from home could not result in secure custody at the police station. Privately, Muhly and the PLP people discussed the eventual use of this service for delinquent youths.

Reducing Identification Time

Muhly next met with the head of the Identification Unit (IDENT). One obstacle solving problems associated with the identification process was that the individuals operating the fingerprinting and photography equipment at the district level were not IDENT personnel but, instead, were supervised by the district captain. If the IDENT captain was dissatisfied with the work of an individual at the district level, he had to "paper" the individual. With better equipment, it was expected that individual differences in performance would diminish as an issue.

An analysis of juvenile case processing conducted by Muhly, the IDENT captain and the chief of the District Attorney's Family Court Unit uncovered three problems with the existing system. First, departmental procedures require that juvenile cases receive highest priority by identification personnel at all levels of the organization. An analysis of juvenile case processing revealed considerable inconsistency in giving juvenile cases priority. Second, because of the poor quality of the fax machines in use, a high proportion of fingerprints were rejected. These rejections made multiple fingerprinting necessary, and in cases of three rejections, the youth was transported to the central IDENT unit at the Police Administration Building

(PAB). During 1989, an average of 520 juveniles were transported to the IDENT unit each month.

The need to transport cases to the PAB produced a third problem: the availability of vans used to transport prisoners was extremely limited. To transport a youth from Northeast Philadelphia to PAB meant that the van would be out of service for 2.5 hours: the van and driver were required to wait for the youth and return the youth to the district of origin. Moreover, policy prevents juveniles and adults from being transported together. If both a juvenile and an adult require transportation to the PAB, two vans are needed.

During the time that Muhly was meeting with district and IDENT personnel, similar meetings were occurring with his own JAD supervisors. Within JAD, manpower was seen as the central problem. At one time the unit had 300 persons; they had been reduced to a unit of approximately 90.

The first change in the system was replacement of the fax machines. State funds were made available to replace existing fax machines with machines that produced higher quality duplications of fingerprints. Among CCTV personnel, this technical change reduced the rejection rate significantly. JAD officers were reluctant to do fingerprinting, but JAD negotiated for 16 new positions in return for operating the identification process in districts where identification personnel were not assigned.

The rate of rejection of fingerprints among the JAD operators was 80% at first, even with the new fax machines. This rejection rate produced an extremely high demand on transportation, since taking youths to police headquarters was frequently required. It was found that this demand could be reduced by transporting the fingerprint cards to the IDENT unit at the headquarters building rather than the juvenile. Gradually, even adult cases began to be handled in this way.

Eliminating Identification-related Transportation

Although the new fax machines improved the readability of fingerprints sent to IDENT, the limited expertise of JAD personnel in rolling prints and unevenness in the expertise of district personnel remained a problem. Repeated printing and faxing of prints, as well as the need to transport many youths to the PAB were costly in terms of processing time.

In December of 1990, the police department submitted a grant proposal to the Pennsylvania Commission on Crime and Delinquency to obtain more than $560,000 towards a new fingerprinting system. On the basis of extensive pilot testing, this new "live scan" system was found to virtually eliminate error. Rather than creating inked prints, this system reads fingerprints directly from a glass plate on which fingers are rolled. The image is then projected on a video monitor, and the operator decides when the print is clear enough for recording. Prints are communicated digitally to IDENT rather than by means of a fax machine.

Increasing Timeliness of Discharge

Transportation of detention and releasable delinquency cases emerged as a more serious problem than the report had shown. Three categories of juveniles require transportation that is frequently unavailable: 1) youths who are releasable but whose guardians refuse or are unable to provide transportation, 2) youths who require processing at the narcotics unit or the IDENT unit, both of which are located at police headquarters, and 3) youths entering detention. The availability of wagons, the type of vehicle used for transportation, is severely limited: they are used to transport adult prisoners and are often called to handle emergencies. Since juvenile and adult prisoners may not travel together in a police vehicle, exclusive availability of a wagon us rare.

The state agreed to fund the hiring of a private vendor to pick up and transport releasable youths, either to their own homes or to an emergency shelter. The agency under contract for removal of status offenders from police facilities was contacted first and now transports youths not requiring secure custody who are released between midnight and 8:00 a.m. A second youth-serving agency provides this service 24 hours a day. Youths heading for secure detention (approximately 250 per month) are transported by the police.

The Current Picture

On June 14, 1991, legislation was signed into law in Pennsylvania mandating a maximum time in police custody of six hours (Act No. 1991-9). This new law creates additional impetus to move juveniles out of custody quickly and provides the threat of litigation if compliance is not forthcoming.

Efforts continue to maintain awareness of the six hour rule. In the early Fall of this year, the department's internal magazine featured the new legislation and the efforts that have been made to reduce the time juveniles spend in police district facilities.

During the first nine months of 1991, police lockups averaged 5.4 hours. A substantial number of cases still exceed six hours, however: in September 1991, of 1074 juveniles taken into custody, 426 (40%), all fingerprinted cases, were in custody in excess of six hours.

Yet to be determined, however, is the impact of live scan fingerprinting. A pilot test of this technology demonstrated that it will reduce average time in custody for fingerprinted juveniles by an additional 2 hours. Moreover, it will eliminate the need to transport juveniles to police

headquarters, thus reducing the average time in custody for fingerprinted cases by an additional 1.75 hours.

In the Spring of 1992, Philadelphia's police department began a process of decentralization. An earlier study of the South Division, the only currently decentralized division in the city, showed processing time superior to all other divisions. During the 1989 study, the average investigative time for this division was 1.5 hours, and only 12% of its juvenile cases were in custody after 9 hours, compared to 45% for the other divisions. We expect that decentralization, particularly of the narcotics unit function, will greatly improve mean and median processing times. Additionally, a decentralized system will have the capacity to release and re-arrest rather than hold youths in custody whose cases are complex but do not involve violent offenses.

A recommendation discussed but yet to be introduced is to create a juvenile holding facility at JAD headquarters for complicated cases. By complicated, we mean cases in which it is known that time in custody will exceed six hours. At this point it appears doubtful that this kind of facility will be constructed. The most likely scenario is that litigation will be brought on behalf of youths held in police custody and based on Act 1991-9.

Conclusion

Philadelphia has earned a statewide reputation for intractability. Success in making significant change in its police department warrants examination. From our analysis of the research implementation process, five elements appear to have interacted to bring about the change observed in Philadelphia's

processing of juvenile cases:

Clarity of goals

Coercion from outside of the system

Relevant information

Meaningful payoffs

Stakeholder support

A credible champion

First, this project had one goal: to reduce the time spent by juveniles in police lockups to less than six hours. The federal and state governments provided the coercive element by communicating the threat of loss of federal funds to the state and to several Philadelphia juvenile justice programs. Both the state and Philadelphia stood to loose significant federal support for juvenile justice programs. Third, the study conducted for the Pennsylvania Commission on Crime and Delinquency identified those elements of police processing that accounted for the length of time juveniles were held in police custody. This information, combined with experienced observation of police managers enabled Inspector Muhly to construct an clear, manageable implementation process.

In terms of payoffs, the possibility that Philadelphia might be able to obtain a new fingerprint technology with federal funds was highly attractive to the police department. Commitments from within the senior management of the department were clearly linked to this payoff. Thus, the availability of multiple payoffs, suggested by Ellickson and Petersilia, affected significantly the openness of the department to research and willingness to change the way juveniles were processed.

Ellickson and Petersilia also emphasized key actor participation in planning. Ruth Williams of the Pennsylvania Commission on Crime and

Delinquency, Joseph Goebel of the Police Liaison Project, and several Philadelphia-based juvenile justice officials actively supported the research effort and implementation of its findings. Because of the urgency surrounding the project, interaction among these **stakeholders**, Inspector Muhly and the research team occurred with great frequency. Importantly, the tone of these planning sessions was always one of mutual support.

Finally, the head of the police department's juvenile police unit devoted time and energy to implementing the findings of the research, engaging the rest of the department in the process of solving the problem, and writing the grant proposals necessary to purchase youth services and the new fingerprint technology. His commitment to change and perseverance over a period of two years, driven by genuine concern for his unit and the possibility of upgrading the department's fingerprint technology, were invaluable to the change process. Successful implementation rarely occurs without a **champion**. This effort was fortunate to find that champion in the head of the department's juvenile police unit.

It is very likely that all of these elements were needed to bring about the dramatic reduction in time in custody that we have witnessed.

FOOTNOTES

1. Directive 95 of the Philadelphia Police Department mandates the fingerprinting of cases in which the offense is a felony and the juvenile is at least 10 years of age. Violations of the Uniform Firearms Act and retail theft committed by a juvenile 16 years of age or older also result in fingerprinting.

2. Departmental policy requires that an investigating officer complete any juvenile investigation he or she begins. If fewer than two hours are left in a shift, the investigating officer typically holds the case for the next shift.

3. The fax machines were frequently out of order and often, when operating, produced blurred fingerprints.

4. Some felony offenses, such as automobile theft, were handled by detectives, while juvenile officers investigated lesser offenses. All cases involving drug charges were processed by the Narcotics Unit.

5. Drug cases were taken immediately to the Narcotics Unit, located at the Police Administration Building. Other cases were kept in the district in which the youth was taken into custody. If fingerprinting was needed, youths were taken to division offices for processing.

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Table 1

Variables for Analysis

CATEGORY / VARIABLE	VARIABLE LABEL
DEPENDENT	
CUSTY	Time in Custody
LOCKTIM	Custody over six hours
TIMLOCK	Custody over mean
MEDLOCK	Custody over median
INDEPENDENT	
Offense	
REASN	Offense category
OFFCODE	UCR code
PARTNERS	# of offenders involved
VIOLENCE	Offense involved violence
WEAPON	Offense involved weapon
DRGSALE	Offense involved sale of drugs
DRGUSE	Offense involved drug use
SEXCRM	Offense classified as sex crime
NUMOFF	Number of offenses to be charged
Offender	
DOB	Date of Birth
OZIP	Zip Code of Residence
OSEX	Sex of offender
OAGE	Age of offender
ORACE	Race of offender
NUMPRI	Number of prior arrests
Complainant	
COMPLT	Civilian vs. police vs. business
SEXCOMP	Sex of complainant
AGECOMP	Age of complainant
RACECOMP	Race of complainant
ZIPCOMP	Zip code of residence
RELATE	Relationship to offender

Table 1 continued

Process	
LOKTM	Time of day lockup began
NOTIF	Method of parent notification
PROTM	Intestigative processing time
FINGR	Offender was fingerprinted
TMCCTV	Time for fingerprinting/photo
CCTVTM	Time fingerprinting began
IDREAD	IDENT unable to read prints
TRANSPT	Youth transported to IDENT
TRELD	Time offender was released
RELES	Person offender released to
PLOCATE	Time needed to locate parents
PREFUSE	Guardians refuse to pick up youth
REMED	Case was remedialed (diverted)
Structure	
CCTV	CCTV location
DSTRCT	District of origin
INUNIT	Investigative Unit
JADAVAL	Juvenile officer not available
SHIFT	Time from beginning of lockup to next shift
KIDS	Number if youths in custody on day lockup began
CCTVOP	FAX machine out of order

Table 2

Findings of Observation Study

PROCESSING FACTORS

- Few police personnel were aware of the six-hour time limit
- Current procedures were developed at a time when there were 300 juvenile aid officers. There are now 100.
- Forms used to record information contain considerable redundant data, resulting in duplicative typing.
- Typing skills are typically poor. Typwriters are in poor condition.
- Approximately 20% of fingerprints faxed to the IDENT unit are rejected as unreadable.

POLICE ACTIONS

- Many summary offenses are given only citations, but result in several hours of custody.
- Passengers in stolen autos are never charged, but they are held as long as drivers, who <u>are</u> charged.
- Drug cases are processed by the Narcotics Unit, which is located at the Police Administration Building. This eliminates for these cases the need to transport youths whose fingerprints are rejected by the IDENT unit, which is also located at the PAB.
- The investigative phase, which precedes fingerprinting, consumes an average of 6 hours. There is no apparent reason for this.

ACTIONS OF OTHER AGENCIES

- Response times of the District Attorney's Charging Unit and the Probation Intake Unit are unpredictable.

ACTIONS OF PARENTS

- In most cases, parents or some relative pick up the youth less than three hours after notification of releasibility.
- Time of day affects parental response. Middle of the day and middle of the night are times when response is slowest.

Table 3

Sample Characteristics

Male:		86%			
Mean Age:		15.1			
Race:	White	18%	Hispanic	11%	
	Black	70%	Asian	1%	
Type of Offense:					
	Violent:	18%	Burglary/Theft:		9%
	Auto Theft:	20%	Retail Theft:		8%
	Drugs:	14%	Status Offenses:		3%
	Misdemeanor/Summary:		21%		
Type of Complainant:					
	Civilian:	43%			
	Police:	34%			
	Business:	23%			
Civilian Complainant:					
	Male:	57%			
	Mean Age:	29.5			
	Race:				
	White	46%	Hispanic	4%	
	Black	48%	Asian	1%	
	Relationship to Offender:				
	Peer	29%	Parent	1%	
	Stranger	57%	Other Family	2%	
	Neighbor	4%			
Processing:					
	Time in lockup:		$\bar{X}$ = 9.3 hours		
	If fingerprinted:		$\bar{X}$ = 13.0 hours (45% of sample)		
	If not printed:		$\bar{X}$ = 6.1 hours		
	Offender released to Parents or Guardian:				58%
	Offender released to other relative:				15%
	Offender placed in secure detention:				5%
	Offender released to Human Services:				19%
	Parents unable or refused to pick up:				22%

Table 4

Fingerprinting and Time in Custody

Subsample	Mean Hours in Custody	% in Custody after 6 hours	% in Custody after 9 hours
All (n=1870)	9.3	61	41
Not Printed (n=1014)	6.1	38	19
Printed (n=856)	13.0	88	68
Printed/ Not Drug Case (n=593)	13.9	90	77

Table 5

Final Regression (OLS) Models for
Time in Custody ($CUSTY_a$)

Variable	Whole Sample[b]	Fingerprinted	Not Printed
FINGR	.44	NA	NA
[c]DRUGS	-.10	-.27	
[c]VIOLENCE		-.08	
[d]WEAPON			.11
[d]MINOR			-.15
[d]POLICE			
NUMOFF	.08		.19
NUMPRI			
OFFAGE			
OBLACK			
[c]CIVILIAN			
[c]CCTVOP			
TRANSPT			
[c]DETECT	.08	.09	
PARENT		-.09	
PREFUSE			.19
DISCHRG	.13	.18	.16
n	1652	751	901
R	.55	.33	.38
R_2	.30	.10	.14
p of F<	.000	.000	.000

[a]Mean of CUSTY = 9.20, s.d. = 6.88
[b]Beta weights for final model
[c]Entered into analysis for whole sample and fingerprinted cases only
[d]Entered into analysis for not-fingerprinted cases only

Table 6

Logistic Regression Models of Selected Variables on Time in Custody Above or Below The Median Time In Custody

	Whole Sample		Fingerprinted		Not Printed	
	Median=7.8		Median=12.0		Median=4.8	
Variable	B	SE	B	SE	B	SE
FINGR	1.63	.15	N/A	N/A	N/A	N/A
DRUGS			-1.20	.20		
VIOLENCE						
WEAPON					1.64	.38
MINOR					-1.22	.21
POLICE	.58	.15				
NUMOFF					.31	.11
NUMPRI						
OFFAGE						
<14						
14-16						
[16-18]						
OFFRACE						
WHITE	-.58	.32				
BLACK	.04	.30				
HISPANIC	-.05	.33				
ASIAN	.48	.72				
[OTHER]						
CCTVOP						
TRANSPT						
DETECT						
PARENT						
PREFUSE					.73	.30
Constant	-.74	.32	.19	.08	.09	.21

	d.f. sig.	d.f. sig.	d.f. sig.
-2 LL	1305/1159/.002	7/669/.000	609/491/.000
Model X^2	298/ 7/.000	41.1/ 1/.000	75/ 4/.000
Goodness of Fit	1162/1159/.462	671.0/669/.471	517/491/.200