CrimRxiv

Review 3 of “Pennsylvania Juvenile Probation Departments in the Wake of the Luzerne County Scandal: What Has Changed?”

Kevin Buckler

Published on: Mar 01, 2021

License: [Creative Commons Attribution 4.0 International License \(CC-BY 4.0\)](https://creativecommons.org/licenses/by/4.0/)

Vote: Publish pending minor changes

[For votes to count, referees must reasonably explain why they voted as they did. Thus, please explain your vote. If you voted to publish pending minor changes, specify each change, why it is needed, and, possibly, how it should/could be done.]

My recommendation is to accept pending minor changes. I'll begin by saying that this sort of "case study" (to use the phrase of the authors) appears to be rarely done or published in criminology or criminal justice journals. More of this sort of research is needed. Often in the aftermath of scandals such as the one that occurred in Luzerne County the result is broadly stated recommendations that local government agencies or officials are expected to implement. As this manuscript shows, there can be variation in how local agencies and officials respond.

Having read the paper and the editorial directions for making decisions on submitted work, the following recommendations are made to improve on the manuscript. Each suggestion (with the possible exceptions of points 6 and 7) can be reasonably completed without significant reframing of the theoretical underpinnings or presentation and interpretation of the data. A reformulation of the lit review section to one that provides rich detail on the "Kids for Cash" scandal and the responses to the scandal by key state institutions would enhance the manuscript. Yet, I do not see points 6 and 7 as justifying a "rejection" rather than an "accept pending minor changes."

1. The purpose statement should be made more precise and consistent. In the "Purpose" statement just under the "Introduction" heading, it is mentioned that "The purpose of this study is to determine if the recommendations of the Interbranch Commission on Juvenile Justice have been followed by county juvenile probation offices and to determine if the juveniles in Pennsylvania who are being processed through Juvenile Court are being protected."

In the section under the heading "The Present Study," after noting the importance of "policies and practices of juvenile probation departments," the authors state that, "Specifically, the researchers wanted to understand how the Luzerne County scandal impacted individual juvenile probation departments across the state of Pennsylvania and if the juvenile probation officers were abiding by the recommendations outlined by the Interbranch Commission."

While these statements from different places in the manuscript are somewhat similar there is a tinge of difference between them. The first grounds the study in whether the recommendations are being "followed" to "protect" juveniles (the "protection" part is quite value-laden). While the second ("understand how the Luzerne County scandal impacted ...") suggests that the authors have before and

after data, and suggests this is separate from ("and") whether the departments are following the recommendations of the commission.

It seems that the purpose — after having read the results — is primarily to examine the various ways that the counties have executed or implemented the stated recommendations from the Commission, and secondarily, provide data on how the interviewees view the scandal and the responses of the counties to the Commission's report. This could be made much clearer. The authors should consider dropping any reference to determining whether juveniles are being "protected," as this is beyond the scope of this analysis of the data. This would make the writing clearer (and is listed as a "minor change" on the QC Review Form).

2. A statement of some sort could be added to the manuscript about IRB approval for the study. I can envision a scenario where the authors got IRB approval (since it involves interviews), and I can also see a scenario where the authors did not seek IRB approval (since the interviews appear to primarily ask the probation officers about agency policy and not about the perspectives or perceptions of the probation officer). Although this distinction is made less clear given the way the authors oscillate between presenting data on the county and the perspective of the interviewee (see point 5 below). At any rate, whichever scenario is true, the authors could and should take a few sentences to address the relevance of human subjects review to the research. "The method, including ethical considerations and practices" is listed as a "minor change" on the QC Review Form.
3. The results section appears to be organized around two broad ideas: 1) how the probation officers spoke about the Luzerne County scandal and its agency-level impact; and 2) the probation officers' statements on how the Commission recommendations were implemented at the county level (a. Incentives versus client need in the selection of facilities, b. Political activity, c. Juvenile file storage). In general, this could be more consistently and explicitly stated throughout the manuscript.

Given this, the Table 1 results are difficult to link to the results section of the manuscript. The table seems to be open coding results, as there are over 30 categories reported. Open coding is important and (partially) serves as a strategy to verify that authors are not cherry-picking from the qualitative data, but how do these open coding findings relate to the 3-4 themes reported on in the results section? If these reported results are retained (Table 1), it seems that a better strategy would be to organize these categories in a more meaningful way to highlight their link to the Commission requirements (a, b, and c from the first paragraph of point 3). This would not require significant or substantial change and would make the writing and structure of the manuscript clearer.

4. It seems that the unit of analysis here is the county that the probation officer works for. In essence, the research question seems to be: what are the policies of the county (in response to the Commission's recommendations)? The person interviewed appears (for the most part) to be a conduit for obtaining the information. As such, it seems that some basic descriptive statistics could

be reported for the county that the probation officer represents (population, historical political leaning, median income, percent in racial and ethnic classifications, etc.). This could enhance the "rural" and "urban" distinction in the discussion section of the manuscript. It would also afford the authors an opportunity to provide parenthetical context to the quoted passages in the results section. To be clear, for each quoted passage of the results section, the authors could include (in parentheses) a case ID (assigned to each county) which a reader could use to reference descriptive information in a table containing data on each of the 16 counties represented by a probation officer in the study). This would not require significant or impossible reframing of the presentation and is of relevance to "specific and general interpretations of the data and whether they are shown to the readers" (see the instructions to reviewers on the QC Review Form).

5. At points in the presentation of results, the authors appear to oscillate between findings on the county policy and the views of the person being interviewed. For instance, this is from the results section: "The idea that pens and notebooks can affect placement decisions was ridiculous to one individual: 'but to say that influenced where I put a child, no. For me personally, I can't speak for other people ...'". The authors should look to resolve this by clearly stating the purpose of the research. What are you looking to find out? How the counties implemented the recommendations of the Commission's report? Or what these individuals who you interviewed think about the issues and outcomes of the Commission's report? Or both? There's no "correct" answer, but the statement of research purpose should line up with how and what is presented in the findings. Again, this would make the writing and the structure of the manuscript all the more clear.
6. I'm not a big fan of the "Previous Literature" section and the sections that follow it leading up to the presentation of the methods. This is a manuscript that the authors describe as a "case study." Proceed accordingly. As I read I found myself wanting to know more about the "Kids for Cash scandal. I wanted to know more about the final report issued by the Commission and the Supreme Court of Pennsylvania's final report on implementation of the Commission's recommendations. I wanted to know more about the link between the judges' behavior (in the scandal) and probation officers. It seems that rich detail on the case itself in this case study was sacrificed for a lengthy lit review.
7. This will appear to be at odds with point 6 above. But there's a rich literature on legitimacy of criminal justice and discretionary behaviors of agents of criminal justice. It appears to be important in this context, particularly in light of some of the findings which suggest the connection of the recommendations of the Commission to the functions of probation officers is tenuous.