



Briefing Report
Misdemeanor Obstruction/Resisting Arrest
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Issue:

Every year thousands of youth are charged with misdemeanor obstruction/resisting arrest without violence. Misdemeanor obstruction is usually not the most serious charge of an arresting event, but helps lead the youth further into the justice system based on the youth's behaviors preceding the charge. This briefing report examines who is being charged with misdemeanor obstruction/resisting without violence, and the characteristics of those youth in comparison to youth without the charge.

Methodology:

Data used for these analyses included all fiscal year 2011-12 delinquency arrests (over 96,500 total arrests). These data were matched to the corresponding PACT assessment closest to the arrest for each youth. The PACT assessment captures the youth's overall risk to re-offend and rank orders the youth's top risk factors. The PACT assessment has been validated across multiple samples of Florida DJJ youth, published in multiple peer-reviewed journals and independent research agency reports (Baglivio, 2009; Baglivio & Jackowski, 2013; Early-Winokur, Blankenship, & Hand, 2012). The closest PACT assessment to arrest was used in order to capture the youth's risk to re-offend level and risk and protective factors when the arrest occurred. Only PACT assessments within thirty days of the arrest were considered. This provides a comprehensive portrayal of each youth within 30 days from the time the event (the arrest) occurred. Restricting the time between the arrest event and the PACT assessment to thirty days reduced the total sample to 75,487 arrests during FY 2011-12 for which there was an appropriate PACT assessment meeting the stated criteria.

A misdemeanor obstruction/resisting arrest without violence measure was constructed for each youth (a dichotomous "yes" or "no"). There was no requirement for the misdemeanor obstruction charge to be the most serious charge of the arrest, just that it was a charge stemming from the arresting event. Charges that were included as an obstruction/resisting arrest without violence were all misdemeanor charges dealing with resisting arrest without violence or disobeying or failing to obey orders from law enforcement officials. Of the 75,487 arrest events examined, 5,594 had misdemeanor obstruction/resisting arrest without violence charges (7.4% of the sample). The demographic and risk factor make-up of the youth charged with misdemeanor obstruction were compared to the non-obstruction youth. Analysis of variance (ANOVA), Independent samples t-tests, and logistic regression were employed in the analyses.

Highlighted Results:

- Males are more likely to be charged with misdemeanor obstruction/resisting without violence;
- Minority youth, especially black youth, are more likely to be charged with misdemeanor obstruction/resisting without violence. The rate of black youth charged for misdemeanor obstruction was 1.86 times higher than the rate of white youth charged with misdemeanor obstruction;
- High risk to re-offend youth are more likely to be charged;
- Youth who used alcohol within the last six months are more likely to be charged;
- Youth with antisocial friends/gang members are more likely to be charged, as are youth who are proud of antisocial behavior;
- Youth with a history of mental health problems were *less* likely to be charged (The data do not permit analysis of whether the arresting officer was knowledgeable of any mental health diagnoses at the time of the arrest);
- Potential targets for intervention include antisocial attitudes, delinquent peer associations, and alcohol use/abuse.

Results:

The misdemeanor obstruction group was 25.5% white, 59.5% black, and 14.8% Hispanic, compared to the non-obstruction group which was 38.4% white, 46.1% black, and 14.9% Hispanic (percentages do not add to 100 due to the existence of an "Other" category). Most notably, the percent of each group that is classified as Hispanic is essentially identical, while there are a higher percentage of whites in the non-obstruction group and a higher percentage of black youth in the group charged with misdemeanor obstruction. Of the white youth 5% were charged with misdemeanor obstruction, compared to 7.4% of the Hispanic youth, and 9.4% of the black youth. One technique that is illustrative for comparison purposes is to construct a Relative Rate Index (RRI) for black and Hispanic misdemeanor obstruction charge rates relative to the rate of white misdemeanor obstruction charges. Of the 35,568 black youth arrested, 3,326 had a misdemeanor obstruction charge, while 1,425 of the 28,279 white youth had misdemeanor obstruction charges. Those figures correspond to a black RRI of 1.86 ($3326/35568=.0935$; $1425/28279=.0504$; $.0935/.0504=1.86$). This means that in FY 2011-12 the rate of black youth charged for misdemeanor obstruction was 1.86 times higher than the rate of white youth charged with misdemeanor obstruction. The RRI for Hispanic youth relative to white youth was 1.46 indicating the rate of Hispanic youth charged with misdemeanor obstruction is roughly one and a half times that of the white rate youth. Further analysis of the race/ethnicity differences in misdemeanor obstruction charges was conducted using one-way ANOVA. Results show Hispanic youth significantly more likely to be charged with misdemeanor obstruction than white youth. Black youth were significantly more likely to be charged with misdemeanor obstruction than white youth and Hispanic youth.

Gender differences were examined to explore whether males are more likely to be charged with misdemeanor obstruction. Of the youth charged with misdemeanor obstruction, 82% were male, compared to 75% of the arrests without a misdemeanor obstruction charge being male. Within

gender, 5.4% of the arrested females were charged with misdemeanor obstruction, compared to 8% of the males. Independent samples t-tests confirm that males are significantly more likely than females to be charged with misdemeanor obstruction.

Next, specific characteristics and risk factors were examined to compare those charged with misdemeanor obstruction and those without that charge:

1. Of the low risk youth in the sample, 6.6% were charged with misdemeanor obstruction, compared to 7.5% of the moderate risk youth, 9.1% of the moderate-high, and 8.9% of the high risk to re-offend youth. The overall risk to re-offend level from the PACT assessment was also examined using one-way ANOVA. Results show moderate risk to re-offend youth significantly more likely than low risk youth to be charged with misdemeanor obstruction. Moderate-high and high risk to re-offend youth are each significantly more likely to be charged with misdemeanor obstruction than low risk youth and moderate risk youth. There were no significant differences between the moderate-high and the high risk youth.
2. Youth with prosocial friends were significantly less likely to get charged with misdemeanor obstruction compared to youth with antisocial friends and gang members/associates. Gang members/associates were significantly more likely to get charged with misdemeanor obstruction than youth with prosocial friends, and youth with antisocial friends.
3. Youth who have used alcohol in the last six months were significantly more likely to be charged with misdemeanor obstruction. 15.3% of the sample was classified as using alcohol. Of those with a misdemeanor obstruction charge, 18.2% were classified for current alcohol use (within 6 months) compared to 15% of those without that charge.
4. Youth who have used drugs in the last six months were significantly more likely to be charged with misdemeanor obstruction. Just over 31% of the entire sample was classified as using drugs within the last six months. Of those with a misdemeanor obstruction charge, 39.7% were classified for current drug use (within 6 months) compared to 36.9% of those without that charge.
5. The likelihood of being charged with misdemeanor obstruction was compared between youth with a confirmed mental health problem, such as schizophrenia, bi-polar, mood, thought, personality, and adjustment disorders and those without such diagnoses. Youth who have a history of mental health problems were significantly less likely to be charged with misdemeanor obstruction. It should be noted that conduct disorder, oppositional defiant disorder, substance abuse, and ADD/ADHD were not included. The data do not permit analysis of whether the arresting officer was knowledgeable of any mental health diagnoses at the time of the arrest. Perhaps the excluded problems (conduct and oppositional defiant disorders or substance abuse issues) would have changed the findings if included; however, the PACT data do not permit such analyses.
6. Youth attitude toward responsible law abiding behavior was examined by comparing youth who believe conventions and values apply to him/her with youth who do not believe those conventions apply, and to youth who resent or are hostile toward responsible behavior. Youth who believe conventions do not apply to them are more likely to be charged with misdemeanor obstruction than youth who believe conventions do apply. Youth who resent or

are hostile toward responsible behavior are more likely than all others to be charged with misdemeanor obstruction.

7. Accepting responsibility for antisocial behavior was examined. Youth who accept responsibility were less likely to be charged with misdemeanor obstruction than youth who minimize, deny, or blame others for their antisocial behavior, and less likely than youth who think antisocial behavior is okay and youth who are proud of antisocial behavior. Youth who are proud of antisocial behavior are the most likely group to be charged with misdemeanor obstruction.

Certain items were only available for youth who received the PACT Full Assessment. Of the 75,487 youth in the sample, 6,350 received the Full Assessment:

8. Youth who have no empathy for the victims of their offending are actually significantly *less* likely to be charged with misdemeanor obstruction based on independent samples t-tests (2.7% of those with empathy were charged, versus only 1.6% of those without empathy for victims being charged with misdemeanor obstruction).
9. There were no significant differences between youth who believe they can control their antisocial behavior compared to youth who believe their own antisocial behavior is out of their control. Therefore, the extent of belief in one's ability to control antisocial behavior was unrelated to being charged with misdemeanor obstruction.
10. One-way ANOVA was used to examine whether those who resent authority are more likely to be charged with misdemeanor obstruction than youth who do not respect authority or youth who do respect authority. There were no significant differences between any of the three groups with respect to being charged with misdemeanor obstruction. The level of respect for authority was unrelated to the charge of misdemeanor obstruction.
11. One-way ANOVA was used to examine the effect of impulsivity on being charged with misdemeanor obstruction. Youth who used self-control and thought before acting were compared with youth who often act before thinking and with youth who were highly impulsive and usually act without thinking. The level of impulsivity was unrelated to being charged with misdemeanor obstruction.

The next step in the analysis is to use the demographic information and the risk factors examined above in a multivariate model to see which characteristics significantly predict a youth being charged with misdemeanor obstruction. As the independent variable (misdemeanor obstruction) is dichotomous ("yes" or "no"), logistic regression is appropriate. Only variables for which data was available for the entire sample of 75,487 youth were included in the multivariate analysis, and only variables that had significant differences between the misdemeanor obstruction group and other youth were included. Therefore, the overall risk to re-offend from the PACT, gender, race/ethnicity, delinquent friends/gang, alcohol use, drug use, mental health history, attitude toward responsible law abiding behavior, and accepting responsibility for antisocial behavior were entered into a model to predict a being charged with misdemeanor obstruction (all measures entered were correlated with being charged with misdemeanor obstruction at $p < .01$). Results of the logistic regression can be seen in Table 1.

As shown, all variables were significant predictors of being charged with misdemeanor obstruction, with the exception of drug use and attitude toward responsible law abiding behavior. Gender and race/ethnicity was significant with males and black youth more likely to be charged with misdemeanor obstruction. The Odds Ratio (reported as Exp(B) in Table 1) can be used to explain the relationship within each measure to being charged with misdemeanor obstruction. The odds of a male being charged are 1.432 the odds of a female being charged. The odds of a Hispanic youth being charged with misdemeanor obstruction is 1.255 the odds of a white youth being charged, while the odds a black youth being charged are 1.575 that of a white youth ($1.255 \times 1.255 = 1.575$). Stated differently, being Hispanic is associated with a 25.5% increase in being charged with misdemeanor obstruction, and being black is associated with a 57.5% increase. Overall risk to re-offend was significant with higher risk youth more likely to be charged with misdemeanor obstruction. Youth with more antisocial friends and gang members were more likely to be charged, as were youth who have used alcohol within the last six months. However, drug use within the last six months was not significantly predictive of being charged with misdemeanor obstruction, and neither was the youth's attitude toward law abiding behavior. Youth with a history of mental health problems were *less* likely to be charged with misdemeanor obstruction. Youth who are proud of their antisocial behavior or believe antisocial behavior is acceptable are also more likely to be charged with misdemeanor obstruction.

TABLE 1.

Prediction of Misdemeanor Obstruction			
	B	Significance	Exp(B)
Gender	0.359	.000**	1.432
Race/Ethnicity	0.227	.000**	1.255
Overall Risk to Re-offend	0.089	.000**	1.093
Antisocial Peers/Gang	0.074	.005**	1.077
Alcohol Use	0.233	.000**	1.263
Drug Use	-0.039	.225	0.962
Mental Health	-0.135	.000**	0.874
Resents Responsible Behavior	0.043	.321	1.044
Proud of Antisocial Behavior	0.089	.000**	1.093

Note: *p<.05; **p<.01

The final step in the analysis is to examine the differences in the risk factors above by gender and race/ethnicity. Males are roughly one and a half times more likely to be charged with misdemeanor obstruction than females (Odds Ratio=1.432). Independent samples t-tests by gender were used to examine each of the variables entered into the regression models above. Males had a significantly higher mean score than females on the overall risk to re-offend, antisocial peers/gang associate, drug use, and being proud of antisocial behavior measures. The overall risk to re-offend, antisocial peers/gang, and being proud of antisocial behavior measures increase the odds of males being charged, while the drug use does not affect the odds, as it was not significantly related to the charge. Females had significantly higher alcohol use, which would increase the likelihood of being charged

with misdemeanor obstruction, and significantly higher mental health history, which decreases the likelihood. There were no significant differences in the attitude toward law abiding behavior between males and females.

As both Hispanic and black youth are more likely than white youth to be charged with misdemeanor obstruction (Odds Ratio 1.26 for Hispanics, 1.58 for black youth), a dichotomous race variable was constructed (0= white, 1= minority youth). Minority youth have significantly higher mean scores on the overall risk to re-offend, antisocial peers/gang, resenting law abiding behavior, and being proud of antisocial behavior measures (all of which increase the likelihood of being charged with misdemeanor obstruction with the exception of resenting law abiding behavior, which is unrelated to that charge). White youth had higher mean scores on the alcohol use, drug use, and mental health history measures (alcohol use increases odds of being charged with misdemeanor obstruction while drug use is unrelated and mental health history decreases the odds).

Implications:

Misdemeanor obstruction/resisting arrest charges are often not the most serious charge in an arrest. The charge is often the result of a suspect's behavior, or officer's interpretation of that behavior, during the arresting event. The purpose of this analysis was to examine who is being charged with misdemeanor obstruction/resisting without violence, and the characteristics of those youth. We find minority youth roughly one and a half to two times more likely to receive those charges. Males are substantially more likely than females to get charged. More dynamic/changeable factors predictive of being charged included overall risk to re-offend, delinquent friends/gang association, alcohol use, and accepting antisocial behavior as okay or being proud of antisocial behavior. Results also show that youth with more drug use are more likely to be charged, though drug use is not significant in predictive models. Youth with a history of mental health problems were less likely to be charged. The data do not permit analysis of whether the arresting officer was knowledgeable about that history and therefore more tolerant of youth behavior for those youth, or if youth with those histories are simply less likely to resist. A general pattern seems to have emerged in that youth who are higher risk on the PACT assessment, and thus have higher criminal history (more prior offenses, more serious prior offenses, more prior placements in the juvenile justice system), youth who associate with antisocial others or who are gang members, and youth who are proud of antisocial behavior and believe it to be acceptable, and youth who currently use alcohol are more likely to be charged with misdemeanor obstruction. These findings are in concert with empirical research demonstrating antisocial peer associations, antisocial attitudes conducive to criminal offending, more extensive criminal careers, and substance use to among the strongest eight risk factors of offending behavior (Andrews & Bonta, 2003).

References:

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