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Juvenile Justice Bulletin

OJJDP Update on Statistics

Verne L. Speirs, Administrator

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ACQUISITIONS

The Juvenile Court's Response to Violent Crime

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An analysis of 340,254 case records submitted to the National Juvenile Court Data Archive by courts in 12 States revealed that 6 percent of youth referred to juvenile courts for a criminal law violation in 1984 were charged with a violent crime such as criminal homicide, violent sex offense, robbery, or aggravated assault. The analysis, sponsored by the Office of Juvenile Justice and Delinquency Prevention (OJJDP) and conducted by the National Center for Juvenile Justice, found that the court handled most of these cases (77 percent) formally: it transferred 5 percent of the total to adult criminal court; 22 percent were placed in a residential facility; 29 percent received formal probation; 16 percent were released; and the remaining 5 percent were referred to another

agency, ordered to pay restitution, or fined.

These statistics are based on case records contributed to the National Juvenile Court Data Archive by courts in the following States: Arizona, California, Florida, Hawaii, Iowa, Maryland, Mississippi, Nebraska, Ohio, Pennsylvania, South Dakota, and Virginia. These courts had jurisdiction over 29 percent of the Nation's juvenile population in 1984.

Other study findings included the following:

- Violent offense referrals were more common in large urban counties: the violent offense referral rate in large

counties was three times the rate in small counties and 31 percent greater than that in medium-sized counties.

- The referral rate for males charged with violent offenses was seven times the rate of referrals for females.
- The referral rate for nonwhites charged with violent offenses was four times that of whites.
- Youth referred for violent offenses were twice as likely to be securely detained as youth charged with non-violent offenses.
- Law enforcement or intake officials requested a formal adjudicatory hearing in 77 percent of violent offense cases.
- Youth referred to juvenile court for violent offenses were five times as

From the Administrator

Serious, violent juvenile offenders represent only a small proportion of the Nation's juvenile population, yet they account for a disproportionate amount of crime committed by juveniles. If we are to deal effectively with these youth, the entire juvenile justice system must work together to develop programs to respond to these juveniles and protect the public.

Yet, in trying to find ways to handle these cases, the system is hampered by a lack of adequate data about system response to serious juvenile offenders. For this reason,

the Office of Juvenile Justice and Delinquency Prevention (OJJDP) asked the National Center for Juvenile Justice (NCJJ) in Pittsburgh to analyze information in its National Juvenile Court Data Archive to determine how juvenile courts respond to serious juvenile crime.

The findings from this analysis are thought provoking, raising questions about several policy issues. For example, the data indicate that half of the offenders referred to court for a violent offense are detained; the others are not. The study also shows that courts vary considerably in whether they handle such

cases formally or informally and in their placement of these youth in a residential facility.

State and local policymakers can use the results of this study to help identify the points in the decisionmaking process in which juvenile courts' responses to violent offense cases differ considerably; policymakers can then target these points when examining their own court's responses to such cases.

Verne L. Speirs
Administrator

likely as those charged with nonviolent offenses to be transferred (waived or certified) to adult criminal court and twice as likely to be placed in a residential facility.

- Of 16- and 17-year-olds charged with violent acts, 59 percent were either transferred to criminal court or placed in a residential facility or on formal probation, while only 46 percent of adults charged with a violent crime were incarcerated or placed on probation.

Violent offenses 6 percent of total delinquency cases

Violent crime represented a relatively small though significant part of a juvenile court's total delinquency caseload. In the 12-State sample studied, 6 percent of youth referred to juvenile court for a criminal law violation were charged with a violent offense. Violent crime cases ranged from less than 1 percent to more than 9

percent of a court's total delinquency caseload. The vast majority of violent crime cases in juvenile court involved charges of aggravated assault (50 percent) or robbery (36 percent). Violent sex offense cases constituted 12 percent of the total, and criminal homicide, 2 percent.

Overall, juvenile courts in the 12 States handled 2.64 violent offense cases for every 1,000 youth aged 10 through 17 living in their jurisdictions. The rate of violent offense referrals increased with county size (see Table 1). The violent offense referral rate in large counties (3.53) was three times the rate in small counties (1.18) and 31 percent greater than the rate in medium-sized counties (2.69). (All referral rates were based on 1,000 youth aged 10 through 17 per jurisdiction.) Counties with 100,000 or more youth aged 10 to 17 were considered large counties; medium-sized counties had 40,000 to 99,000 youth aged 10 to 17; and small counties had fewer than 40,000 youth aged 10 to 17.

Demographic characteristics of youth charged with violent offenses

Most youth charged with violent offenses (88 percent) were male. The rate of violent offense referrals for males (4.55) was seven times that for females (0.65). Males were charged in 91 percent of criminal homicide cases, 96 percent of violent sex offenses, 93 percent of robbery cases, and 82 percent of aggravated assault referrals. Researchers found similar patterns of gender and racial differences in the incidence of juvenile court referrals for violent crimes in small, medium, and large counties.

The violent offense referral rate for nonwhites (6.87) was more than four times that for whites (1.60). The racial disparity was greater in robbery cases than it was in aggravated assault cases. For both racial groups, the male referral rate was far greater than that for females. White females, therefore, had the lowest referral rate (0.35), and nonwhite males, the highest rate (11.68) of violent offense referrals. The referral rates for white males (2.80) and that for nonwhite females (1.88) differed slightly. The two groups had nearly equal referral rates for aggravated assault (1.50 to 1.34). Again, researchers found similar patterns of gender and racial differences among juvenile court referrals for violent crimes in small, medium, and large counties.

Older youth accounted for a disproportionate share of the violent offense cases referred to juvenile courts. In these courts, which had jurisdiction over youth through age 17, those 16 or older were involved in more than half (52 percent) of all violent offense referrals. The violent offense referral rate for males of both races increased continuously with age through age 17, while that for females of both races declined after age 15.

Court response to violent juvenile crime

This study analyzed juvenile courts' responses to violent crime at three major points in the decisionmaking process:

Table 1

Rates of Violent Offense Referrals

	Violent Crime	Robbery	Aggravated Assault
Total	2.64%	1.01%	1.26%
County Size			
Small	1.18	0.37	0.61
Medium	2.69	1.34	1.10
Large	3.53	1.48	1.66
Gender			
Female	0.65	0.15	0.47
Male	4.55	1.83	2.02
Race			
White	1.60	0.43	0.89
Nonwhite	6.87	3.33	2.77
Gender/Race			
Female-White	0.35	0.07	0.25
Female-Nonwhite	1.88	0.49	1.34
Male-White	2.80	0.79	1.50
Male-Nonwhite	11.68	6.07	4.15
Age			
12	0.78	0.25	0.38
13	1.65	0.57	0.75
14	2.77	1.02	1.29
15	3.85	1.56	1.75
16	4.70	1.86	2.26
17	5.23	2.06	2.58

- The decision to securely detain the youth prior to the disposition of the case.
- The decision to handle the case formally by filing a petition requesting an adjudicatory hearing.
- The disposition rendered in the case.

Detention. Some youth are held in a secure facility, generally a juvenile detention center, while their cases are being processed. Detention often begins immediately upon a youth's referral to court intake. Youth are often detained between referral and court disposition because they are considered a threat to themselves or the community by the court.

Youth referred for violent offenses were twice as likely to be securely detained as those referred for nonviolent offenses. Secure detention occurred in nearly half (48 percent) of all violent crime cases and in one quarter of nonviolent offense cases (see Table 2). Although the general use of secure detention varied across courts, the practice of detaining a far greater proportion of violent offenders than nonviolent ones was evident in each State. Youth most likely to be securely detained were those charged with criminal homicide (80 percent), robbery (58 percent), violent sex offense

(44 percent), and aggravated assault (41 percent).

Adjudication. After an initial review, court intake personnel and/or the prosecutor decide whether to file a petition to request a formal hearing. Researchers found that informal handling was twice as common for nonviolent offense referrals (49 percent) as it was for violent offense cases (23 percent). Less than 25 percent of violent referrals were handled informally, and most of these cases were dismissed. A formal adjudicatory hearing was requested in 77 percent of violent offense cases; in some States this figure was as low as 65 percent, and in others, it was more than 90 percent. Petitions were filed and adjudicatory hearings requested in 86 percent of criminal homicide cases, 84 percent of robbery cases, 74 percent of violent sex offense cases, and 72 percent of aggravated assault cases. Burglary cases were also petitioned at a high rate (71 percent). Informal handling was the norm in the majority of other delinquency cases.

Disposition. Youth referred to juvenile court for violent offenses were five times as likely as nonviolent offense cases to be transferred (waived or certified) to adult criminal court. Five percent of all violent offense cases were transferred to criminal court, compared to 1 percent of nonviolent offense cases. The incidence of judicial waiver varied greatly across jurisdictions.

In some States juvenile court waivers were prohibited by law, while in others nearly 15 percent of all violent juvenile crime cases resulted in transfers to criminal court. Criminal homicide cases were by far the most likely to be waived; in 34 percent of these cases, a juvenile court judge determined that the case should be handled in adult court. The juvenile court waived significant proportions of other violent offense cases: robbery (7 percent), violent sex offense (5 percent), and aggravated assault (3 percent). In all other crime categories except burglary, transfer to adult court occurred in less than 1 percent of all cases.

Youth charged with violent offenses were twice as likely as those charged with nonviolent offenses to be placed in

Juvenile Court Processing

When youth are arrested for a delinquent offense (a criminal law violation), they are referred to juvenile court intake for screening. An intake worker reviews the case and the youth's background and determines if there is enough evidence to proceed or if the matter can be handled informally through voluntary restitution or informal probation. If the intake worker decides to handle a case formally, he or she files a petition requesting an adjudication hearing in which a judge reviews the case and renders a formal disposition. Upon reviewing a case, a judge has several options: the case may be dismissed; the youth may be placed out of the home in a residential facility, on probation, or ordered to pay restitution or a fine. Or the youth may be referred to an outside agency. If the case is not amenable to juvenile court treatment, it may be transferred or waived to the adult criminal court.

a residential facility. Overall, 22 percent of violent offense cases and 11 percent of nonviolent offense cases resulted in youth being placed outside the home. In some States as few as 10 percent and in others more than 40 percent of youth charged with a violent crime were placed out of the home. This suggests that the States were using a wide variety of criteria to select offenders for placement and raises the question of which policies and associated criteria form the most effective responses to particular types of offenders. The court ordered 28 percent of all youth charged with criminal homicide, violent sex offense, or robbery placed in a residential facility. A similar order was given in 17 percent of aggravated assault cases (see Table 3).

In total, the juvenile court either transferred youth to adult court or accepted supervisory responsibility (through court-ordered placement or probation) in 72 percent of criminal homicide referrals, 64 percent of robbery referrals, 52 percent of violent sex offense referrals, and 50 percent of aggravated assault referrals.

Court response to violent offense cases varied according to the size of the

Table 2

Proportion of Cases Detained in 1984

Referral Offense	Percent Detained
Violent Offense	48%
Criminal Homicide	80
Violent Sex Offense	44
Robbery	58
Aggravated Assault	41
Nonviolent Offense	25
Simple Assault	22
Other Person Offense	28
Burglary	36
Theft	19
Other Property Offense	18
Drug Law Violation	26
Public Order Offense	28
All Delinquency Cases	26

community. Large counties were more likely to handle violent and nonviolent offense cases formally. Large counties formally handled 82 percent of violent offense referrals; small- and medium-sized counties, 74 percent of such cases. In small counties 5 percent of violent offense referrals were transferred to adult court, compared to 3 percent in both large- and medium-sized counties. Large counties, however, were nearly twice as likely as small ones to place adjudicated violent offenders in residential facilities. In large counties 31 percent of juvenile violent offenders were placed in residential facilities; 20 percent in medium-sized counties; and 17 percent in small counties. In contrast, a youth's chance of being placed on formal probation was nearly equal (ranging from 28 to 31 percent) in counties of all sizes.

Juvenile and adult court processing compared

Many assume that for similar offenses adults receive more severe dispositions in criminal court than juveniles do in juvenile court; researchers compared the handling of similar cases in both courts to evaluate this notion. Since crimes by

juveniles are likely to be less serious than those by adults—even though the crimes may be identically classified—researchers, using data collected by the Offender-Based Tracking System, compared the processing of adults in criminal court with the processing of older youth, 16 and 17 years old in juvenile court.

Juvenile courts petitioned violent offense referrals at the same rate that adult courts prosecuted such cases—81 percent compared to 82 percent (see Table 4). In both courts robbery cases were prosecuted at a higher rate than aggravated assault cases. Adult courts were more likely to incarcerate violent offenders than were juvenile courts. The probability that a juvenile charged with a violent offense would be either transferred to adult court or placed in a residential facility was nearly equal to the likelihood that an adult charged with the same offense would be incarcerated. In addition, a much larger percentage of juvenile than adult violent offenders was placed on probation.

One approach to comparing the two courts is to determine the proportion of cases that result in a substantial disposi-

tion—one in which a court restricts or monitors the behavior of the offender beyond the point of disposition. In the adult system, this includes the dispositions of incarceration and probation; in the juvenile system, this includes the dispositions of transfer to adult court, placement in a residential facility, and probation.

Using this criterion juvenile courts intervened in the lives of a greater proportion of violent offenders than did criminal courts. In all, 59 percent of 16- and 17-year-olds charged with violent acts were transferred to criminal court or placed in residential facilities or on formal probation, while only 46 percent of adults charged with a violent crime were incarcerated or placed on probation.

Implications for policymakers

This analysis indicates that juvenile courts vary considerably in their processing of cases involving violent juvenile offenders. One of the most visible differences is that half of the juvenile offenders referred to court for a violent offense is detained; the other half is not.

Table 3
Dispositions of Delinquency Cases in 1984

Referral Offense	Number of Cases Referred	Percent of Cases Informally Disposed	Percent of Cases with Formal Dispositions					
			Total	Released	Probation	Placement	Transfer	Other
Violent Offense	20,726	23%	77%	16%	29%	22%	5%	5%
Criminal Homicide	390	14	86	11	10	28	34	3
Violent Sex Offense	2,540	26	74	16	19	28	5	6
Robbery	7,894	16	84	16	29	28	7	4
Aggravated Assault	9,902	28	72	17	30	17	3	5
Nonviolent Offense	319,528	49	51	10	24	11	1	5
Simple Assault	27,001	50	50	15	21	7	1	6
Other Person Offense	6,496	39	61	14	25	14	1	7
Burglary	46,862	29	71	10	37	17	2	5
Theft	92,446	54	46	9	23	8	1	5
Other Property Offense	44,548	54	46	12	21	6	1	5
Drug Law Violation	25,862	53	47	8	25	10	1	3
Public Order Offense	76,313	50	50	10	20	14	1	5
All Delinquency Cases	340,254	47	53	11	25	11	1	5

Table 4

Comparison of Juvenile Court Dispositions of 16- and 17-Year-Olds and Criminal Court Dispositions of Adult Offenders in 1984

Juvenile Court	Percent of Cases Informally Disposed	Percent of Cases with Formal Dispositions					
		Total	Released	Probation	Placement	Transfer	Other
Violent Offense	19%	81%	17%	26%	23%	10%	5%
Robbery	12	88	16	25	30	12	5
Aggravated Assault	24	76	17	29	18	6	6
Adult Criminal Court*	Percent of Cases Not Prosecuted	Percent of Cases Prosecuted					
		Total	Released	Probation	Incarcerated	Transfer	Other
Violent Offense	18%	82%	27%	11%	35%	NA	9%
Robbery	16	84	25	9	45	NA	5
Aggravated Assault	21	79	28	13	26	NA	12

* Data Source: *Tracking Offenders, 1984*, Bureau of Justice Statistics Bulletin, January 1988.

This finding poses several questions: what happens to those juveniles who are not detained? How does a court decide to hold a youth referred for a violent offense? How are these criteria established? How does a court determine if its decisions adequately protect the community and appropriately respond to a juvenile offender's needs?

The data also indicate that, overall, 77 percent of the violent referrals are handled formally by juvenile courts; yet,

that figure varies considerably among courts in the study—from 65 percent to 90 percent. This suggests that juvenile courts use different criteria to decide which cases to handle formally. The wide variation indicates that courts should assess the policies and procedures used to determine how to process a case and evaluate which of these produce the most successful outcomes.

Finally, this study shows a substantial variation in the percentage of youth

charged with violence who were placed outside the home. The percentages ranged from 10 to 40. Again, this suggests a need for juvenile courts to examine the criteria they use to decide to remove juveniles from their homes and the effects of these criteria. In other words, do these decisions result in adequate supervision and treatment for the juveniles and sufficient protection for the community?

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The Assistant Attorney General, Office of Justice Programs, coordinates the activities of the following program Offices and Bureaus: Bureau of Justice Statistics, National Institute of Justice, Bureau of Justice Assistance, Office of Juvenile Justice and Delinquency Prevention, and Office for Victims of Crime.

The data for this *Update on Statistics* were obtained from the National Juvenile Court Data Archive (supported by Grant #85-JN-CX-0012) directed by Dr. Howard Snyder. The Archive stores the automated case records of State and county agencies responsible for collecting or reporting information on the processing of youth referred to courts with juvenile jurisdiction. Case records for this study were selected because the juvenile court had original jurisdiction over youth through age 17, and the data reflected both the informal and formal handling of youth referred to court for a criminal law violation.

For further information about NJCDA or the creation of the multijurisdictional data base used in this research, write to the National Center for Juvenile Justice, 701 Forbes Avenue, Pittsburgh, PA 15219, or call (412) 227-6950.

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