

THE  
JUVENILE OFFENDER  
IN  
SOUTH DAKOTA

SOUTH DAKOTA  
STATISTICAL ANALYSIS CENTER

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## SURVEY OF LAW ENFORCEMENT AGENCIES

### I. PROBLEMS AND GOALS

A major problem in assessing the South Dakota juvenile justice system at the law enforcement level is the lack of any state-wide reporting system of juvenile offense statistics. With the exception of limited data reported by a few of the larger departments, little is known about: (1) the types and number of offenses committed by juveniles; (2) the characteristics (age, sex, and race) of juveniles who come into contact with law enforcement agencies; (3) the extent of recidivism at the enforcement agency level; (4) the number of departments which regularly handle cases informally; (5) the number and types of offenses handled informally; and (6) the procedures used by departments to decide which cases to handle informally and which to refer to juvenile court.

In addressing these issues it would be valuable to know: (1) whether most agencies have standard, unwritten procedures for dealing with juvenile offenders; (2) how many agencies feel a need for a juvenile officer (or for additional juvenile officers); and (3) whether law enforcement agencies feel a need for any specific training in the juvenile area for their officers.

In response to the above lack of information, at the request of the Division of Law Enforcement Assistance, the Statistical Analysis Center conducted a survey of law enforcement agencies in South Dakota. The goals of the survey (conducted in September and October of 1976) were three-fold:

- (1) to obtain data on juvenile offender characteristics, recidivism and agency disposition of juveniles from a representative state-wide sample of law enforcement agencies;

(2) to use this data to attempt to make state-wide projections about juvenile crime; and

(3) to assess existing juvenile procedures, manpower allocation to juvenile problems, and level of training and training needs of law enforcement agency personnel in juvenile matters.

These three goals will be addressed separately in the following sections of this report.

## II. JUVENILE OFFENSE DATA

### METHODOLOGY

Separate samples of agencies to be surveyed were chosen from the 136 known police departments and 64 sheriff departments in the state.<sup>1</sup> Table 1 indicates the number of police departments in the state and in the sample, broken down according to population of jurisdiction and planning district. Table 2 provides the same information for sheriff departments.

The agencies chosen for the survey samples are listed in Table 3 for police departments and Table 4 for sheriff departments, respectively. At least partial data was obtained from all these agencies with the exception of the DeSmet Police Department (from which no information was available due to a very recent turnover of department personnel). The remaining 26 police departments represent 19% of the police departments in the state; the 14 sheriff departments represent 22% of the state total.

1. All agencies in the state with jurisdiction over communities or counties with populations of over 25,000 were included in the samples. For agencies with less populous jurisdictions a stratified random sampling technique was used, selection being random within population categories and planning districts. This sampling method best insured samples which adequately represent population distribution in the state, making state-wide projections possible.

Table 1

Number Of Police Departments In South Dakota According  
To City Population and Planning District\*

City Population	Planning Districts						Totals for State
	I	II	III	IV	V	VI	
Over 25,000	0	1 (1)	0	1 (1)	0	1 (1)	3 (3)
15,000-25,000	0	0	0	0	0	0	0
5,000-15,000	3 (2)	1 (1)	2 (1)	1	1 (1)	2 (1)	10 (6)
1,000-5,000	6 (2)	7 (2)	9 (2)	8 (2)	6 (2)	8 (2)	44 (12)
Under 1,000	16 (1)	9 (1)	17 (1)	16 (1)	16 (1)	5 (1)	79 (6)
<b>TOTAL</b>	<b>25 (5)</b>	<b>18 (5)</b>	<b>28 (4)</b>	<b>26 (4)</b>	<b>23 (4)</b>	<b>16 (5)</b>	<b>136 (27)</b>

\* Numbers in parenthesis are number of departments in each category selected for the sample.

Table 2

Number of Sheriff Departments in South Dakota According  
To County Population and Planning Districts\*

County Population	Planning Districts						Totals for State
	I	II	III	IV	V	VI	
Over 25,000	0	1 (1)	0	1 (1)	0	1 (1)	3 (3)
15,000-25,000	2 (1)	0	2 (1)	1	0	2 (1)	7 (3)
5,000-15,000	7 (1)	5 (1)	5 (1)	6 (1)	5 (1)	3 (1)	31 (6)
1,000-5,000	1	0	5 (1)	2	12 (1)	3	23 (2)
Under 1,000	0	0	0	0	0	0	0
<b>TOTAL</b>	<b>10 (2)</b>	<b>6 (2)</b>	<b>12 (3)</b>	<b>10 (2)</b>	<b>17 (2)</b>	<b>9 (3)</b>	<b>64 (14)</b>

\* Numbers in parentheses are number of departments in each category selected for the sample.

Table 3

## Police Department Sample

<u>I. Cities over 12,000:</u>	<u>Population*</u>	<u>Planning District</u>
Sioux Falls	74,105	2
Aberdeen	25,966	4
Rapid City	47,210	6
<u>II. Cities 15-25,000:</u>		
None in state		
<u>III. Cities 5-15,000:</u>		
Brookings	14,284	1
Watertown	14,446	1
Vermillion	9,386	2
Yankton	12,095	3
Pierre	10,647	5
Lead	5,153	6
<u>IV. Cities 1-5,000:</u>		
DeSmet	1,336	1
Clark	1,447	1
Beresford	1,743	2
Dell Rapids	2,196	2
Parkston	1,545	3
Springfield	1,486	3
Miller	2,054	4
Redfield	2,840	4
Highmore	1,178	5
Winner	3,912	5
Belle Fourche	4,451	6
Spearfish	4,416	6
<u>V. Cities under 1,000:</u>		
Castlewood	509	1
Alcester	679	2
Armour	932	3
New Effington	265	4
Presho	902	5
Hill City	434	6

\* Based on Current Population Reports, Bureau of Census, April 1975.

Table 4

## Sheriff Department Sample

<u>I. Counties over 25,000:</u>	<u>Population*</u>	<u>Planning District</u>
Minnehaha	100,074	2
Brown	57,804	4
Pennington	67,384	6
<u>II. Counties 15-25,000:</u>		
Brookings	22,558	1
Davison	17,785	3
Lawrence	16,737	6
<u>III. Counties 5-15,000:</u>		
Grant	9,709	1
Turner	9,367	2
Bon Homme	7,887	3
Edmunds	5,600	4
Walworth	7,846	5
Butte	8,382	6
<u>IV. Counties 1-5,000:</u>		
Sanborn	3,426	3
Stanley	2,537	5
<u>V. Counties under 1,000:</u>		
None in state		

\* Based on Census Bureau estimates, 1976.



Approximately two weeks before each agency was to be visited, a mail-out was sent to the chief administrator (police chief or sheriff) of the agency. This mailout explained the goals of the survey and contained tables (copies can be obtained from the Statistical Analysis Center) on which to compile the data on juvenile offender characteristics, recidivism and agency disposition of juveniles, along with instructions for completing these tables. The mail-out also requested that these tables be completed prior to the interviewer visit. Five police departments (19% of those surveyed) and four sheriff departments (29% of those surveyed) complied with this request; however, of these nine agencies, only three satisfactorily completed all the tables. Thus, mailed questionnaires of this type are ineffective.

Juvenile offense data was gathered for the calendar year 1975.<sup>2</sup> Juvenile offense data for 1975 was not available from three police departments and one sheriff department: The data was unavailable from the DeSmet, Winner, and Belle Fourche Police Departments due to personnel changes coupled with lack of 1975 records; it was unavailable from the Pennington County Sheriff Department due to inaccessibility of the 1975 juvenile records in their filing system. Thus, juvenile offense data for 1975 was collected from 24 police departments and 13 sheriff departments, and all succeeding references to juvenile offense data refers only to these 37 agencies unless otherwise indicated.

## RECORDKEEPING SYSTEMS

### Source and Accuracy of Juvenile Offense Data

To obtain complete data on juvenile offender characteristics, recidivism, and agency disposition, six types of information on each

2. Due to inaccessibility of prior data, the data from the Watertown Police Department was collected for the one-year period from August 1, 1975 thru July 31, 1976.

juvenile contacted in 1975 were needed:

- (1) the offense allegedly committed,
- (2) the sex of the juvenile,
- (3) the age of the juvenile,
- (4) the race of the juvenile,
- (5) the repeater status of the juvenile,
- (6) the agency's disposition of the juvenile.

Contact categories include those offenses listed in Table 13.

Table 5 indicates the extent of records for each of these types of information according to type of agency and population of jurisdiction. Table 5 also indicates, for each agency-population category, the number of juvenile contacts made in 1975 and the number of contacts for which all the necessary data was available from the agencies' records.

As may be seen, the police departments in cities over 5,000 maintained complete records on virtually all juvenile contacts made in 1975, all necessary information being available from records for 3801 (98.7%) of the 3852 contacts made by these agencies. On the other hand, police departments in cities under 5,000 maintained very few records, having complete written information for only 16 (3.7%) of the 431 juvenile contacts they reported making in 1975. Furthermore, 15 of these 16 contacts were reported by the one police department of those surveyed in these population categories which kept complete written records.

Thus, for police departments in cities over 5,000 virtually all information was obtained from records; whereas, for police departments in cities under 5,000 virtually all information was obtained from the police chief's memory (with the exception of the one department, Dell Rapids, which had fairly extensive records).

Table 5

Extent of Records on Juvenile Contacts in 1975 According to Type of Agency,  
Population of Jurisdiction, and Type of Information

Type of Agency: Population of Jurisdiction	Number of Juvenile Contacts in 1975	All information from records <sup>1</sup>		Information Available from Records					
		N	(%)	Offense	Sex	Age	Race	Repeater	Disposition
Police:									
Over 25,000	2808	2795	(99.5)	2808	2808	2795	2795	2808	2808
5 - 15,000	1044	1006	(96.4)	1006	1006	1006	1006	1006	1006
1 - 5,000	289	16	(5.5)	42	29	29	29	16	29
Under 1,000	142	0	(0.0)	73	0	0	0	0	0
Police TOTAL (%)	4283	3817	(89.2)	3929 (91.7)	3843 (89.7)	3830 (89.4)	3830 (89.4)	3830 (89.4)	3843 (89.7)
Sheriffs:									
Over 25,000	105	105	(100.0)	105	105	105	105	105	105
15 - 25,000	229	78	(34.0)	103	103	81	81	95	97
5 - 15,000	562	62	(11.0)	165	165	165	99	62	165
1 - 5,000	143	68	(47.6)	79	68	68	68	68	68
Sheriff TOTAL (%)	1039	313	(30.1)	452 (43.5)	441 (42.4)	419 (40.3)	353 (34.0)	330 (31.8)	435 (41.9)
Combined TOTAL (%)	5322	4130	(77.6)	4381 (82.3)	4284 (80.5)	4249 (79.8)	4183 (78.6)	4160 (78.2)	4278 (80.4)

<sup>1</sup> e.g., the sheriff departments with jurisdictions between five and 15 thousand made 562 juvenile contacts in 1975; all the necessary information was available from department records for 62 (11%) of these contacts; offense, sex, age, and disposition was available from records for 165 of these contacts, race for 99 contacts, and repeater status for 62 contacts.

The existence of records on juvenile contacts was not as directly related to population of jurisdiction for sheriff departments as it was for police departments. Only the two departments in counties over 25,000 reported 100% of the information on their juvenile contacts from records.<sup>3</sup> In the eleven sheriff departments surveyed in counties under 25,000 there was no apparent relationship between county population and the existence of records. Two of the three departments in counties between 15- and 25-thousand, three of the six in counties between 5- and 15-thousand, and one of the two in counties between 1- and 5-thousand, maintained records on all or most juvenile contacts. However, complete written information existed for only 208 (22.3%) of the 934 juvenile contacts made by these eleven sheriff departments in 1975. The remainder of the data on the juvenile contacts reported came from the sheriffs' memories and from probation office records (for three departments which referred most juvenile contacts to juvenile court intake.)

Overall, all the necessary information came from records for 3,817 (89.2%) of the 4,283 juvenile contacts made by police departments surveyed, and for 313 (30.1%) of the 1,039 juvenile contacts made by sheriff departments surveyed. Thus, for the samples as a whole, it may be concluded that the primary source of police data on juvenile contacts was records; whereas, the primary source of this data from sheriff departments was memory. For all agencies combined, the source of the needed information on most juvenile contacts (4,130, or 77.6%, of the 5322 juvenile contacts reported) was agency records.

If it is assumed that data obtained from records is completely

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3. The third county over 25,000, Pennington County, had all the information on juvenile contacts in their files, but the data could not be extricated from the filing system.

reliable and valid, and that memory is probably neither completely reliable nor completely valid, the extent of records on juvenile contacts may be used as a rough index of the relative accuracy of data reported by the agencies surveyed. Using this index of accuracy, several tentative conclusions about the accuracy of the data may be made. First, the overall accuracy of the data is quite good; especially since those departments reporting data from memory tended to be in the smaller jurisdictions where law enforcement officers tend to know most juveniles personally, making recall of juvenile offenses a less difficult task. Second, data from police departments surveyed may be more accurate than data from sheriff departments. Third, data from police departments in cities over 5,000 is virtually 100 percent accurate; whereas, data from police departments in smaller cities is considerably less accurate. Finally, data from sheriff departments in counties over 25,000 is quite accurate; whereas, data from smaller counties is in general much less accurate.

Since the overall accuracy of data reported by the agencies surveyed is quite good, the combined data on juvenile offender characteristics, recidivism, and dispositions for all agencies surveyed is a good representation of juvenile crime in the locales surveyed. However, since the data collected also is to be used to make state-wide projections of juvenile crime, some conclusions should be drawn about the accuracy (i.e. validity) of these projections. The major problem in making state-wide projections from the survey data is that the greatest amount of extrapolation must be made from the portion of the data which is probably the least accurate, namely, the data from

police departments in cities under 5,000 and the data from sheriff departments in counties under 15,000.<sup>4</sup> Thus to the extent that inaccuracies exist in the survey data, these inaccuracies will be magnified in the state-wide projections.

#### Comparative Analysis of Recordkeeping Systems

Two factors differentiated the juvenile records of police departments in cities over 5,000 from those of the police departments in cities under 5,000 which maintained any juvenile records. First (Table 6), eight of the nine departments in cities over 5,000 maintained complete records on all juvenile contacts (with a few exceptions in one department).<sup>5</sup> In contrast, only one of the six departments in cities between one and five thousand which kept any juvenile records in 1975, maintained records on all juvenile contacts. Of the other five departments in this population category with any 1975 juvenile records, four kept records only on juveniles referred to court (which for these departments did not include all juvenile contacts) and one kept a very few scattered records only on offenses involving property loss. The one department, of those in cities under 1,000, which maintained any records, kept only limited information (name, offense) on juveniles referred to court. As Table 6 also indicates, 10 of the 17 police departments surveyed in cities under 5,000 maintained no records on juvenile contacts at all.

4. For example, the data obtained from police departments in cities under 1,000 came completely from memory; thus, its accuracy is questionable. To obtain a projection about all 79 departments in the state in cities under 1,000 from the six departments sampled requires that the sample data be multiplied, after correction for population differences, by a factor of 11.1. However, multiplying the sample data by 11.1 also multiplies any inaccuracies in the data by 11.1

5. The other department in this population category, Brookings, maintained records only on juveniles referred to court intake, but since it referred virtually all juvenile contacts, it too maintained records of nearly all juvenile contacts.

Table 6

Police Department Juvenile Recordkeeping  
Policies According to City Population.

CITY POPULATION	NO. OF DEPT'S IN SAMPLE <sup>1</sup>	RECORDKEEPING POLICY (NUMBER OF DEPT)			
		ALL CONTACTS	COURT REFERRALS	SCATTERED ON FEW OFFENSES	NO RECORDS KEPT
Over 25,000	3	3			
5-15,000	6	5	1		
1-5,000	11	1	4	1	5
Under 1,000	6		1		5
TOTAL	26	9	6	1	10

1. Includes all departments in police sample except DeSmet P.D.

The second factor differentiating the juvenile records of larger city (over 5,000) departments from those of smaller city (under 5,000) departments was that eight of the nine large departments had at least partial separation of juvenile records from the rest of their record systems; whereas, only one of the seven small departments with juvenile records separated them at all from their other records. Of the eight large departments with some separation of juvenile records, six of them maintained completely independent, physically separate juvenile records; the other two kept combined files, but a separate chronological log (from which juvenile files could be accessed) was kept on juvenile contacts. The one small department with any separation of juvenile records kept combined offense report files, but a separate card file on juvenile offenses.

Of the 14 sheriff departments surveyed, five kept records on all juvenile contacts, one kept records on all juvenile contacts except liquor law violators, four kept records only on juveniles

referred to court intake, and one kept only minimal records (name and offense) on most juveniles referred to court intake. The remaining three sheriff departments had no juvenile records. That these recordkeeping policies were not clearly related to population of jurisdiction, as they were for police departments, may be seen in Table 7. Neither was recordkeeping policy related to department manpower levels.

Table 7

Sheriff Department Juvenile Recordkeeping  
Policies According to County Population

COUNTY POPULATION	NO. OF DEPTS. IN SAMPLE <sup>1</sup>	RECORDKEEPING POLICY (NUMBER OF DEPTS.)				
		ALL CONTACTS	ALL EXCEPT LIQUOR VIOLATIONS	COURT REFERRALS ONLY	MINIMAL, SPORADIC	NO RECORDS KEPT
Over 25,000	3	2		1		
15-25,000	3			2		1
5-15,000	6	2	1	1		2
1-5,000	2	1			1	
TOTAL	14	5	1	4	1	3

<sup>1</sup>Includes all departments surveyed.

Only two of the eleven sheriff departments which kept any juvenile records had any separation of juvenile records from the rest of their record system. One of these two departments (Bon Homme Co.) had combined case files, but a separate Juvenile Record card file from which juvenile case files could be accessed. The other department (Stanley Co.) had a completely independent physically separate juvenile record system. Thus, in general sheriff departments which maintained records on juvenile contacts had these records completely mixed with adult records.

Obviously, information on juvenile crime was much more accessible



from record systems in which juvenile records were kept separately. In general, police records on juvenile contacts were easily accessed since all the departments in large cities except one (Aberdeen) kept separate juvenile records. Although smaller city departments in general kept combined records, their files were small enough (and they were familiar enough with each contact made) to make it practical to scan all the files, if necessary. However, accessibility was a problem with several sheriff departments, because of lack of separation of juvenile records. In fact, no juvenile offense data could be practically accessed from Pennington County sheriff department files, simply because to obtain 1975 juvenile offense data it would have been necessary to inspect every case folder in their files.

#### CHARACTERISTICS OF YOUTH

##### Youth in South Dakota

The 1970 census reported a total of 240,920 youths under 18 years of age in South Dakota. Table 8 breaks this total down according to sex and race.<sup>6</sup>

Table 8

South Dakota Youth Population Under 18  
According to Sex and Race

SEX	RACE			TOTAL
	WHITE	INDIAN	BLACK	
Male	113,583	8,879	334	122,796
Female	109,015	8,808	301	118,124
<b>TOTAL</b>	<b>222,598</b>	<b>17,687</b>	<b>635</b>	<b>240,920</b>

Source: 1970 Census

6. Because of limitations of the census data, the Indian population data in Table 8 is contaminated by other non-black minorities. However, these other minorities account for a total of less than three percent of the Indian totals; thus, for all practical purposes, the Indian data can be considered to represent the American Indian youth population in the state. The same is true of all succeeding tables based on census data.

In order for a youthful offender to be defined as a delinquent child under state law, thus being subject to the jurisdiction of the juvenile court, he/she must be at least 10 years of age and less than 18 years of age when the offense is committed. Table 9 indicates the number of youths in the state, broken down according to sex and race, who fall into this 10 through 17 age group.

Table 9

South Dakota Youth Population Ages 10 through 17  
According to Sex and Race

SEX	RACE			TOTAL
	WHITE	INDIAN	BLACK	
Male	56,437	3,664	156	60,257
Female	53,968	3,689	113	57,770
<b>TOTAL</b>	<b>110,405</b>	<b>7,353</b>	<b>269</b>	<b>118,027</b>

Source: 1970 Census

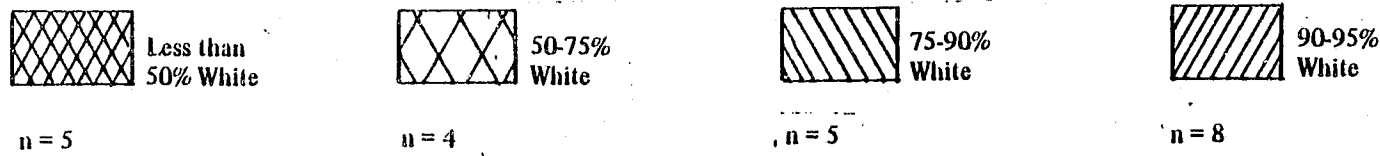
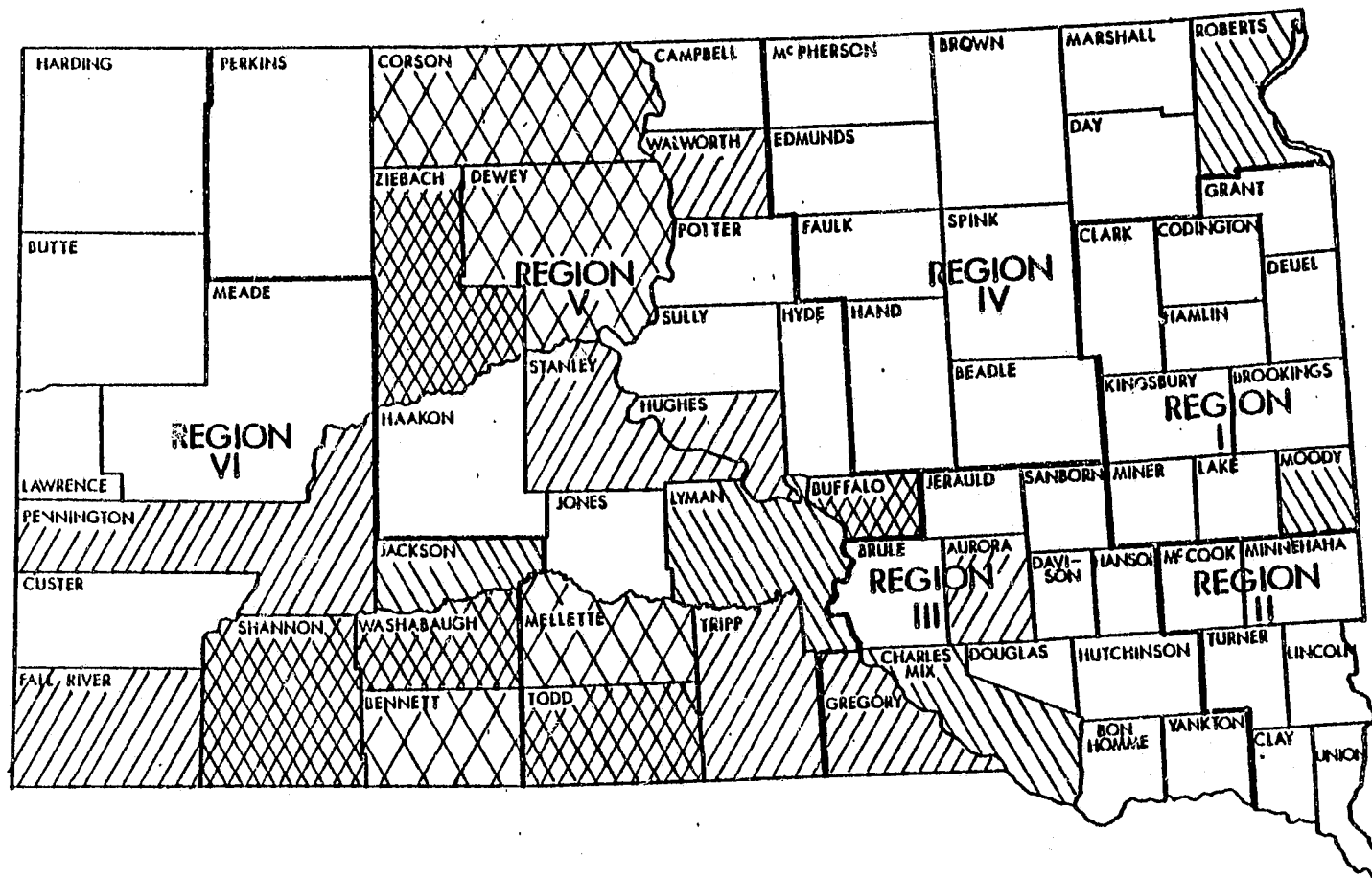
A further breakdown of the state's youth population, ages 10 through 17, according to county of residence and race is provided in Table 10. It should be noted that, except for Lawrence and Meade counties, Indian youth account for an overwhelming majority of the non-white youth population in all counties in the state. Also, white youth account for over 95 percent of the total youth population (ages 10-17) in 45 (67%) of South Dakota's 67 counties. Figure 1 provides a geographic representation of the 22 South Dakota counties in which less than 95 percent of the youth population, ages 10 through 17, is white.

Table 10

South Dakota Youth Population Ages 10 Through 17  
According to County and Race

COUNTY	TOTAL POPULATION 10 THRU 17	YOUTH 10 THRU 17 BY RACE			PERCENT WHITE
		WHITE	INDIAN	BLACK	
Aurora	892	838	54	0	93.9
Beadle	3719	3691	26	2	99.2
Bennett	605	404	201	0	66.8
Bon Homme	1313	1308	5	0	99.6
Brookings	3018	3002	16	0	99.5
Brown	6007	5968	39	0	99.4
Brule	1110	1093	17	0	98.5
Buffalo	336	110	226	0	32.7
Butte	1486	1467	17	2	98.7
Campbell	577	577	0	0	100.0
Charles Mix	1889	1685	204	0	89.2
Clark	964	961	3	0	99.7
Clay	1518	1499	18	1	98.7
Codington	3417	3406	11	0	99.7
Corson	1047	742	305	0	70.9
Custer	798	772	26	0	96.7
Davison	2916	2896	20	0	99.3
Day	1599	1523	76	0	95.2
Deuel	1033	1033	0	0	100.0
Dewey	1051	533	496	2	52.6
Douglas	845	844	1	0	99.9
Edmunds	1041	1041	0	0	100.0
Fall River	1122	1045	77	0	93.1
Faulk	765	761	4	0	99.5
Grant	1635	1630	5	0	99.7
Gregory	1161	1070	91	0	92.2
Haakon	596	590	6	0	99.0
Hamlin	913	907	6	0	99.3
Hand	1218	1218	0	0	100.0
Hanson	754	754	0	0	100.0
Harding	403	394	9	0	97.8
Hughes	2202	2042	156	4	92.7
Hutchinson	1804	1802	2	0	99.9
Hyde	504	496	8	0	98.4
Jackson	271	243	28	0	89.7
Jerauld	626	626	0	0	100.0
Jones	350	341	9	0	97.4
Kingsbury	1479	1479	0	0	100.0
Lake	1905	1901	4	0	99.8
Lawrence	3036	2957	40	39	97.4
Lincoln	2201	2190	11	0	99.5
Lyman	784	648	136	0	82.7
McCook	1354	1349	5	0	99.6
McPherson	1000	995	5	0	99.5
Marshall	1059	1058	1	0	99.9
Meade	3134	2979	30	125	95.1
Mellette	459	286	173	0	62.3
Miner	836	834	2	0	99.8
Minnehaha	16690	16512	150	28	98.9
Moody	1685	1332	353	0	79.1
Pennington	10214	9543	626	45	93.4
Perkins	897	892	5	0	99.4
Potter	878	871	7	0	99.2
Roberts	2121	1816	304	1	85.6
Sanborn	754	753	1	0	99.9
Shannon	1660	170	1488	2	10.2
Spink	1885	1866	19	0	99.0
Stanley	472	431	41	0	91.3
Sully	497	487	10	0	99.4
Todd	1420	354	1066	0	24.9
Tripp	1584	1499	85	0	94.6
Turner	1780	1770	10	0	99.4
Union	1665	1655	8	2	99.4
Walworth	1412	1319	93	0	93.4
Washabaugh	265	109	156	0	41.1
Yankton	2908	2810	89	9	96.6
Ziebach	468	208	260	0	44.4
<b>TOTAL</b>	<b>118027</b>	<b>110405</b>	<b>7353</b>	<b>269</b>	<b>93.5</b>

Source: 1970 Census



**FIGURE 1**

South Dakota Counties in Which Less Than 95 Percent of the Youth Population Ages 10 Through 17 is White

(Source: 1970 Census)

### Youth in the Survey Sample

From the 1970 census data it was possible to determine only the percent of the total population of each city under 18. However, the total white, Indian, and black populations of each city were available; thus, by assuming that the percent of each race under 18 years of age was equal, it was possible to estimate the racial breakdown of youth under 18 for each city included in the police department sample. Table 11 provides this estimated racial breakdown according to city and city population category. Only those cities surveyed from which 1975 juvenile offense data was obtained are included in the table. It is notable that white youth accounted for over 94 percent of the total youth population in each of the 24 cities, for over 97 percent of the total youth population in each of the four city population categories, and for 97.6 percent of the total youth population of the entire sample.

Table 12 provides a racial breakdown of youth under 18, according to county and county population category, for all counties in the sheriff department sample from which 1975 juvenile offense data was obtained. Again, white youth accounted for over 90 percent of the total youth population in each of the 13 counties, for over 96 percent of the total youth population in each of the four county population categories, and for 98.5 percent of the total youth population of the entire sample.

The 76,899 youths under 18 in the cities in the police department sample represent 31.9 percent of the total youth population under 18 in the state. The 85,645 youths under 18 in the counties in the sheriff department sample represent 35.5 percent of the total youth population under 18 in the state. However, since several of the cities in the police department sample fall in these counties, the sheriff departments sampled have jurisdic-

Table 11

Racial Characteristics of Youth Population  
Under 18 in Cities in Police Department Sample

City Population	City	Total Population under 18	Youth Under 18 by Race <sup>1</sup>			Percent White
			White	Indian	Black	
Over 25000	Sioux Falls	25806	25537	214	55	99.0
	Aberdeen	8658	8543	113	2	98.7
	Rapid City	16088	15169	868	51	94.3
	Total	50552	49249	1195	108	97.4
5000-15000	Brookings	3182	3155	27	0	99.1
	Watertown	4726	4699	27	0	99.4
	Vermillion	2045	2016	25	4	98.6
	Yankton	3945	3781	145	19	95.8
	Pierre	3715	3526	184	5	94.9
	Lead	2114	2067	46	1	97.8
	Total	19727	19244	454	29	97.6
1000-5000	Clark	382	380	2	0	99.5
	Beresford	492	489	3	0	99.4
	Dell Rapids	723	720	3	0	99.6
	Parkston	458	458	0	0	100.0
	Springfield	307	302	5	0	98.4
	Highmore	371	368	3	0	99.2
	Miller	754	752	2	0	99.7
	Redfield	871	870	1	0	99.9
	Spearfish	1123	1105	16	2	98.4
	Total	5481	5444	35	2	99.3
Under 1000	Castlewood	182	182	0	0	100.0
	Alcester	152	152	0	0	100.0
	Armour	280	279	1	0	99.6
	New Effington	71	71	0	0	100.0
	Presho	328	318	10	0	97.0
	Hill City	126	126	0	0	100.0
	Total	1139	1128	11	0	99.0
Sample	Total	76899	75065	1690	144	97.6

<sup>1</sup>Assumes percent of population under 18 is the same for all races. Source: 1970 Census

Table 12  
 Racial Characteristics of Youth Population  
 Under 18 in Counties in Sheriff Department Sample

County Population	County	Total Population Under 18	Youth Under 18 by Race			Percent White
			White	Indian	Black	
Over 25000	Minnehaha	35174	34779	340	55	98.9
	Brown	12757	12595	160	2	98.7
	Total	47931	47374	500	57	98.8
15000- 25000	Brookings	6247	6206	41	0	99.3
	Davison	5956	5891	63	2	98.9
	Lawrence	6064	5860	164	40	96.6
	Total	18267	17957	268	42	98.3
5000-15000	Grant	3323	3314	9	0	99.7
	Turner	3234	3206	28	0	99.1
	Bon Homme	2635	2628	7	0	99.7
	Edmunds	2120	2120	0	0	100.0
	Walworth	2973	2683	290	0	90.2
	Butte	2824	2781	41	2	98.5
	Total	17109	16732	375	2	97.8
1000- 5000	Sanborn	1353	1352	1	0	99.9
	Stanley	985	904	81	0	91.8
	Total	2338	2256	82	0	96.5
Sample Total		85645	84319	1225	101	98.5

Source: 1970 census

tion over only 43,732 juveniles not already included in the police department sample.

This population data is useful and necessary in drawing many conclusions concerning the juvenile offense data which follows. However, for several reasons, conclusions based partially on this data should be drawn with some caution. First, number and distribution of youth in the state have undoubtedly changed since the census in 1970. This change may be substantial in certain areas. Second, the number of youth under 18 living in a given city or county do not necessarily represent all youth offenders in that city or county. Many rural youth living near cities are apprehended by city police, thus being included in the offense statistics; but they are not included in the cities youth populations. This is also true, although probably to a lesser extent, for county sheriff offense statistics. Third, sheriff department juvenile offense data in some counties is based solely on rural offenses, the city police in the county handling offenses committed in the cities; whereas, in other counties the sheriff department offense data reflects all of the juveniles apprehended in the county.

#### CHARACTERISTICS OF JUVENILE OFFENDERS

The 37 law enforcement agencies from which juvenile offense data was obtained reported a total of 5322 juvenile contacts in 1975. This total includes juveniles released without being formally charged. Table 13 summarizes these 5322 juvenile contacts according to type of charge<sup>7</sup> and the sex, age, and race of juveniles apprehended.

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7. Categorization of charges was based upon the FBI Uniform Crime Reporting classifications.



Table 13

Age, Sex, and Race of Juveniles Apprehended by all  
Law Enforcement Agencies Surveyed (1975): N=37

22

OFFENSE	SEX	AGE								RACE			OFFENSE TOTAL
		10 and under	11- 12	13- 14	15	16	17	Not Known	Total under 18	White	Amer. Indian	Other	
Murder or manslaughter	M				1	1			2	1	1		2
	F								0				
Forcible rape	M			1		1			2	1	1		2
	F								0				
Robbery	M		2	2	9	2	3		18	9	8	1	19
	F				1				1		1		
Aggravated assault	M	1		3	1	2	5		12	8	4		16
	F		1	1	1	1			4		4		
Burglary	M	22	45	85	76	103	69		400	334	64	2	426
	F	2	3	5	4	6	6		26	20	6		
Larceny-theft (except auto theft)	M	84	124	231	141	142	115		837	745	89	3	1176
	F	17	45	124	50	45	58		339	297	41	1	
Auto theft	M		7	56	45	31	21		160	125	35		179
	F		1	7	4	4	3		19	14	5		
Other assaults	M		3	12	10	12	11		48	41	7		69
	F		2	7	3	3	6		21	8	13		
Arson	M	3	1			1			5	4		1	5
	F								0				
Forgery	M			2	6	6	5		19	19			36
	F			1	9	5	2		17	15	2		
Fraud or embezzlement	M			6	4	5	8		23	23			24
	F					1			1	1			
Stolen property	M	2	1	13	6	4	5	3	34	25	9		36
	F			2					2	2			
Vandalism	M	73	85	117	65	62	120	12	534	506	23	5	579
	F		9	14	8	4	7	3	45	35	10		
Weapons	M	3	5	3	5		4		20	18	2		20
	F								0				
Sex offenses	M			3	1	1	10	2	17	13	4		17
	F								0				
Drug violations	M		2	19	27	55	84		187	184	3		236
	F		2	7	10	12	18		49	46	3		
DWI	M			3	7	9	27		46	40	6		54
	F					2	6		8	7	1		
Liquor laws	M		5	47	130	261	351	33	827	799	28		1111
	F		3	30	54	83	99	15	284	264	20		
Disorderly conduct	M		4	11	26	29	38	3	111	95	15	1	154
	F			6	5	13	17	2	43	31	12		
Curfew	M	4	23	52	31	26	18	13	167	150	17		257
	F		1	33	23	17	3	8	90	77	13		
Runaway	M	4	13	54	45	49	24	1	190	166	24		464
	F	3	16	39	83	47	32	4	274	207	62	5	
Truancy	M	2	6	3	4	1	2		18	17	1		23
	F	1	2	1	1				5	5			
All other non-traffic offenses	M	17	21	77	59	73	61		308	241	65	2	417
	F	4	10	33	28	22	12		109	91	18		
Total: all offenses	M	215	347	800	699	876	981	67	3985	3564	406	15	3985
	F	27	95	360	289	265	260	32	1337	1120	211	6	
TOTAL		242	442	1160	988	1141	1250	99	5322	4684	617	21	5322

The most frequently reported offenses included larceny-theft<sup>8</sup> (1176), liquor law violation (1,111), vandalism (579), runaway (464), and burglary (426). These five offenses totaled 71 percent (3756) of the 5322 juvenile offenses reported.

Males accounted for 3985 (75%) and females 1337 (25%) of the offenses reported. The most common male offenses were larceny-theft (837), liquor law violation (827), vandalism (534), and burglary (400); these four offenses accounting for 65 percent (2598) of the 3985 male offenses. The most common female offenses were larceny-theft (339), liquor law violation (284), and runaway (274), together accounting for 67 percent (897) of the 1337 female offenses. A more complete ranking of male and female offenses reported appears in Table 14. Notice that the 10 most frequently reported offenses are the same for males and females, but that their ranking and relative frequencies differ. Of these 10 most frequently reported offenses, males accounted for particularly high percentages of vandalism (92%), burglary (94%) and auto theft (89%). Male offenders outnumbered females for all offenses except runaway, where 274 (59%) of the 464 runaways apprehended were females. This does not necessarily indicate that females run away more than do males. Perhaps this offense category is more often used by parents and law enforcement officials as a device for apprehending and controlling troublesome females.

Figure 2 indicates the total number of male and female offenses according to age. Since combined frequencies were obtained for the

8. The footnote offense of larceny-theft is comprised of grand larceny-theft, petty larceny, and shoplifting, of which by far the most frequently reported was shoplifting. Unfortunately, during the survey this distinction was not made. A similar problem occurred for liquor law violation. Some liquor law violations (for example, open container) are delinquent offenses, while other (e.g. illegal possession or consumption) are status offenses. These distinctions were not made during the survey. This has an effect upon the reporting of delinquent and status offenses later in this document.

Table 14.

Comparative Ranking of Most Frequently Reported  
Offenses for Male and Female Juveniles

Rank	Males				Rank	Females			
	Offense	Frequency	% of Total	Cum. %		Offense	Frequency	% of Total	Cum. %
1	Larceny-theft	837	21	21	1	Larceny-theft	339	25	25
2	Liquor Laws	827	21	42	2	Liquor Laws	284	21	47
3	Vandalism	534	13	55	3	Runaway	274	20	67
4	Burglary	400	10	65	4	Curfew	90	7	74
5	Runaway	190	5	75	5	Drug violations	49	4	77
6	Drug violations	187	5	75	6	Vandalism	45	3	81
7	Curfew	167	4	79	7	Disorderly Cond.	43	3	84
8	Auto theft	160	4	83	8	Burglary	26	2	86
9	Disorderly Cond.	111	3	86	9	Other assaults	21	2	88
10	Other assaults	48	1	87	10	Auto theft	19	1	89
	All Other Offenses	524	13	100		All Other Offenses	147	11	100
	TOTAL	3985	100	-		TOTAL	1337	100	-

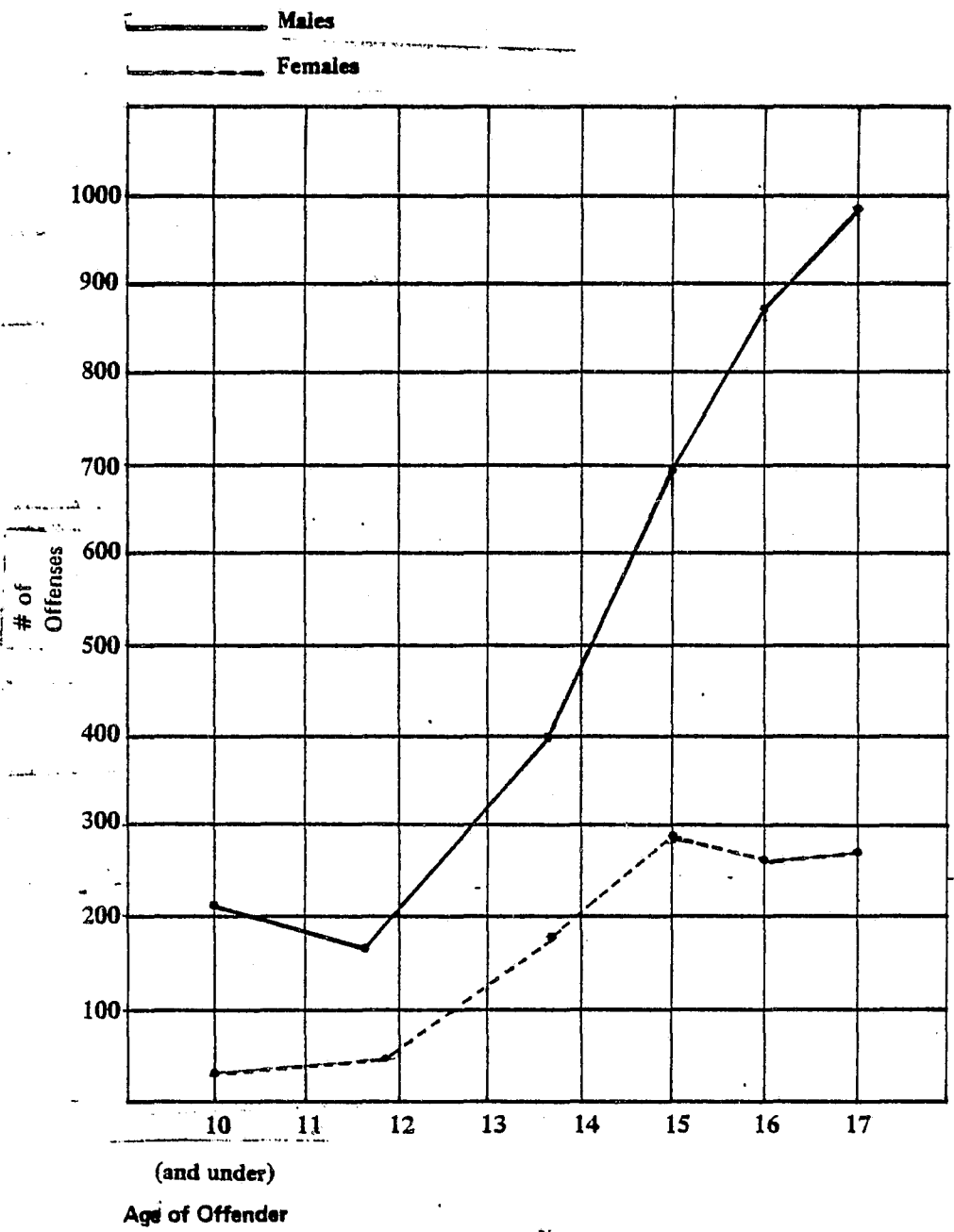


FIGURE 2

OFFENSES REPORTED ACCORDING TO AGE AND SEX OF OFFENDER

11-12 year-old and the 13-14 year-old age categories, the totals for these age groups were divided by two and plotted at the midpoint of these age categories on Figure 2. (This procedure will be used for all subsequent considerations of age unless otherwise specified.) The number of male offenses increases steadily and rapidly with age; however, the number of female offenses increases steadily to age 15 where it levels off.

Figure 3 depicts age trends of the five most commonly reported offenses (larceny-theft, liquor law violation, vandalism, runaway, and burglary). Larceny-theft is the most frequently reported offense for all age groups of juveniles ages 15 and under, while liquor law violation is by far the most commonly reported offense for 16 and 17 year-olds. Liquor law violation is also the only one of these offenses which increases steadily with age. Larceny-theft increases to age 13-14 then levels off. Vandalism occurs about equally for all age groups except for age 17, where its occurrence is double the normal level. Runaway increases steadily through age 15, then decreases steadily thereafter. Burglary increases steadily through age 16, then drops off in the 17 year-old age group.

White youth committed 4684 (88.0%), Indian youth 617 (11.6%), and youth of other races 21 (0.4%) of the 5322 juvenile offenses reported. Of the 21 youth of other races, 13 were black and the other 8 were Mexican. Table 15 presents a ranking of the most frequently reported offenses for white and Indian juveniles. Several interesting differences in the numbers and types of offenses by white and Indian juveniles are apparent. The most common offenses for white juveniles were liquor law violations (1063), larceny-theft (1042), and vandalism (541), together accounting for 56 percent (2646) of the 4684 offenses reported for white juveniles. The most common offenses for Indian

Table 15

Comparative Ranking of Most Frequently Reported  
Offenses for White and Indian Juveniles

Rank	White				Rank	Indian			
	Offense	Frequency	% of Total	Cum. %		Offense	Frequency	% of Total	Cum. %
1	Liquor laws	1063	23	23	1	Larceny-theft	130	21	21
2	Larceny-theft	1042	22	45	2	Runaway	86	14	35
3	Vandalism	541	12	56	3	Burglary	70	11	46
4	Runaway	373	8	64	4	Liquor laws	48	8	54
5	Burglary	354	8	72	5	Auto theft	40	6	61
6	Drug violations	230	5	77	6	Vandalism	33	5	66
7	Curfew	227	5	82	7	Curfew	30	5	71
8	Auto theft	139	3	85	8	Disorderly Cond	27	4	75
9	Disorderly Cond.	126	3	87	9	Other assaults	20	3	78
10	Other assaults	49	1	88	10	Robbery	9	1	80
					11	Stolen property	9	1	81
	All Other Offenses	540	12	100		All Other Offenses	115	19	100
	TOTAL	4684	100	-		TOTAL	617	100	-

## Age of Juvenile and Offense

Larceny-theft was the most frequently reported offense for juveniles under the age of 15. For 16 and 17 year olds, liquor law violation was the most common offense. These and other offenses according to the age of the juvenile are outlined in Figure 1.

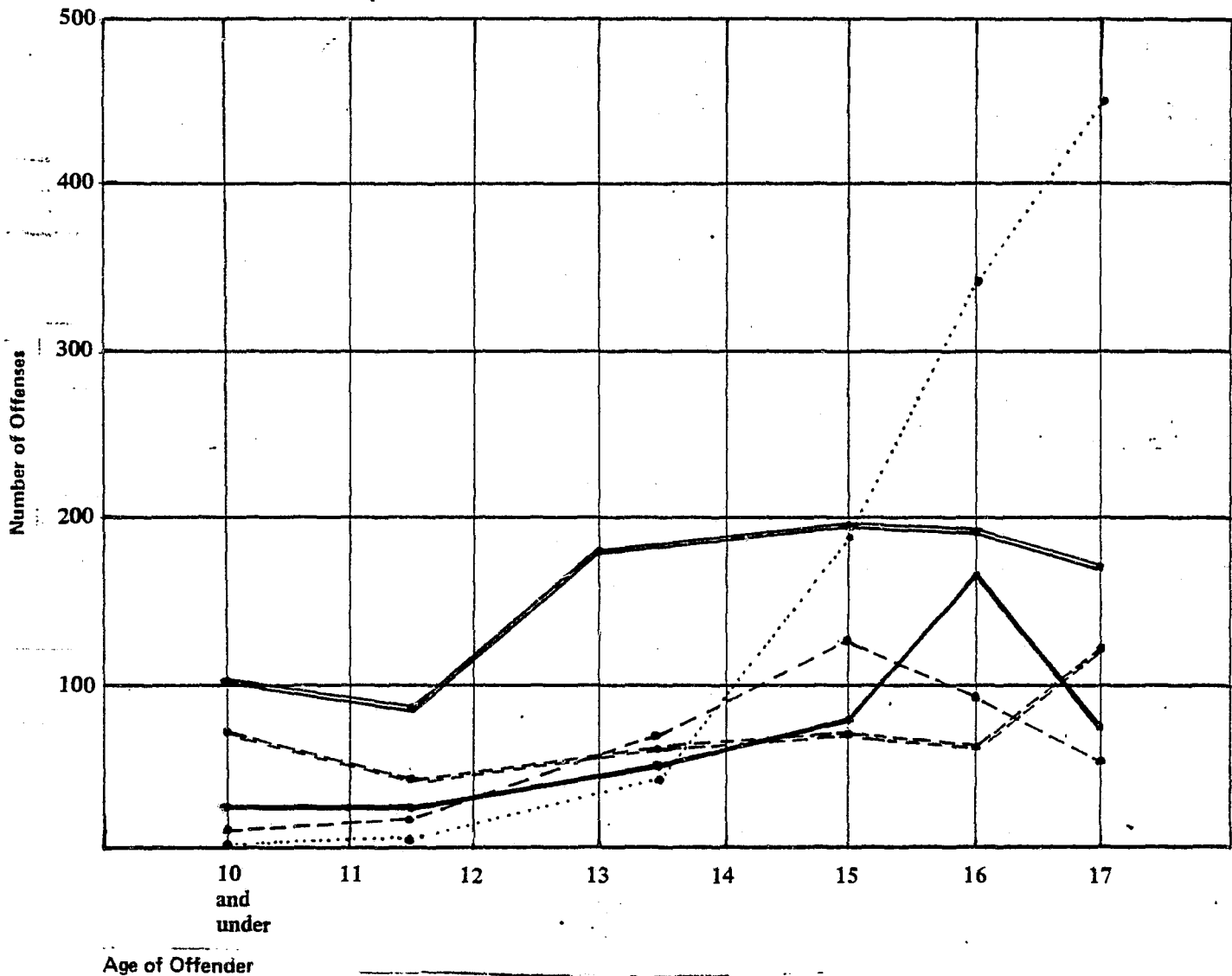
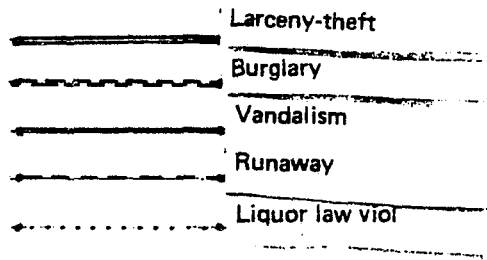


Figure 3

INCIDENCE OF MOST FREQUENTLY REPORTED OFFENSES ACCORDING TO AGE OF JUVENILES APPREHENDED

juveniles were larceny-theft (130), runaway (86), and burglary (70), which together accounted for 46 percent (286) of the 617 offenses reported for Indian juveniles.

Liquor law violations (23% vs. 8%), vandalism (12% vs. 5%), and drug violations (5% vs. less than 1%) accounted for much greater percentages of the total number of white juvenile offenses than they did of the total number of Indian juvenile offenses. On the other hand, runaway (14% vs. 8%), burglary (11% vs. 8%), auto theft (6% vs. 3%), and other assaults (3% vs. 1%) accounted for significantly greater percentages of total Indian offenses than of total white offenses.

Although white juveniles accounted for 88 percent of all offenses reported, they accounted for 97 percent (58) of the 60 forgery, fraud, and embezzlement offenses reported, 93 percent (541) of the 579 vandalism apprehensions, 97 percent (230) of the 236 drug violations; and 96 percent (1063) of the 1,111 liquor law violations. Indian juveniles, who accounted for less than 12 percent of all offenses reported, accounted for 49 percent (19) of the 39 arrests for murder-manslaughter, forcible rape, robbery, and aggravated assault. Indian youths also accounted for 22 percent (40) of the 179 reported apprehensions for auto theft, 29 percent (20) of the 69 other assaults, and 19 percent (86) of the 464 runaways.

Although Indian youths accounted for slightly less than 12 percent of offenses reported, Indian females accounted for nearly 16 Percent (211) of the 1337 female offenses. Indian males, on the other hand, accounted for only about 10 percent (406) of the 3985 male offenses.

It is also notable that 329 (53%) of the 617 Indian offenses reported were from the Rapid City police department. Eliminating the 991 juvenile contacts reported by the Rapid City police department leaves a total of 4331 juvenile offenses, of which only 288 (6.6%)



were committed by Indian youth. A department-by-department breakdown of number and percent of offenses according to race will be presented later in the report.

Status offenses (curfew, runaway, and truancy) accounted for 14 percent (744) of the 5322 offenses reported. Runaway was the most frequently reported status offense, 464 runaways being reported. Females committed 50 percent (369) of all reported status offenses, compared to only 21 percent (969) of the 4578 delinquent offenses reported. As mentioned earlier, runaway was the only offense where females outnumbered males.

Of the 5322 juvenile contacts reported, 4283 (80%) were reported by the 24 police departments from which juvenile offense data was available and 1039 (20%), were reported by the 13 sheriff departments able to furnish data. Table 16 summarizes the 4283 juvenile contacts reported by police departments according to type of offense, and the sex, age, and race of juveniles apprehended; Table 17 provides the same summary for the 1039 contacts reported by sheriff departments.

The most common offense reported by police departments was larceny-theft, which accounted for 26 percent (1094) of all offenses reported by police departments; whereas, liquor law violations were the most common offense reported by sheriff departments, accounting for 45 percent (463) of the 1039 offenses reported by sheriff departments. Table 18 provides a complete ranking of the frequency of offenses reported by police departments and sheriff departments. This table even more clearly emphasizes the preponderance of larceny-theft contacts for police departments and liquor law violation contacts for sheriff departments.

The male-female offense breakdown was nearly identical for police departments and sheriff departments, 75 percent of offenses reported by police departments and 73 percent of offenses reported by sheriff

Table 16..

Age, Sex, and Race of Juveniles Apprehended by all  
Police Departments Surveyed (1975): N=24

31

OFFENSE	SEX	AGE							RACE			OFFENSE TOTAL	
		10 and under	11- 12	13- 14	15	16	17	Not Known	Total under 18	White	Amer. Indian		Other
Murder or manslaughter	M				1	1	-		2	1	1		2
	F								0				
Forcible rape	M			1					1	1			1
	F								0				
Robbery	M		2		9	2	3		16	7	8	1	17
	F				1				1		1		
Aggravated assault	M	1		3	1	1	5		11	7	4		15
	F		1	1	1	1			4		4		
Burglary	M	21	43	79	63	88	58		352	291	59	2	375
	F	2	2	5	4	4	6		23	17	6		
Larceny-theft	M	80	119	223	130	123	98		773	686	84	3	1094
	F	16	43	119	48	40	55		321	279	41	1	
Auto theft	M		7	49	32	29	13		130	108	22		141
	F		1	5	2	2	1		11	8	3		
Other assaults	M		3	9	9	6	10		37	30	7		58
	F		2	7	3	3	6		21	9	13		
Arson	M	3	1			1			5	4		1	5
	F								0				
Forgery	M			1	2	6	3		12	12			23
	F			1	8	2			11	10	1		
Fraud or embezzlement	M			4	4	1	5		14	14			15
	F					1			1	1			
Stolen property	M	2	1	12	5	4	1	3	28	22	6		30
	F			2					2	2			
Vandalism	M	68	78	104	50	46	105		451	424	22	5	472
	F		6	7	4	2	2		21	12	9		
Weapons	M	3	4	3	5		3		18	16	2		18
	F								0				
Sex offenses	M			3		1	10		14	10	4		14
	F								0				
Drug violation	M		2	17	20	39	65		143	141	2		180
	F		2	6	7	7	15		37	36	1		
DWI	M			3	5	7	22		37	32	5		43
	F					1	5		6	5	1		
Liquor laws	M		4	32	69	157	239		501	481	20		648
	F		3	19	31	43	46	5	147	130	17		
Disorderly conduct	M		4	8	22	25	32		91	77	14		124
	F			4	2	12	15		33	22	11		
Curfew	M	4	23	52	31	26	17		153	140	13		235
	F		1	33	28	17	3		82	70	12		
Runaway	M	3	9	42	32	35	17	1	139	119	20		381
	F	3	15	82	71	40	27	4	242	180	57	5	
Truancy	M	2	6	3	4	1			16	16			21
	F	1	2	1	1				5	5			
All other non-traffic offenses	M	17	19	70	49	67	57		279	216	62	1	371
	F	4	8	30	23	18	9		92	76	16		
Total: all offenses	M	204	325	718	543	666	763	4	3223	2855	355	13	3223
	F	26	86	322	234	193	190	9	1060	861	193	6	
TOTAL		230	411	1040	777	859	953	13	4283	3716	548	19	4283

Table 17

Age, Sex, and Race of Juveniles Apprehended by all  
Sheriff Departments Surveyed (1975): N=13

32

OFFENSE	SEX	AGE								RACE			OFFENSE TOTAL
		10 and under	11- 12	13- 14	15	16	17	Not Known	Total under 18	White	Amer. Indian	Other	
Murder or manslaughter	M								0				0
	F								0				
Forcible rape	M						1		1		1		1
	F								0				
Robbery	M			2					2	2			2
	F								0				
Aggravated assault	M					1			1	1			1
	F								0				
Burglary	M	1	2	6	13	15	11		48	43	5		51
	F		1			2			3	3			
Larceny-theft	M	4	5	8	11	19	17		64	59	5		82
	F	1	2	5	2	5	3		18	18			
Auto theft	M			7	13	2	8		30	17	13		38
	F			2	2	2	2		8	6	2		
Other assaults	M			3	1	6	1		11	11			11
	F								0				
Arson	M								0				0
	F								0				
Forgery	M			1	4		2		7	7			13
	F				1	3	2		6	5	1		
Fraud or embezzlement	M			2		4	3		9	9			9
	F								0				
Stolen property	M			1	1		4		6	3	3		6
	F								0				
Vandalism	M	5	7	13	15	16	15	12	83	82	1		107
	F		3	7	4	2	5	3	24	23	1		
Weapons	M		1				1		2	2			2
	F								0				
Sex offenses	M				1			2	3	3			3
	F								0				
Drug violation	M			2	7	16	19		44	43	1		56
	F			1	3	5	3		12	10	2		
DWI	M				2	2	5		9	8	1		11
	F					1	1		2	2			
Liquor laws	M		1	15	61	104	112	33	326	318	8		463
	F			11	23	40	53	10	137	134	3		
Disorderly conduct	M			3	4	4	6	3	20	18	1	1	30
	F			2	3	1	2	2	10	9	1		
Curfew	M						1	13	14	10	4		22
	F							8	8	7	1		
Runaway	M	1	4	12	13	14	7		51	47	4		83
	F		1	7	12	7	5		32	27	5		
Truancy	M						2		2	1	1		2
	F								0				
All other non-traffic offenses	M		2	7	10	6	4		29	25	3	1	46
	F		2	3	5	4	3		17	15	2		
Total: all offenses	M	11	22	82	156	210	218	63	762	709	51	2	762
	F	1	9	38	55	72	79	23	277	259	18	0	
TOTAL		12	31	120	211	282	297	86	1039	968	69	2	1039

Table 18

Comparative Ranking of Most Frequently Reported  
Offenses by Police Departments and Sheriff Departments

Rank	Police Departments				Rank	Sheriff Departments			
	Offense	Frequency	% of Total	Cum. %		Offense	Frequency	% of Total	Cum. %
1	Larceny-theft	1094	26	26	1	Liquor laws	463	45	45
2	Liquor laws	648	15	41	2	Vandalism	107	10	55
3	Vandalism	472	11	52	3	Runaway	83	8	63
4	Runaway	381	9	61	4	Larceny theft	82	8	71
5	Burglary	375	9	69	5	Drug violations	56	5	76
6	Curfew	235	5	75	6	Burglary	51	5	81
7	Drug violations	180	4	79	7	Auto theft	38	4	85
8	Auto theft	141	3	82	8	Disorderly Cond.	30	3	88
9	Disorderly Cond.	124	3	85	9	Curfew	22	2	90
10	Other assaults	58	1	87	10	Forgery	13	1	91
All Other Offenses		575	13	100	All Other Offenses		94	9	100
Total		4283	100	-	Total		1039	100	-

departments having been committed by male juveniles. However, the relative number of juveniles in each age group differed significantly for police and sheriff departments. Figure 4 indicates the percentage of juvenile contacts (whose ages were known) falling into each age group, for police departments and sheriff departments separately. The percentage of total contacts increases steadily with age group for both police and sheriff departments. However, police departments contacted a relatively greater percentage than sheriff departments of juveniles under 15, and sheriff departments contacted a relatively greater percentage than police departments of juveniles 15 and over.

Specifically, for police departments, of the 4270 juvenile contacts whose ages were available, 39 percent (1681) were 14 years old or younger; whereas, of the 953 sheriff department juvenile contacts whose ages were available, only 17 percent (163) were 14 or younger. Conversely, 83 percent (790) of the sheriff department contacts, but only 61 percent (2589) of the police department contacts, were in the 15 through 17 year-old group. The major reason that sheriff departments dealt with somewhat older juveniles can be traced to the fact that liquor law violations accounted for such a large portion of their juvenile contacts, and (as indicated in Figure 3) most liquor law violators were in the 15 through 17 year-old age group.

A much larger percentage of police department than sheriff department juvenile contacts were Indians. Of the 4283 police department contacts, 12.8 percent (548) were Indian; whereas, of the 1039 sheriff department contacts, only 6.6 percent (69) were Indian. However, the survey was not designed to make such a comparison. To illustrate this point, the entire difference can be accounted for by the large number of Indian contacts reported by the Rapid City police department. Of the 3292 juvenile contacts reported by the other

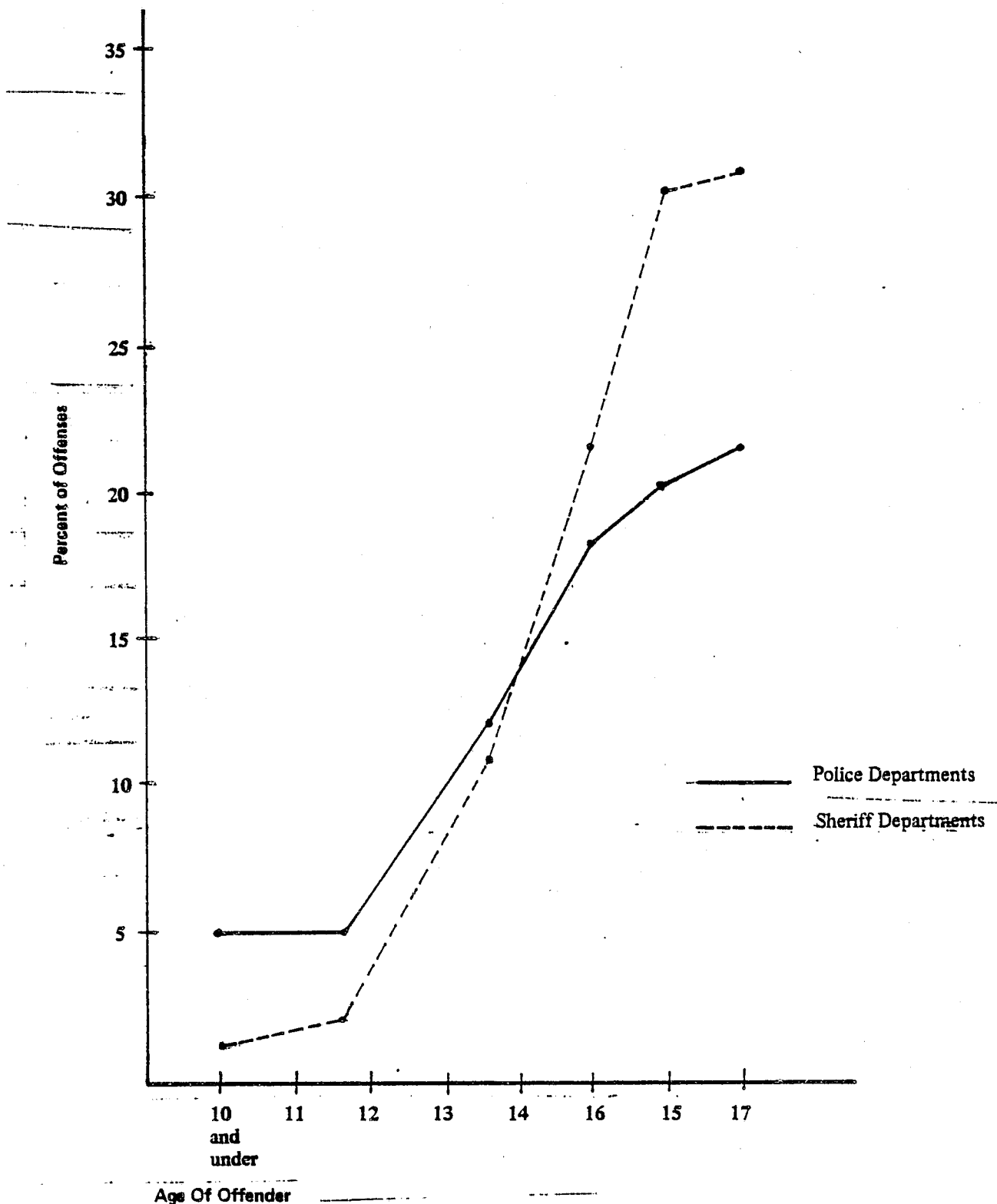


FIGURE 4

PERCENT OF OFFENSES REPORTED ACCORDING TO AGE OF JUVENILE FOR POLICE DEPARTMENTS AND SHERIFF DEPARTMENTS

23 police departments which supplied juvenile offense data, only 6.7 percent (219) were Indian. 36

Tables 19-22 summarize juvenile contacts reported by police departments in each of the four city population categories (over 25,000, 5-15,000, 1-5,000, under 1,000), respectively, according to type of offense, and sex, age, and race of juveniles apprehended. Tables 23-26 provide the same summary for sheriff departments in each of the four county population categories (over 25,000, 15-25,000, 5-15,000, 1-5,000), respectively.

Larceny-theft was by far the most frequently reported offense by the police departments in cities over 25,000, comprising 27 percent (762) of the 2808 offenses reported by these agencies. Larceny-theft (280) and liquor law violation (239) were the most frequently reported offenses by police departments in cities between 5,000 and 15,000, together accounting for 50 percent of the 1044 reported offenses. For cities between 1,000 and 5,000, liquor law violation (122) was the most commonly reported offense by a wide margin, accounting for 42 percent of the 289 reported offenses. Curfew violation (46), accounting for 32 percent of the 142 offenses reported, was the most frequently reported by police departments in cities under 1,000. In general, larceny-theft accounted for the largest percentage of juvenile contacts in larger cities; whereas, liquor law violation accounted for the largest percentage of juvenile contacts in smaller cities.

For sheriff departments in counties over 25,000, the most frequently reported offenses were runaway (17) and burglary (16), together accounting for 31 percent of the 105 offenses reported by these agencies. The most frequently reported offenses in counties between 15,000 and 25,000 were liquor law violation (58) and runaway (39), which accounted for 42 percent of the 229 offenses reported. By far the most commonly

Table 19  
Age, Sex, and Race of Juveniles Apprehended by Police Departments  
in Cities Over Twenty-five Thousand (1975): N=3

OFFENSE	SEX	AGE								RACE			OFFENSE TOTAL
		10 and under	11-12	13-14	15	16	17	Not Known	Total under 18	White	Amer. Indian	Other	
Murder or manslaughter	M				1		-		1		1		1
	F								0				
Forcible rape	M			1					1	1			1
	F								0				
Robbery	M		2		8	1	3		14	6	7	1	15
	F				1				1		1		
Aggravated assault	M	1		3	1	1	5		11	7	4		14
	F			1	1	1			3		3		
Burglary	M	20	32	64	56	82	47		301	242	58	1	318
	F	2		3	4	4	4		17	12	5		
Larceny-theft	M	48	70	143	103	97	81		542	474	65	3	762
	F	8	28	83	39	29	33		220	193	27		
Auto theft	M		5	43	25	24	12		109	89	20		113
	F			1		2	1		4	3	1		
Other assaults	M		3	8	9	6	7		33	27	6		52
	F		2	6	2	3	6		19	7	12		
Arson	M	3	1						4	4			4
	F								0				
Forgery	M			1	2	6	3		12	12			17
	F			1	2	2			5	4	1		
Fraud or embezzlement	M			4	2	1	5		13	12			13
	F					1			1	1			
Stolen property	M	2	1	9	5	4	1	3	25	19	6		27
	F			2					2	2			
Vandalism	M	46	45	59	34	23	86		293	275	18		304
	F		5	2	2		2		11	3	8		
Weapons	M		3	2	4		3		12	10	2		12
	F								0				
Sex offenses	M			3		1	10		14	10	4		14
	F								0				
Drug violation	M		2	17	18	34	56		127	125	2		161
	F		2	6	5	6	15		34	33	1		
DWI	M				2	4	10		16	13	3		19
	F					1	2		3	3			
Liquor laws	M		2	16	28	58	111		215	206	9		267
	F		1	6	11	14	15	5	52	48	4		
Disorderly conduct	M		4	4	14	13	15		50	40	10		65
	F			3	2	5	5		15	5	10		
Curfew	M	1	3	12	7	13	3		39	33	6		65
	F			12	10	4			26	24	2		
Runaway	M	3	7	38	26	31	15	1	121	103	18		295
	F	2	3	55	55	32	23	4	174	144	25	5	
Truancy	M								0				0
	F								0				
All other non-traffic offenses	M	9	13	53	35	47	47		204	149	54	1	269
	F	2	7	22	16	12	6		65	52	13		
Total: all offenses	M	133	193	480	380	446	520	4	2156	1857	293	6	2156
	F	14	48	203	150	116	112	9	652	534	113	5	652
TOTAL		147	241	683	530	562	632	13	2808	2391	406	11	2808



Table 20.

Age, Sex, and Race of Juveniles Apprehended by Police Departments  
in Cities Between Five and Fifteen Thousand (1975): N=6

38

OFFENSE	SEX	AGE								RACE			OFFENSE TOTAL
		10 and under	11-12	13-14	15	16	17	Not Known	Total under 18	White	Amer. Indian	Other	
Murder or manslaughter	M					1	-		1	1			1
	F								0				
Forcible rape	M								0				0
	F								0				
Robbery	M				1	1			2	1	1		2
	F								0				
Aggravated assault	M								0				1
	F		1						1				
Burglary	M		6	9	6	4	11		36	34	1	1	40
	F		2	2					4	4			
Larceny-theft	M	25	43	69	19	21	15		192	173	19		280
	F	8	14	35	8	8	15		88	75	12	1	
Auto theft	M		2	4	5	1			12	11	1		18
	F		1	3	2				6	4	2		
Other assaults	M			1			3		4	3	1		6
	F			1	1				2	1	1		
Arson	M					1			1			1	1
	F								0				
Forgery	M								0				6
	F				6				6	6			
Fraud or embezzlement	M				2				2	2			2
	F								0				
Stolen property	M								0				0
	F								0				
Vandalism	M	11	17	21	8	12	9		78	69	4	5	79
	F		1						1	1			
Weapons	M	3		1	1				5	5			5
	F								0				
Sex offenses	M								0				0
	F								0				
Drug violation	M				2	4	8		14	14			17
	F				2	1			3	3			
DWI	M			3	2	3	12		20	18	2		23
	F						3		3	2	1		
Liquor laws	M		1	12	16	61	82		172	161	11		239
	F		2	13	14	21	17		67	54	13		
Disorderly conduct	M			3	4	6	7		20	16	4		28
	F			1		2	5		8	7	1		
Curfew	M	3	8	27	24	13	14		89	82	7		124
	F		1	7	11	13	3		35	25	10		
Runaway	M			2	5	4	2		13	12	1		56
	F		7	16	12	5	3		43	32	11		
Truancy	M	2	6	2	4	1			15	15			19
	F	1	2	1					4	4			
All other non-traffic offenses	M	8	5	16	12	19	10		70	63	7		97
	F	2	1	8	7	6	3		27	24	3		
Total: all offenses	M	52	88	170	111	152	173	0	746	680	59	7	746
	F	11	32	87	63	56	49	0	298	242	55	1	298
TOTAL		63	120	257	174	208	222	0	1044	922	114	8	1044

Table 21

Age, Sex, and Race of Juveniles Apprehended by Police Departments  
in Cities Between One and Five Thousand (1975): N=9

39

OFFENSE	SEX	AGE							RACE			OFFENSE TOTAL	
		10 and under	11-12	13-14	15	16	17	Not Known	Total under 18	White	Amer. Indian		Other
Murder or manslaughter	M								0				0
	F								0				
Forcible rape	M								0				0
	F								0				
Robbery	M								0				0
	F								0				
Aggravated assault	M								0				0
	F								0				
Burglary	M		1	4		2			7	7			9
	F						2		2	1	1		
Larceny-theft	M		3	8	6	3	2		22	22			31
	F			1		3	5		9	7	2		
Auto theft	M			2	2		1		5	4	1		6
	F			1					1	1			
Other assaults	M								0				0
	F								0				
Arson	M								0				0
	F								0				
Forgery	M								0				0
	F								0				
Fraud or embezzlement	M								0				0
	F								0				
Stolen property	M								0				0
	F								0				
Vandalism	M		13	20	7	8	9		57	57			59
	F				1	1			2	2			
Weapons	M		1						1	1			1
	F								0				
Sex offenses	M								0				0
	F								0				
Drug violation	M					1	1		2	2			2
	F								0				
DWI	M				1				1				1
	F								0				
Liquor laws	M			3	23	33	38		97	97			122
	F				5	7	13		25	25			
Disorderly conduct	M			1	4	6	5		16	16			26
	F					5	5		10	10			
Curfew	M								0				0
	F								0				
Runaway	M		2	2	1				5	4	1		39
	F	1	5	11	4	3			24	4	20		
Truancy	M			1					1	1			2
	F				1				1	1			
All other non-traffic offenses	M		1						1	1			1
	F								0				
Total: all offenses	M	0	21	41	44	53	56	0	215	213	2	0	215
	F	1	5	13	11	19	25	0	74	51	23	0	74
TOTAL		1	26	54	55	72	81	0	289	264	25	0	289

Table 22

Age, Sex, and Race of Juveniles Apprehended by Police Departments  
in Cities Under One Thousand (1975): N=6

OFFENSE	SEX	AGE							Total under 18	RACE			OFFENSE TOTAL
		10 and under	11- 12	13- 14	15	16	17	Not Known		White	Amer. Indian	Other	
Murder or manslaughter	M								0				0
	F								0				
Forcible rape	M								0				0
	F								0				
Robbery	M								0				0
	F								0				
Aggravated assault	M								0				0
	F								0				
Burglary	M	1	4	2	1				8	8			8
	F								0				
Larceny-theft	M	7	3	3	2	2			17	17			21
	F		1		1		2		4	4			
Auto theft	M						4		4	4			4
	F								0				
Other assaults	M								0				0
	F								0				
Arson	M								0				0
	F								0				
Forgery	M								0				0
	F								0				
Fraud or embezzlement	M								0				0
	F								0				
Stolen property	M			3					3	3			3
	F								0				
Vandalism	M	11	3	4	1	3	1		23	23			30
	F			5	1	1			7	6	1		
Weapons	M								0				0
	F								0				
Sex offenses	M								0				0
	F								0				
Drug violation	M								0				0
	F								0				
DWI	M								0				0
	F								0				
Liquor laws	M		1	1	2	5	8		17	17			20
	F				1	1	1		3	3			
Disorderly conduct	M						5		5	5			5
	F								0				
Curfew	M		12	13					25	25			46
	F			14	7				21	21			
Runaway	M								0				1
	F						1		1		1		
Truancy	M								0				0
	F								0				
All other non-traffic offenses	M			1	2	1			4	3	1		4
	F								0				
Total: all offenses	M	19	23	27	8	15	14	0	106	105	1	0	106
	F	0	1	19	10	2	4	0	36	34	2	0	
TOTAL		19	24	46	18	17	18	0	142	139	3	0	142

Table 23

Age, Sex, and Race of Juveniles Apprehended by Sheriff Departments  
in Counties Over Twenty-five Thousand (1975): N=2

41

OFFENSE	SEX	AGE							RACE			OFFENSE TOTAL	
		10 and under	11-12	13-14	15	16	17	Not Known	Total under 18	White	Amer. Indian		Other
Murder or manslaughter	M							-	0				0
	F								0				
Forcible rape	M								0				0
	F								0				
Robbery	M			2					2	2			2
	F								0				
Aggravated assault	M								0				0
	F								0				
Burglary	M	1	2	3	3	4	1		14	14			16
	F		1			1			2	2			
Larceny-theft	M	1	1	3	2		3		10	10			12
	F		1				1		2	2			
Auto theft	M			2	3	1	1		7	7			7
	F								0				
Other assaults	M			2					2	2			2
	F								0				
Arson	M								0				0
	F								0				
Forgery	M								0				0
	F								0				
Fraud or embezzlement	M			1		1			2	2			2
	F								0				
Stolen property	M			1					1	1			1
	F								0				
Vandalism	M	2							2	2			5
	F			3					3	3			
Weapons	M								0				0
	F								0				
Sex offenses	M								0				0
	F								0				
Drug violations	M				1	2	1		4	4			4
	F								0				
DWI	M								0				0
	F								0				
Liquor laws	M				2	4	1		7	7			9
	F					1	1		2	2			
Disorderly conduct	M						1		1	1			1
	F								0				
Curfew	M								0				0
	F								0				
Runaway	M			6	3	3	3		15	14	1		17
	F				2				2	2			
Truancy	M								0				0
	F								0				
All other non-traffic offenses	M		2	5	9	2	1		19	18		1	27
	F			2	2	1	3		8	8			
Total: all offenses	M	4	5	25	23	17	12	0	86	84	1	1	86
	F	0	2	5	4	3	5	0	19	19	0	0	
TOTAL		4	7	30	27	20	17	0	105	103	1	1	105

Table 24

Age, Sex, and Race of Juveniles Apprehended by Sheriff Departments  
in Counties Between Fifteen and Twenty-five Thousand (1975): N=3

OFFENSE	SEX	AGE								RACE			OFFENSE TOTAL
		10 and under	11-12	13-14	15	16	17	Not Known	Total under 18	White	Amer. Indian	Other	
Murder or manslaughter	M								0				0
	F								0				
Forcible rape	M								0				0
	F								0				
Robbery	M								0				0
	F								0				
Aggravated assault	M					1			1	1			1
	F								0				
Burglary	M			2	2	5	3		12	10	2		12
	F								0				
Larceny-theft	M	1	1		3	9	3		17	14	3		21
	F			1		2	1		4	4			
Auto theft	M				7				7		7		8
	F						1		1	1			
Other assaults	M					1	1		2	2			2
	F								0				
Arson	M								0				0
	F								0				
Forgery	M				4		1		5	5			8
	F					3			3	2	1		
Fraud or embezzlement	M					3	2		5	5			5
	F								0				
Stolen property	M						1		1	1			1
	F								0				
Vandalism	M				5	2	2	12	21	20	1		24
	F							3	3	2	1		
Weapons	M								0				0
	F								0				
Sex offenses	M				1			2	3	3			3
	F								0				
Drug violations	M			2	3	2	3		10	10			10
	F								0				
DWI	M								0				1
	F						1		1	1			
Liquor laws	M				2	3	6	33	44	41	3		58
	F				1	1	2	10	14	13	1		
Disorderly conduct	M							3	3	2	1		5
	F							2	2	2			
Curfew	M							13	13	10	3		21
	F							8	8	7	1		
Runaway	M	1	1	2	7	9			20	19	1		39
	F			2	7	6	4		19	19			
Truancy	M								0				0
	F								0				
All other non-traffic offenses	M			1	1	4	1		7	4	3		10
	F					3			3	3			
Total: all offenses	M	2	2	7	35	30	23	63	171	147	24	0	171
	F	0	0	3	8	15	9	23	58	54	4	0	
TOTAL		2	2	10	43	54	32	86	229	201	28	0	229

Table 25

Age, Sex, and Race of Juveniles Apprehended by Sheriff Departments  
in Counties Between Five and Fifteen Thousand (1975): N=6

43

OFFENSE	SEX	AGE							Not Known	Total under 18	RACE			OFFENSE TOTAL
		10 and under	11- 12	13- 14	15	16	17	White			Amer. Indian	Other		
Murder or manslaughter	M								0				0	
	F								0					
Forcible rape	M					1			1		1		1	
	F								0					
Robbery	M								0				0	
	F								0					
Aggravated assault	M								0				0	
	F								0					
Burglary	M			1	2	1	6		10	7	3		11	
	F					1			1	1				
Larceny-theft	M	2	3	5	4	8	11		33	31	2		44	
	F	1	1	3	2	3	1		11	11				
Auto theft	M			5	3	1	7		16	10	6		22	
	F			2	2	1	1		6	5	1			
Other assaults	M			1					1	1			1	
	F								0					
Arson	M								0				0	
	F								0					
Forgery	M			1			1		2	2			5	
	F				1		2		3	3				
Fraud or embezzlement	M			1			1		2	2			2	
	F								0					
Stolen property	M				1		3		4	1	3		4	
	F								0					
Vandalism	M	3	4	11	9	11	13		51	51			67	
	F		3	4	3	1	5		16	16				
Weapons	M		1				1		2	2			2	
	F								0					
Sex offenses	M								0				0	
	F								0					
Drug violations	M				3	9	13		25	24	1		33	
	F			1	2	3	2		8	6	2			
DWI	M				2	1	5		8	7	1		9	
	F					1			1	1				
Liquor laws	M			11	43	77	92		223	219	4		307	
	F			7	15	25	37		84	82	2			
Disorderly conduct	M				3	2	4		9	9			15	
	F			1	3		2		6	6				
Curfew	M						1		1		1		1	
	F								0					
Runaway	M		3	4	3	2	4		16	14	2		27	
	F		1	5	3	1	1		11	6	5			
Truancy	M						2		2	1	1		2	
	F								0					
All other non-traffic offenses	M			1			2		3	3			9	
	F		2	1	3				6	4	2			
Total: all offenses	M	5	11	41	73	113	116	0	409	384	25	0	409	
	F	1	7	24	34	36	51	0	153	141	12	0	153	
TOTAL		6	18	65	107	149	217	0	562	525	37	0	562	

Table 26

Age, Sex, and Race of Juveniles Apprehended by Sheriff Departments  
in Counties Under Five Thousand (1975): N=2

44

OFFENSE	SEX	AGE								RACE			OFFENSE TOTAL
		10 and under	11- 12	13- 14	15	16	17	Not Known	Total under 18	White	Amer. Indian	Other	
Murder or manslaughter	M						-		0				0
	F								0				
Forcible rape	M								0				0
	F								0				
Robbery	M								0				0
	F								0				
Aggravated assault	M								0				0
	F								0				
Burglary	M				6	5	1		12	12			12
	F								0				
Larceny-theft	M				2	2			4	4			5
	F			1					1	1			
Auto theft	M								0				1
	F					1			1		1		
Other assaults	M				1	5			6	6			6
	F								0				
Arson	M								0				0
	F								0				
Forgery	M								0				0
	F								0				
Fraud or embezzlement	M								0				0
	F								0				
Stolen property	M								0				0
	F								0				
Vandalism	M		3	2	1	3			9	9			11
	F				1	1			2	2			
Weapons	M								0				0
	F								0				
Sex offenses	M								0				0
	F								0				
Drug violations	M					3	2		5	5			9
	F				1	2	1		4	4			
DWI	M					1			1	1			1
	F								0				
Liquor laws	M		1	4	14	20	13		52	51	1		89
	F			4	7	13	13		37	37			
Disorderly conduct	M			3	1	2	1		7	6		1	9
	F			1		1			2	1	1		
Curfew	M								0				0
	F								0				
Runaway	M								0				0
	F								0				
Truancy	M								0				0
	F								0				
All other non-traffic offenses	M								0				0
	F								0				
Total: all offenses	M	0	4	9	25	41	17	0	96	94	1	1	96
	F	0	0	6	9	13	14	0	47	45	2	0	47
TOTAL		0	4	15	34	59	31	0	143	139	3	1	143

reported offense by sheriff departments in counties between 5,000 and 15,000 was liquor law violation, accounting for 55 percent (307) of the 562 offenses reported. Liquor law violation was also the number one offense reported by sheriff departments in counties between 1,000 and 5,000 by a wide margin, comprising fully 62 percent (89) of the 142 offenses reported. Thus, in general, runaway was the most common offense reported by counties over 15,000 in population; whereas, liquor law violation comprised the largest percentage of juvenile contacts reported by the less populous counties surveyed.

Table 27 indicates the total number of juvenile offenses reported by each police department sampled, and breaks down the total number of offenses according to sex and race of offender. It also reports an "offense rate" for each department, which is the number of offenses reported per thousand juveniles within the department's jurisdiction (i.e. number of offenses reported, divided by number of youth under 18 years of age in city, times 1,000). Table 28 reports the same information for sheriff departments surveyed, except that for sheriff departments "offense rate" is computed using number of youth under 18 in the county.

Although the percent of offenses committed by males varies among departments, both for police and sheriff departments, males accounted for at least 50 percent of all juvenile contacts for every department surveyed. There is very little variation in the percent of contacts that were made across population categories; all four police department categories handled between 71 and 77 percent males and the four sheriff department categories handled between 67 and 83 percent males.

Examining the number of white and non-white juvenile contacts reported, it is apparent that a major portion of Indian juvenile contacts were made by a relatively small number of the departments surveyed.



Table 27

Number of Offenses Reported, Sex and Race of Offenders,  
and Offense Rates for Police Departments Surveyed

POP. CAT.	CITY	NUMBER OF OFFENSES REPORTED	SEX			RACE				OFFENSE RATE <sup>1</sup>
			MALE	FEMALE	% MALE	WHITE	INDIAN	OTHER	% WHITE	
OVER 25,000	Sioux Falls	1377	1054	323	77	1315	60	2	95	53.4
	Aberdeen	440	334	106	76	423	17	0	96	50.8
	Rapid City	991	768	223	77	653	329	9	66	61.6
	TOTAL	2808	2156	652	77	2391	406	11	85	55.6
5,000-15,000	Brookings	162	120	42	74	161	1	0	99	50.9
	Watertown	248	180	68	73	235	13	0	95	52.5
	Vermillion	179	141	38	79	149	30	0	83	87.5
	Yankton	153	99	54	65	126	23	4	82	38.8
	Pierre	214	138	76	64	165	45	4	77	57.6
	Lead	88	68	20	77	86	2	0	98	41.6
	TOTAL	1044	746	298	71	922	114	8	88	52.9
1,000-5,000	Clark	0	0	0	-	0	0	0	-	0.0
	Beresford	24	14	10	58	24	0	0	100	48.8
	Dell Rapids	15	14	1	93	15	0	0	100	20.8
	Parkston	22	22	0	100	22	0	0	100	48.0
	Springfield	49	25	24	51	29	20	0	59	159.6
	Highmore	26	22	4	85	26	0	0	100	70.1
	Miller	30	26	4	87	30	0	0	100	39.8
	Redfield	81	66	15	81	79	2	0	95	93.0
	Spearfish	42	26	16	62	39	3	0	93	37.4
	TOTAL	289	215	74	74	264	25	0	91	52.7
UNDER 1,000	Castlewood	0	0	0	-	0	0	0	-	0.0
	Alcester	15	14	1	93	14	1	0	93	98.7
	Armour	25	22	3	88	25	0	0	100	89.3
	New Effington	4	2	2	50	4	0	0	100	56.3
	Presho	73	48	25	66	72	1	0	99	222.6
	Hill City	25	20	5	80	24	1	0	96	198.4
	TOTAL	142	106	36	75	139	3	0	98	124.7
	SAMPLE TOTAL	4283	3223	1060	75	3716	548	19	87	55.7

<sup>1</sup>Offense Rate = (No. Offenses Reported) (1000)/(No. Youth Under 18 in City)

Table 28

Number of Offenses Reported, Sex and Race of Offenders,  
and Offense Rates for Sheriff Departments Surveyed

Pop. Category	COUNTY	NUMBER OF OFFENSES REPORTED	SEX			RACE				OFFENSE RATE <sup>1</sup>
			MALE	FEMALE	% MALE	WHITE	INDIAN	OTHER	% WHITE	
Over 25,000	Minnehaha	92	76	16	83	90	1	1	98	2.6
	Brown	13	10	3	77	13	0	0	100	1.0
	TOTAL	105	86	19	82	103	1	1	98	2.2
15,000-25,000	Brookings	62	45	17	73	59	3	0	95	9.9
	Davison	127	97	30	76	102	25	0	80	21.3
	Lawrence	40	29	11	73	40	0	0	100	6.6
	TOTAL	229	171	58	75	201	28	0	88	12.5
5,000-15,000	Grant	64	39	25	61	63	1	0	98	19.3
	Turner	148	102	46	69	139	9	0	94	45.8
	Bon Homme	243	182	61	75	238	5	0	98	92.2
	Edmunds	34	28	6	82	34	0	0	100	16.0
	Walworth	36	34	2	94	20	16	0	56	12.1
	Butte	37	24	13	65	31	6	0	84	13.1
	TOTAL	562	409	153	73	525	37	0	93	32.8
1,000-5,000	Sanborn	75	43	32	57	75	0	0	100	55.4
	Stanley	68	53	15	78	64	3	1	94	69.0
	TOTAL	143	96	47	67	139	3	1	97	61.2
Sample Total		1039	762	277	73	968	69	2	93	12.1

<sup>1</sup>Offense Rate= (No. Offenses Reported) (1000)/(No. Youth Under 18 in County)

Of the 24 police departments from which data was obtained, white youths accounted for at least 93 percent of all juvenile contacts for 19 departments. The other five police departments (Rapid City, Vermillion, Yankton, Pierre, and Springfield) together accounted for 82 percent (447) of the 548 Indian youths contacted by police departments. For 10 of the 13 sheriff departments, white youths accounted for at least 94 percent of all juvenile contacts. The other three sheriff departments (Davison Co., Walworth Co., and Butte Co.) made 68 percent (47) of the 69 sheriff department contacts with Indian youth. Thus, a high incidence of Indian youth contacts by law enforcement agencies appears to be a scattered local phenomenon, dependent on local Indian population level and local circumstances, rather than a state-wide occurrence. An example of a local circumstance producing a high percentage of Indian contacts is provided by Springfield. Of the 49 juvenile contacts reported by the Springfield police department, 20 (41%) were Indian youths. However, all 20 of these youths were runaways from the nearby St. Mary's School for Indian Girls. The other 29 youths contacted all were children of local residents, and all were white.

Offense rates, rather than being good indicators of juvenile "crime rate," are in general probably more indicative of law enforcement policies and responsibilities. A prime example of the effect of variations in enforcement policies on number of juvenile offenses reported (thus, on offense rates) is the enforcement of curfew laws by police departments. Curfew violation was the sixth most frequently reported offense by police departments surveyed, accounting for 235 (5%) of the 4283 police departments' juvenile contacts reported. However, only 10 of the 24 police departments enforced curfew laws. Table 29 breaks down curfew law enforcement policy according to city population.

Table 29

Police Departments Enforcing Curfew  
Laws According to City Population

CITY POPULATION	NUMBER OF DEPARTMENTS IN SAMPLE	CURFEW ENFORCED	
		YES	NO
Over 25,000	3	3	0
5,000-15,000	6	4	2
1,000-5,000	9	2*	7
Under 1,000	6	1	5
<b>TOTALS</b>	<b>24</b>	<b>10</b>	<b>14</b>

\*These two departments, Dell Rapids and Redfield, simply send curfew violators home. They each reported sending several home per week. These "contacts" were not considered offenses; thus, they are not included in the offense data reported earlier.

Seven of the nine police departments in cities over 5,000 reported that they enforced curfew laws; whereas, only one of 15 departments in cities under 5,000 actually enforced curfew laws. If a city does not enforce curfew laws, no curfew violations are reported, which tends to lower the total number of offenses reported. Furthermore, the level of enforcement of curfew laws, of those departments reporting that they enforced them, varied significantly. Presho, a city with about 300 youths under 18, reported 45 curfew violations (62% of the 73 offenses Presho reported); whereas, Sioux Falls, a city with about 25,000 youth under 18, reported only 30 curfew violations (2% of 1377 offenses reported.) This large difference obviously reflects different enforcement policies rather than the actual number of violations committed.

Policy differences in enforcement of liquor laws probably have an even greater effect on number of offenses reported and "offense rates" than do curfew law enforcement variations. Although all departments enforce liquor laws, some tend to ignore minor liquor violations unless another, more serious, offense is also involved; whereas, other

departments enforce liquor laws much more stringently. Also , a major part of sheriff department enforcement of liquor laws consists of "breaking up beer parties." Some sheriff departments reported that they attempt to apprehend juveniles at these beer parties; whereas, other departments simply disperse the partiers without even checking identification. In the former case a large number of juvenile liquor law violations are reported, in the latter case none are reported.

Another major source of variation in "offense rates" for sheriff departments is that their law enforcement responsibilities vary widely from county to county. In many of the more urban counties (e.g. Minnehaha, Brown, Brookings, Lawrence), the local police departments handle most juvenile criminal activity. Thus the juvenile "offense rate" for the sheriff departments is very low. In more rural counties (e.g. Turner, Bon Homme, Sanborn), the sheriff department is responsible for all or most law enforcement activities. This responsibility is reflected in higher juvenile "offense rates." In other counties (e.g. Davison), the sheriff department stations deputies in smaller communities to perform as local "police" officers for these communities. The type and number of offenses reported by these county sheriff departments reflect this local police function (e.g. Davison county was the only sheriff department to report curfew violations).

## RECIDIVISM

Each of the 5322 juvenile contacts ( i.e., juveniles charged with an offense) reported was classified either as a first offense or as a repeat offense. A juvenile contact was classified as a first offense if the juvenile had no past contacts with the law enforcement agency reporting the offense. A juvenile contact was classified as a repeat offense if the juvenile had been apprehended in the past by the law enforcement agency reporting the offense. Thus, a juvenile classified as a first offender could have been apprehended for offenses in the past by other law enforcement agencies. Many juveniles had more than one contact with a given law enforcement agency in 1975; thus, the same juvenile may have been a first offender for his/her first 1975 contact and a repeater for later contacts.

Table 30 summarizes the number of first offenses and repeat offenses reported by all 37 law enforcement agencies surveyed, according to offense committed, and the sex and race of the offender.<sup>9</sup> Table 30 also reports the percent of offenses committed by repeat offenders. Of the 5322 juvenile contacts reported, 43 percent (2290) were repeat offenses. (For all agencies except Sioux Falls P.D., 40 percent of the 3945 contacts reported were repeat offenses.) The percent of repeat offenses varied widely for different offenses, ranging from eight percent for weapons to 100 percent for forcible rape and arson.

9. Since data on number of first and repeat offenses was not readily available from Sioux Falls Police Department according to offense and race, only their total numbers of first and repeat offenses of each sex are reported in Table 30, and these are reflected only in the grand totals. Thus, the body of the table includes data from all departments except Sioux Falls P.D. This procedure is also followed for Table 31 and Table 33.

Table 30

Number of First and Repeat Offenses According to  
Offense, Sex, and Race: All Agencies Surveyed

OFFENSE	SEX	RACE				OFFENSE TOTAL			
		WHITE		NON-WHITE		First	Repeat	% Repeaters	
		First	Repeat	First	Repeat				
Murder or manslaughter	M	1			1		50		
	F					1			
Forcible rape	M					1	100		
	F								
Robbery	M	1	5	3	5	11	73		
	F				1				
Aggravated assault	M	4	3	1	1	6	46		
	F			2	2				
Burglary	M	103	126	14	46	180	58		
	F	8	5	3	3				
Larceny-theft	M	325	158	25	55	261	33		
	F	154	36	28	12				
Auto theft	M	31	23	4	25	57	58		
	F	5	6	2	3				
Other assaults	M	11	11	2	4	25	57		
	F	1	2	5	8				
Arson	M				1	1	100		
	F								
Forgery	M	3	12			16	53		
	F	10	3	1	1				
Fraud or embezzlement	M	9	8			8	47		
	F								
Stolen property	M	14	10	4	5	16	46		
	F	1	1						
Vandalism	M	202	147	9	12	170	41		
	F	25	7	6	4				
Weapons	M	12			1	1	8		
	F								
Sex offense	M	7	2	2	2	4	31		
	F								
Drug violation	M	62	29	1	2	41	34		
	F	15	7		3				
DWI	M	22	18	2	4	25	46		
	F	4	3	1					
Liquor laws	M	435	258	11	12	360	37		
	F	159	82	10	8				
Disorderly conduct	M	49	24	4	12	45	35		
	F	26	1	4	8				
Curfew	M	70	61	9	8	101	44		
	F	40	26	7	6				
Runaway	M	69	45	9	12	121	37		
	F	84	46	45	18				
Truancy	M	14	3	1		3	13		
	F	5							
All other non-traffic offenses	M	110	65	12	47	139	47		
	F	28	18	6	9				
Total: all offenses	M	1554	1008	113	256	1264	43		
	F	565	243	120	86				
Total: not includ. Sioux Falls P.D.		2119	1251	233	342	1593	40		
Total: all offenses, including Sioux Falls P.D.						M	2142	1843	46
						F	890	447	33
TOTAL							3032	2290	43

The percent of repeat offenses for the five most frequently reported offenses was 33 percent for larceny-theft, 37 percent for liquor law violation, 41 percent for vandalism, 37 percent for runaway, and 58 percent for burglary, respectively. For these five offenses (which accounted for 71 percent of all offenses reported) combined, 39 percent of the reported offenses were repeat offenses.

Repeat offenses were more likely to occur for males than for females. Of the 3985 male contacts by law enforcement agencies, 46 percent (1843) were repeat offenses. Of the 1337 female contacts, only 33 percent (447) were repeat offenses. Thus, nearly half of all male juvenile contacts, and about one-third of all female contacts, were reported to be repeat offenses.

A much larger percent of non-white juveniles than of white juveniles were apprehended more than once by reporting law enforcement agencies. Of the 575 non-white youth contacts (Sioux Falls data not available), 59 percent (342) were repeat offenses; whereas, only 37 percent (1251) of the 3370 white juvenile contacts were repeat offenses. (The data on non-white contacts may be considered to represent Indian youth, since 97 percent of the 638 contacts with non-whites were Indian). Repeat offenses were greater for both male and female non-white juveniles than their white counterparts. Sixty-nine percent of offenses for non-white males were repeat offenses, compared to only 39 percent for white males. Of the offenses reported for non-white females, 42 percent were repeat offenses; whereas, just 30 percent of white female offenses were repeat offenses.

Comparing the extent of recidivism for status offenses and delinquent offenses, 39 percent of status offenses and 41 percent of delinquent offenses were repeat offenses. Thus the percent of offenses that were repeat offenses was about the same as that for delinquent offenses.



Tables 31 and 32 summarize the data on first and repeat offenses for all police departments surveyed and all sheriff departments surveyed, respectively.

Overall, 44 percent (1904) of the 4283 juvenile offenses reported by police departments and 37 percent (386) of the 1,039 juvenile offenses reported by sheriff departments were repeat offenses. It is not readily apparent why police departments reported a higher percentage of repeat offenses than sheriff departments. However, it may be simply because a large portion of the police data came from the three cities over 25,000 and these cities reported a high percentage (51%) of repeat offenses; whereas, the largest portion of the sheriff department data came from the six counties between 5,000 and 15,000 in population, and these counties reported a low percentage (27%) of repeat offenses.

Another substantial difference in police and sheriff department recidivism data exists in the male-female breakdowns of repeater rates. For the police departments, a much higher percentage of males (48%) than of females (33%) were included in the repeat offenses category. However, for sheriff departments, the percentage of repeat offenses for males (38%) and for females (36%) is nearly equal.

Tables 33-36 break down the police department data on first and repeat offenses according to city population category. Tables 37-40 provide the same breakdown of sheriff department recidivism data according to county population category. For police departments, the percentage of repeat offenses drops from 51 percent in cities over 25,000 to 29 percent in cities between 5,000 and 15,000, to 26% in cities between 1,000 and 5,000, then increases dramatically to 55 percent in cities under 1,000. A similar, surprising pattern exists according to population category for sheriff departments. The percentage of repeat offenses reported by sheriff departments drops from

Table 31

Number of First and Repeat Offenses According to Offense,  
Sex, and Race: All Police Departments Surveyed

OFFENSE	SEX	RACE				OFFENSE TOTAL			
		WHITE		NON-WHITE		First	Repeat	% Repeaters	
		First	Repeat	First	Repeat				
Murder or manslaughter	M	1			1		50		
	F					1			
Forcible rape	M						-		
	F					0			
Robbery	M	1	3	3	5	4	9	69	
	F				1				
Aggravated assault	M	3	3	1	1	6	6	50	
	F			2	2				
Burglary	M	84	102	13	42	106	151	59	
	F	6	4	3	3				
Larceny-theft	M	289	135	25	50	482	229	32	
	F	140	32	28	12				
Auto theft	M	22	15	4	12	28	33	54	
	F	2	3		3				
Other assaults	M	5	6	2	4	13	20	61	
	F	1	2	5	8				
Arson	M				1	0	1	100	
	F								
Forgery	M	2	6			8	9	53	
	F	6	2		1				
Fraud or embezzlement	M	3	5			3	5	63	
	F								
Stolen property	M	11	10	2	4	14	15	52	
	F	1	1						
Vandalism	M	147	120	8	12	168	137	45	
	F	8	1	5	4				
Weapons	M	10			1	10	1	9	
	F								
Sex offense	M	4	2	2	2	6	4	40	
	F								
Drug violation	M	30	18	1	1	40	23	37	
	F	9	3		1				
DWI	M	19	13	2	3	25	18	42	
	F	3	2	1					
Liquor laws	M	221	154	7	8	311	201	39	
	F	74	33	9	6				
Disorderly conduct	M	35	20	3	11	58	40	41	
	F	17	1	3	8				
Curfew	M	62	59	6	7	108	97	47	
	F	34	25	6	6				
Runaway	M	36	31	7	10	153	92	38	
	F	70	33	40	18				
Truancy	M	14	2			19	2	10	
	F	5							
All other non-traffic offenses	M	96	54	11	44	136	113	45	
	F	23	8	6	7				
Total: all offenses	M	1095	758	97	219	1192	977	45	
	F	399	150	108	80				
Total: Not including Sioux Falls P.D.		1494	908	205	299	1699	1207	42	
Total: All Offenses including Sioux Falls P.D.						M	1687	1336	48
						F	712	348	33
Total							2379	1904	44

Table 32

Number of First and Repeat Offenses According to  
Offense, Sex, and Race: All Sheriff Departments Surveyed

OFFENSE	SEX	RACE				OFFENSE TOTAL		
		WHITE		NON-WHITE		First	Repeat	% Repeaters
		First	Repeat	First	Repeat			
Murder or manslaughter	M					0	0	-
	F							
Forcible rape	M				1	0	1	100
	F							
Robbery	M		2			0	2	100
	F							
Aggravated assault	M	1				1	0	0
	F							
Burglary	M	19	24	1	4	22	29	57
	F	2	1					
Larceny-theft	M	36	23		5	50	32	39
	F	14	4					
Auto theft	M	9	8		13	14	24	63
	F	3	3	2				
Other assaults	M	6	5			6	5	45
	F							
Arson	M					0	0	-
	F							
Forgery	M	1	6			6	7	54
	F	4	1	1				
Fraud or embezzlement	M	6	3			6	3	33
	F							
Stolen property	M	3		2	1	5	1	17
	F							
Vandalism	M	55	27	1		74	33	31
	F	17	6	1				
Weapons	M	2				2	0	0
	F							
Sex offense	M	3				3	0	0
	F							
Drug violation	M	32	11		1	38	18	32
	F	6	4		2			
DWI	M	3	5		1	4	7	64
	F	1	1					
Liquor laws	M	214	104	4	4	304	159	34
	F	85	49	1	2			
Disorderly conduct	M	14	4	1	1	25	5	17
	F	9		1				
Curfew	M	8	2	3	1	18	4	18
	F	6	1	1				
Runaway	M	33	14	2	2	54	29	35
	F	14	13	5				
Truancy	M		1	1		1	1	50
	F							
All other non-traffic offenses	M	14	11	1	3	20	26	57
	F	5	10		2			
Total: all offenses	M	459	250	16	37	475	287	38
	F	166	93	12	6	178	99	36
Total		625	343	28	43	653	386	37

Table 33

Number of First and Repeat Offenses According to  
Offense, Sex, and Race: Police Departments in Cities  
Over Twenty-five Thousand

OFFENSE	SEX	RACE				OFFENSE TOTAL			
		WHITE		NON-WHITE		First	Repeat	% Repeaters	
		First	Repeat	First	Repeat				
Murder or manslaughter	M				1	0	1	100	
	F								
Forcible rape	M					0	0	-	
	F								
Robbery	M		3	2	5	2	9	82	
	F				1				
Aggravated assault	M	3	3	1	1	5	6	55	
	F			1	2				
Burglary	M	82	75	12	41	80	120	60	
	F	3	2	3	2				
Larceny-theft	M	122	90	17	39	228	151	40	
	F	73	13	16	9				
Auto theft	M	12	6	3	11	15	18	55	
	F				1				
Other assaults	M	3	5	1	4	9	18	67	
	F	1	1	4	8				
Arson	M					0	0	-	
	F								
Forgery	M	2	6			4	7	64	
	F	2			1				
Fraud or embezzlement	M	1	3			1	5	83	
	F								
Stolen property	M	8	10	2	4	11	15	58	
	F	1	1						
Vandalism	M	29	89	3	8	36	101	74	
	F			4	4				
Weapons	M	4			1	4	1	20	
	F								
Sex offense	M	4	2	2	2	6	4	40	
	F								
Drug violation	M	23	9	1	1	30	14	32	
	F	6	3		1				
DWI	M	7	6	1	2	10	9	47	
	F	2	1						
Liquor laws	M	48	52		4	67	64	49	
	F	18	7	1	1				
Disorderly conduct	M	7	11	3	7	13	26	67	
	F	1		2	8				
Curfew	M	6	8	2	4	18	17	49	
	F	10	3		2				
Runaway	M	24	27	5	10	92	67	42	
	F	47	20	16	10				
Truancy	M					0	0	-	
	F								
All other non-traffic offenses	M	37	46	8	39	53	94	64	
	F	5	2	3	7				
Total: all offenses	M	402	453	83	134	465	637	58	
	F	169	53	50	57	219	110	33	
Total: Not includ Sioux Falls P.D.		571	506	113	241	684	747	52	
		Total: all offenses including Sioux Falls P.D.				M	940	1216	56
						F	424	228	34
TOTAL						1364	1444	51	

Table 34

Number of First and Repeat Offenses According to  
Offense, Sex, and Race: Police Departments in Cities  
Between Five and Fifteen Thousand

OFFENSE	SEX	RACE				OFFENSE TOTAL		
		WHITE		NON-WHITE		First	Repeat	% Repeaters
		First	Repeat	First	Repeat			
Murder or manslaughter	M	1				1	0	0
	F							
Forcible rape	M					0	0	-
	F							
Robbery	M	1		1		2	0	0
	F							
Aggravated assault	M					1	0	0
	F			1				
Burglary	M	17	17	1	1	21	19	48
	F	3	1					
Larceny-theft	M	138	35	8	11	215	65	23
	F	59	16	10	3			
Auto theft	M	7	4	1		10	8	44
	F	2	2		2			
Other assaults	M	2	1	1		4	2	33
	F		1	1				
Arson	M				1	0	1	100
	F							
Forgery	M					4	2	33
	F	4	2					
Fraud or embezzlement	M	2				2	0	0
	F							
Stolen property	M					0	0	-
	F							
Vandalism	M	50	19	5	4	55	24	30
	F		1					
Weapons	M	5				5	0	0
	F							
Sex offense	M					0	0	-
	F							
Drug violation	M	5	9			8	9	53
	F	3						
DWI	M	11	7	1	1	14	9	39
	F	1	1	1				
Liquor laws	M	102	59	7	4	157	82	34
	F	40	14	8	5			
Disorderly conduct	M	12	4		4	19	9	32
	F	6	1	1				
Curfew	M	56	26	4	3	86	38	31
	F	20	5	6	4			
Runaway	M	9	3	1		37	19	34
	F	21	11	6	5			
Truancy	M	13	2			17	2	11
	F	4						
All other non-traffic offenses	M	55	8	3	4	79	18	19
	F	18	6	3				
Total: all offenses	M	486	194	33	33	519	227	30
	F	181	61	37	19	218	80	27
Total		667	255	70	52	737	307	29

Table 35

Number of First and Repeat Offenses According to  
Offense, Sex, and Race: Police Departments in Cities  
Between One and Five Thousand

OFFENSE	SEX	RACE				OFFENSE TOTAL		
		WHITE		NON-WHITE		First	Repeat	% Repeaters
		First	Repeat	First	Repeat			
Murder or manslaughter	M					0	0	-
	F							
Forcible rape	M					0	0	-
	F							
Robbery	M					0	0	-
	F							
Aggravated assault	M					0	0	-
	F							
Burglary	M	3	4			3	6	67
	F		1		1			
Larceny-theft	M	15	7			23	8	26
	F	6	1	2				
Auto theft	M	2	2		1	2	4	67
	F		1					
Other assaults	M					0	0	-
	F							
Arson	M					0	0	-
	F							
Forgery	M					0	0	-
	F							
Fraud or embezzlement	M					0	0	-
	F							
Stolen property	M					0	0	-
	F							
Vandalism	M	51	6			53	6	10
	F	2						
Weapons	M	1				1	0	0
	F							
Sex offense	M					0	0	-
	F							
Drug violation	M	2				2	0	0
	F							
DWI	M	1				1	0	0
	F							
Liquor laws	M	62	35			77	45	37
	F	15	10					
Disorderly conduct	M	16				26	0	0
	F	10						
Curfew	M					0	0	-
	F							
Runaway	M	3	1	1		23	6	21
	F	2	2	17	3			
Truancy	M	1				2	0	0
	F	1						
All other non-traffic offenses	M	1				1	0	0
	F							
Total: all offenses	M	158	55	1	1	159	56	26
	F	36	15	19	4	55	19	26
Total		194	70	20	5	214	75	26

Table 36

Number of First and Repeat Offenses According to  
Offense, Sex, and Race: Police Departments in Cities  
Under One Thousand

60

OFFENSE	SEX	RACE				OFFENSE TOTAL		
		WHITE		NON-WHITE		First	Repeat	% Repeater
		First	Repeat	First	Repeat			
Murder or manslaughter	M					0	0	-
	F							
Forcible rape	M					0	0	-
	F							
Robbery	M					0	0	-
	F							
Aggravated assault	M					0	0	-
	F							
Burglary	M	2	6			2	6	75
	F							
Larceny-theft	M	14	3			16	5	24
	F	2	2					
Auto theft	M	1	3			1	3	75
	F							
Other assaults	M					0	0	-
	F							
Arson	M					0	0	-
	F							
Forgery	M					0	0	-
	F							
Fraud or embezzlement	M					0	0	-
	F							
Stolen property	M	3				3	0	0
	F							
Vandalism	M	17	6			24	6	20
	F	6		1				
Weapons	M					0	0	-
	F							
Sex offense	M					0	0	-
	F							
Drug violation	M					0	0	-
	F							
DWI	M					0	0	-
	F							
Liquor laws	M	9	8			10	10	50
	F	1	2					
Disorderly conduct	M		5			0	5	100
	F							
Curfew	M		25			4	42	91
	F	4	17					
Runaway	M					1	0	0
	F							
Truancy	M					0	0	-
	F							
All other non-traffic offenses	M	3			1	3	1	25
	F							
Total: all offenses	M	49	56	0	1	49	57	54
	F	13	21	2	0	15	21	58
Total		62	77	2	1	64	78	55

Table 37

Number of First and Repeat Offenses According to  
Offense, Sex, and Race: Sheriff Departments in  
Counties Over Twenty-five Thousand

OFFENSE	SEX	RACE				OFFENSE TOTAL		
		WHITE		NON-WHITE		First	Repeat	% Repeaters
		First	Repeat	First	Repeat			
Murder or manslaughter	M					0	0	-
	F							
Forcible rape	M					0	0	-
	F							
Robbery	M		2			0	2	100
	F							
Aggravated assault	M					0	0	-
	F							
Burglary	M	7	7			8	8	50
	F	1	1					
Larceny-theft	M	3	7			3	9	75
	F		2					
Auto theft	M	5	2			5	2	29
	F							
Other assaults	M		2			0	2	100
	F							
Arson	M					0	0	-
	F							
Forgery	M					0	0	-
	F							
Fraud or embezzlement	M	1	1			1	1	50
	F							
Stolen property	M	1				1	0	0
	F							
Vandalism	M		2			3	2	40
	F	3						
Weapons	M					0	0	-
	F							
Sex offense	M					0	0	-
	F							
Drug violation	M	4				4	0	0
	F							
DWI	M					0	0	-
	F							
Liquor laws	M	4	3			6	3	33
	F	2						
Disorderly conduct	M	1				1	0	0
	F							
Curfew	M					0	0	-
	F							
Runaway	M	8	6	1		10	7	41
	F	1	1					
Truancy	M					0	0	-
	F							
All other non-traffic offenses	M	11	7	1		17	10	37
	F	6	3					
Total: all offenses	M	45	39	2	0	47	39	45
	F	12	7	0	0	12	7	37
Total		57	46	2	0	59	46	44



Table 38

Number of First and Repeat Offenses According to  
Offense, Sex, and Race: Sheriff Departments  
in Counties Between Fifteen and Twenty-five Thousand

OFFENSE	SEX	RACE				OFFENSE TOTAL		
		WHITE		NON-WHITE		First	Repeat	% Repeaters
		First	Repeat	First	Repeat			
Murder or manslaughter	M					0	0	-
	F							
Forcible rape	M					0	0	-
	F							
Robbery	M					0	0	-
	F							
Aggravated assault	M	1				1	0	0
	F							
Burglary	M	9	1		2	9	3	25
	F							
Larceny-- theft	M	11	3		3	14	7	33
	F	3	1					
Auto theft	M				7	0	8	100
	F		1					
Other assaults	M	1	1			1	1	50
	F							
Arson	M					0	0	-
	F							
Forgery	M	1	4			4	4	50
	F	2		1				
Fraud or embezzlement	M	5				5	0	0
	F							
Stolen property	M	1				1	0	0
	F							
Vandalism	M	15	5	1		19	5	21
	F	2		1				
Weapons	M					0	0	-
	F							
Sex offense	M	3				3	0	0
	F							
Drug violation	M	7	3			7	3	30
	F							
DWI	M					1	0	0
	F	1						
Liquor laws	M	32	9	2	1	45	13	22
	F	10	3	1				
Disorderly conduct	M	2		1		5	0	0
	F	2						
Curfew	M	8	2	2	1	17	4	19
	F	6	1	1				
Runaway	M	12	7		1	22	17	44
	F	10	9					
Truancy	M					0	0	-
	F							
All other non-traffic offenses	M	1	3		5	1	9	90
	F		3					
Total: all offenses	M	109	38	6	18	115	56	33
	F	36	18	4	0			
TOTAL		145	56	10	18	155	74	32

Table 39

Number of First and Repeat Offenses According to  
Offense, Sex, and Race: Sheriff Departments in Counties  
Between Five and Fifteen Thousand

OFFENSE	SEX	RACE				OFFENSE TOTAL		
		WHITE		NON-WHITE		First	Repeat	% Repeaters
		First	Repeat	First	Repeat			
Murder or manslaughter	M					0	0	-
	F							
Forcible rape	M				1	0	1	100
	F							
Robbery	M					0	0	-
	F							
Aggravated assault	M					0	0	-
	F							
Burglary	M	2	5	1	2	4	7	64
	F	1						
Larceny-theft	M	22	9		2	33	11	25
	F	11						
Auto theft	M	4	6		6	8	14	64
	F	3	2	1				
Other assaults	M		1			0	1	100
	F							
Arson	M					0	0	-
	F							
Forgery	M		2			2	3	60
	F	2	1					
Fraud or embezzlement	M		2			0	2	100
	F							
Stolen property	M	1		2	1	3	1	25
	F							
Vandalism	M	35	16			46	21	31
	F	11	5					
Weapons	M	2				2	0	0
	F							
Sex offense	M					0	0	-
	F							
Drug violation	M	20	4		1	26	7	21
	F	6			2			
DWI	M	3	4		1	3	6	67
	F		1					
Liquor laws	M	171	48	1	3	244	63	21
	F	72	10		2			
Disorderly conduct	M	9				15	0	0
	F	6						
Curfew	M			1		1	0	0
	F							
Runaway	M	13	1	1	1	22	5	19
	F	3	3	5				
Truancy	M		1	1		1	1	50
	F							
All other non-traffic offenses	M	2	1			2	7	78
	F		4		2			
Total: all offenses	M	284	100	7	18	291	118	29
	F	115	26	6	6	121	32	21
Total		399	126	13	24	412	150	27

Table 40

Number of First and Repeat Offenses According to  
Offense, Sex, and Race: Sheriff Departments in Counties  
Between One and Five Thousand

OFFENSE	SEX	RACE				OFFENSE TOTAL		
		WHITE		NON-WHITE		First	Repeat	% Repeaters
		First	Repeat	First	Repeat			
Murder or manslaughter	M					0	0	-
	F							
Forcible rape	M					0	0	-
	F							
Robbery	M					0	0	-
	F							
Aggravated assault	M					0	0	-
	F							
Burglary	M	1	11			1	11	92
	F							
Larceny-theft	M		4			0	5	100
	F		1					
Auto theft	M					1	0	0
	F			1				
Other assaults	M	5	1			5	1	17
	F							
Arson	M					0	0	-
	F							
Forgery	M					0	0	-
	F							
Fraud or embezzlement	M					0	0	-
	F							
Stolen property	M					0	0	-
	F							
Vandalism	M	5	4			6	5	45
	F	1	1					
Weapons	M					0	0	-
	F							
Sex offense	M					0	0	-
	F							
Drug violation	M	1	4			1	8	89
	F		4					
DWI	M		1			0	1	100
	F							
Liquor laws	M	7	44	1		9	80	90
	F	1	36					
Disorderly conduct	M	2	4		1	4	5	56
	F	1		1				
Curfew	M					0	0	-
	F							
Runaway	M					0	0	-
	F							
Truancy	M					0	0	-
	F							
All other non-traffic offenses	M					0	0	-
	F							
Total: all offenses	M	21	73	1	1	22	74	77
	F	3	42	2	0	5	42	89
Total		24	115	3	1	27	116	81

44 percent in counties over 25,000, to 32 percent in counties between 15,000 and 25,000, and to 27% in counties between 5,000 and 15,000 and then increases astronomically to 81 percent in counties between 1,000 and 5,000. This unexpected relationship between percent repeat offenses reported and population of jurisdiction is presented graphically in Figure 5.

While no obvious explanation exists for this apparently U-shaped relationship between percentage repeat offenses and population, several explanations appear feasible. First, it is possible that, in the very rural areas, a few juveniles may account for most offenses reported, by being picked up repeatedly. A second possibility is that law enforcement officers in the very rural areas are not set up for effective counselling of juvenile offenders. Third, it is possible that punishment is less stringent in the very rural areas (problems may be handled more informally) and, therefore, is less of a deterrent to future delinquent acts by juveniles. A final and more likely possibility is that this apparent relationship between recidivism and population is simply a product of reporting based upon memory by the agencies in less populous areas.

Table 41, which presents an agency-by agency breakdown of reported number and percent repeat offenses, adds indirect support to the possibility that reporting based upon memory produced a spurious relationship between extent of recidivism and population. There is much greater variation in reported percent repeat offenses by agencies reporting recidivism data from memory than by agencies reporting this data from records. This variation suggests possible inaccuracies in reporting. For example, among police departments in cities under 1,000, Armour reported only four percent repeat offenses; whereas Presho, a city of similar size, reported 89 percent repeat offenses. Thus, the data

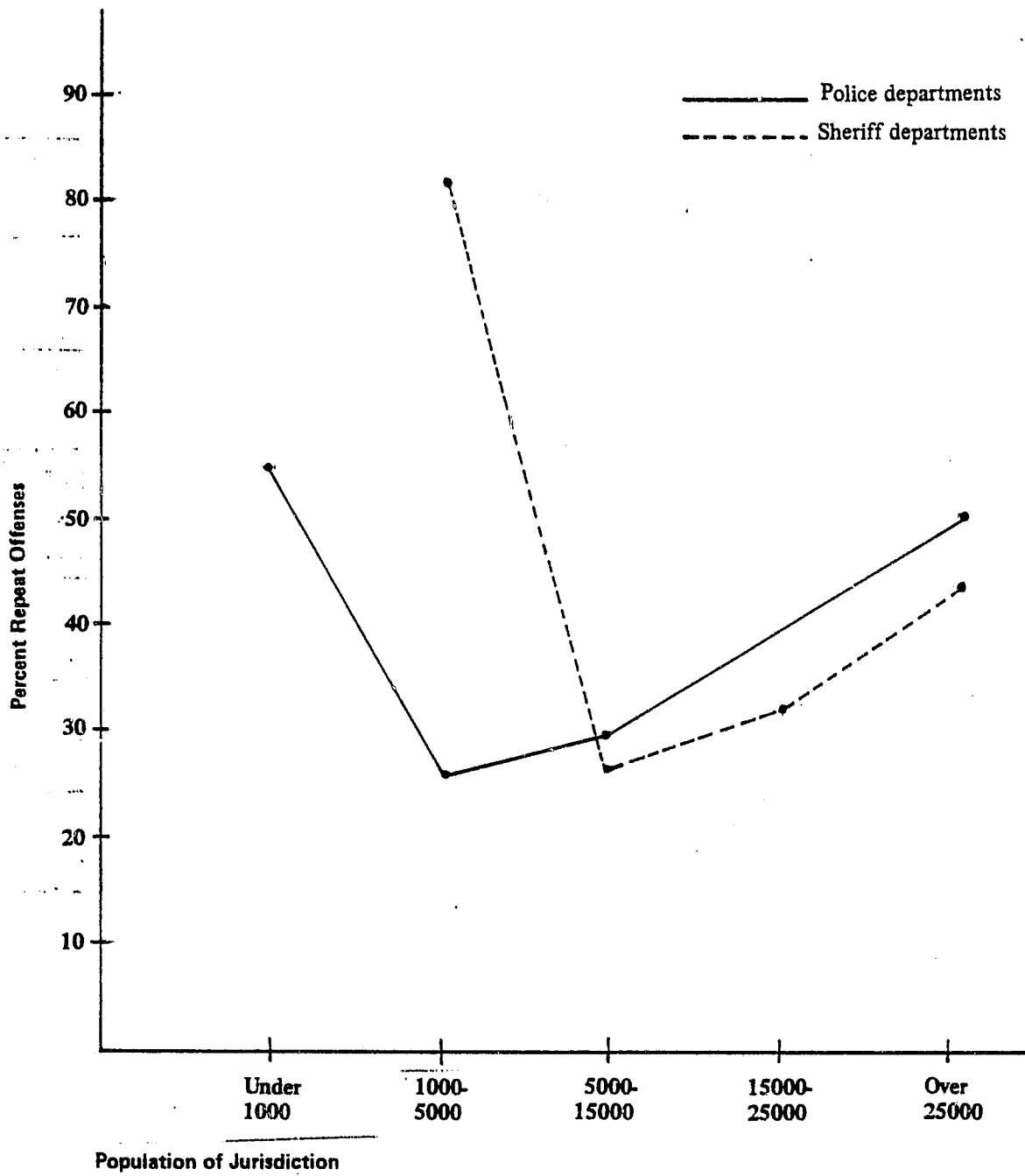


FIGURE 5

PERCENT REPEAT OFFENSES REPORTED BY POLICE AND SHERIFF DEPARTMENTS ACCORDING TO POPULATION OF JURISDICTION

Table 41

Number and Percent Repeat Offenses Reported by Each Law Enforcement Agency Surveyed According to Type of Agency and Population of Jurisdiction

Population Category	Police Departments			Sheriff Departments		
	City	Number of Repeat Offenses	Percent Repeaters	County	Number of Repeat Offenses	Percent Repeaters
over 25000	Sioux Falls (R)	697	51	Minnepaha (R)	38	41
	Aberdeen (R)	217	49	Brown (R)	8	62
	Rapid City (R)	530	53			
	Total	1444	51	Total	46	44
15000-25000				Brookings	31	50
				Davison (R)	36	28
				Lawrence	7	18
			Total	74	32	
5000-15000	Brookings (R)	38	23	Grant	35	55
	Watertown (R)	64	26	Turner	40	27
	Vermillion (R)	68	38	Bon Homme	34	14
	Yankton (R)	35	23	Edmunds	8	24
	Pierre (R)	85	40	Walworth (R)	20	56
	Lead (R)	17	19	Butte	13	35
	Total	307	29	Total	150	27
1000-5000	Clark	0	-	Sanborn	64	85
	Beresford	1	4	Stanley	52	76
	Dell Rapids (R)	2	13			
	Parkston	4	18			
	Springfield	4	8			
	Miller	4	13			
	Redfield	33	41			
	Highmore	17	65			
	Spearfish	10	24			
Total	75	26	Total	116	81	
under 1000	Castlewood	0	-			
	Alcester	1	7			
	Armour	1	4			
	New Effington	3	75			
	Presho	65	89			
	Hill City	8	32			
	Total	78	55			
Police Total		1904	44	Sheriff Total		386
						37

Note: An (R) following department name indicates that most data on first vs. repeat offense status was obtained from records, rather than from memory.

on recidivism for agencies reporting from memory should be interpreted with particular caution.

The possibility of some inaccuracies in the reporting of recidivism data notwithstanding, the data indicates that a large percentage of juveniles who come into contact with law enforcement agencies do so more than once. The data also indicates that the number of repeated offenses is greater among male than among female juveniles, and is greater among non-white than among white juveniles.

#### AGENCY DISPOSITION OF JUVENILE OFFENDERS

##### Definitions

Dispositions of juvenile offenders by law enforcement agencies were divided into two broad categories, informal and referral. Informal dispositions were all those which served to divert the youth from the juvenile justice system. They include primarily the following:

- (1) juvenile was warned and released without notification of parents or guardian;
- (2) juvenile was warned and released to parent or guardian, with no further action being taken;
- (3) juvenile was released to parent or guardian following monetary restitution to victim of offense;
- (4) juvenile was released to parent or guardian on condition that he/she complete a work restitution program;
- (5) juvenile was released to parent or guardian on condition that he/she receive counseling from an agency approved source.

A disposition was classified as a referral if:

- (1) the juvenile was turned over to another law enforcement agency;
- (2) the juvenile (or his/her name) along with a case report, was turned over to the court and disposition left to the court's discretion.

Several agencies informed the court of each juvenile case they handled informally, allowing the court the possibility of over-ruling them if the court had information on the juvenile not available to the law enforcement agency. These dispositions were classified informal unless the court over-ruled the agency disposition.

#### Disposition Policies

Of the 24 police departments providing 1975 juvenile offense data, four stated that they automatically referred juvenile contacts, with standard exceptions, to court (i.e. court service worker).<sup>10</sup> The other 20 police departments stated they took a combination of factors into account for each juvenile contact in deciding whether to refer the case to court.

Of the 13 sheriff departments providing 1975 juvenile offense data, five stated they automatically referred juvenile contacts, with certain exceptions, to court.<sup>11</sup> The other eight sheriff departments stated they used several criteria in deciding whether to refer each juvenile case to court.

Of the nine law enforcement agencies (four police departments and five sheriff departments) automatically referring all or most juveniles to court, three (Lead Police Department, Lawrence Co. Sheriff Department, and Butte Co. Sheriff Department) stated that they had been directed by

10. Aberdeen P.D. referred all juveniles apprehended to court except first offense curfew violators, runaways, and minor first offense vandalism cases, who are released to parents; Yankton P.D. referred all juvenile contacts, except first offense curfew violators, to court; Lead P.D. referred all juvenile cases to court except curfew violators when police are busy with more pressing matters; and Highmore P.D. referred all juveniles apprehended except minor liquor law violations.

11. Brown County, Butte County, and Stanley County Sheriff Departments stated they automatically referred all juveniles apprehended to court; Brookings County stated they automatically referred all except first offense runaways to court; and Lawrence county stated that all juvenile contacts, except minor liquor law violations, were automatically referred to court.



the court to refer all juvenile contacts to their respective court service workers. These three agencies are all in neighboring Lawrence and Butte counties in the eighth judicial circuit. The other six departments which automatically referred most juvenile contacts to court stated that they did so voluntarily.

The 20 police departments and eight sheriff departments which stated they used several criteria in deciding each juvenile disposition were asked to list these criteria. Table 42 lists all criteria mentioned, and gives the number of police and sheriff departments which mentioned each criterion listed.

Table 42

Criteria Used By Law Enforcement Agencies in  
Determining Disposition in Juvenile Cases

CRITERION	POLICE DEPARTMENTS (N=20)	SHERIFF DEPARTMENTS (N=8)	TOTAL (N=28)
Past offenses	19	8	27
Seriousness of offense	16	8	24
Age	10	3	13
Parents' cooperation	6	6	12
Attitude	1	2	3
Seriousness of past offense	2	1	3
Acquainted w/family	0	1	1
Degree of involvement	1	0	1
Time since previous offense	1	0	1

Whether the juvenile had committed past offenses and the seriousness of the present offense were by far the most frequently mentioned criteria. The age of the juvenile and the cooperativeness of the juveniles' parents were also frequently mentioned. Although it is probably true that most of the departments used most of the criteria listed in Table 42 to some extent in making disposition decisions, the most general policy followed was that if the offense was not serious, and if the juvenile had no record of past offenses, and if the parents cooperated, and especially if the juvenile was young,

the case was handled informally; otherwise it was referred to court. However, almost every department varied to some extent from this general policy. Some of the more notable variations were the following:

- 1) The Vermillion Police Department, for liquor law violations, disorderly conduct, curfew violation, and a few instances of larceny-theft and vandalism regularly refers second-time offenders to counselling rather than to court. Third-time offenders are automatically referred to court.
- 2) Pierre Police Department takes the length of time since a past offense into account, instead of simply the existence of a past offense. If any past offense occurred more than a few months prior to the present one, the youth is treated similar to a first time offender. Pierre P.D. also stated that the seriousness of past offenses is an important consideration.
- 3) Edmunds County Sheriff Department will release a juvenile offender to the parents or guardian if the sheriff knows the parent and believes the parent will handle the problem. If the sheriff believes the parent will not effectively handle the situation, or if the sheriff does not know the family, he will refer the case to court. The sheriff states that if he does not know the parents he doesn't know whether they will handle the problem or not; thus, he must rely on the court.
- 4) Sioux Falls Police Department juvenile bureau, rather than using any given set of criteria in all cases, "judges each case individually, depending on the case and the individual juvenile." To make sure of consistency, all cases go through the head of the juvenile bureau for approval.

Since one of the most frequently mentioned criteria in deciding whether to refer a juvenile to court was the "seriousness" of the offense, each department was asked which offenses were serious enough that a juvenile apprehended for that offense would be automatically referred to court. Table 43 lists, for each offense, the number of police departments and sheriff departments in each population category which stated they would automatically refer the juvenile offender to court. For only five of the offenses (murder-manslaughter, forcible rape, robbery, aggravated assault, and DWI) did all 37 agencies surveyed agree that they would automatically refer the juvenile offender to court. Most agencies stated they would refer juvenile offenders to court automatically for burglary, auto theft, arson, forgery, fraud embezzlement, sex offenses, and drug violations. However, only a minority of agencies surveyed stated they would automatically refer

Table 43

Number of Agencies which Automatically Refer Juvenile Contacts to Court According to Type of Agency, Population of Jurisdiction, and Offense Committed

Agency Type and Population Category		OFFENSE																						
		NO. DEPTS. IN SAMPLE	Murder & Manslaughter	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny-theft	Auto theft	Other Assaults	Arson	Forgery	Fraud or Embezzlement	Stolen Property	Vandalism	Weapons	Sex Offenses	Drug Violations	DWI	Liquor Laws	Disorderly Conduct	Curfew	Runaway	Truancy
Police Departments	Over 25,000	3	3	3	3	3	2	1	2	1	2	2	2	2	0	1	2	2	3	1	1	0	0	0
	5,000-15,000	6	6	6	6	6	6	3	6	5	6	6	5	5	2	6	6	6	6	2	2	0	3	3
	1,000-5,000	9	9	9	9	9	8	3	9	7	8	9	9	6	3	7	9	9	9	1	2	0	2	2
	Under 1,000	6	6	6	6	6	5	0	5	4	4	4	4	4	0	4	4	4	6	0	0	0	0	0
	TOTAL	24	24	24	24	24	21	7	22	17	20	21	20	17	5	18	21	21	24	4	5	0	5	5
Sheriff Departments	Over 25,000	2	2	2	2	2	1	1	2	2	2	2	2	1	2	2	2	2	2	1	1	1	1	2
	15,000-25,000	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	1	2	0	1	1
	5,000-15,000	6	6	6	6	6	6	2	5	5	6	6	6	3	1	4	6	3	6	1	1	1	2	2
	1,000-5,000	2	2	2	2	2	2	1	2	2	2	2	2	2	1	2	1	2	2	1	1	1	1	1
	TOTAL	13	13	13	13	13	12	7	12	12	13	13	13	9	7	11	12	10	13	4	5	3	5	6
SAMPLE TOTAL		37	37	37	37	37	33	14	34	29	33	34	33	26	12	29	33	31	37	8	10	3	10	11

juvenile offenders to court for larceny-theft, vandalism, liquor law violation, disorderly conduct, curfew, runaway, and truancy.

Disposition Data Reported by Law Enforcement Agencies

Of the 5322 juvenile contacts reported by the 37 law enforcement agencies reporting juvenile offense data, 44 percent (2357) were handled informally by the law enforcement agencies and 56 percent (2965) were referred to court (or to other law enforcement agencies). Table 44 presents a breakdown of the disposition of these 5322 juvenile contacts according to offense, and to the sex and race of the juveniles.<sup>12</sup>

The offenses resulting in the greatest numbers of court referrals were larceny-theft (653), liquor law violation (475), burglary (353) vandalism (255), and runaway (245), together accounting for 67 percent (1981) of the 2965 referrals reported. The percent of juvenile contacts referred to court varied from nine percent for truancy to 100 percent for murder-manslaughter, forcible rape, robbery, and DWI. However, for all offenses except truancy, at least 35 percent of all juvenile contacts were referred to court. The percent of offenders referred to court for the five most frequently reported juvenile offenses was 56 percent for larceny-theft, 43 percent for liquor law violation, 44 percent for vandalism, 53 percent for runaway, and 83 percent for burglary.

Of the offenses all or most agencies stated were automatically referred to court (murder-manslaughter, 100% referred; forcible rape, 100%; robbery, 100%; aggravated assault, 94%; burglary, 83%; auto theft, 94%; arson, 40%; forgery, 78%; fraud-embezzlement, 75%; sex offenses, 71%; drug violations, 66%; and DWI, 100%), 82 percent of the combined

1016 juvenile contacts reported were referred to court. On the other  
 12. Data on disposition according to race was not available from Sioux Falls Police Department. Thus Sioux Falls disposition is presented only in the Offense Total column of Table 44. This procedure is also followed in Table 45 and Table 47.

Table 44

Disposition of Juvenile Offenders According to Offense,  
Sex, and Race by All Agencies Surveyed\*

74

OFFENSE	SEX	RACE				OFFENSE TOTAL		
		WHITE		NON-WHITE		Informal	Referral	% Referred
		Informal	Referral	Informal	Referral			
Murder or manslaughter	M		1		1			
	F					0	2	100
Forcible rape	M				1			
	F					0	2	100
Robbery	M		6		8			
	F				1	0	19	100
Aggravated assault	M		7		2			
	F				4	1	15	94
Burglary	M	27	202	7	53	73	353	83
	F	6	7		6			
Larceny-theft	M	146	337	17	63			
	F	62	128	10	30	523	653	56
Auto theft	M		54		29			
	F		11		5	11	168	94
Other assaults	M	7	15	1	5			
	F		3	2	11	21	48	70
Arson	M				1			
	F					3	2	40
Forgery	M		15			8	28	78
	F	3	10		2			
Fraud or embezzlement	M		17			6	18	75
	F							
Stolen property	M	8	16	2	7	12	24	67
	F	1	1					
Vandalism	M	163	186	7	14	324	255	44
	F	10	22	2	8			
Weapons	M	7	5		1			
	F					13	7	35
Sex offense	M	2	7		4	5	12	71
	F							
Drug violation	M	17	74	1	2	80	156	66
	F	8	14		3			
DWI	M		40		6			
	F		7		1	0	54	100
Liquor laws	M	381	312	9	14	636	475	43
	F	156	85	5	13			
Disorderly conduct	M	21	52	2	14	51	103	67
	F	10	17		12			
Curfew	M	85	46	8	9	165	92	36
	F	50	16	4	9			
Runaway	M	48	66	12	9	219	245	53
	F	61	69	35	28			
Truancy	M	16	1		1	21	2	9
	F	5						
All other non-traffic offenses	M	81	94	6	53	185	222	56
	F	18	28	2	13			
Total: all offenses	M	1009	1553	72	297	1700	2285	57
	F	390	418	60	146	657	680	51
Total		1399	1971	132	443	2357	2965	56

\* Sioux Falls P.D. dispositions included only in Offense Total column, since racial breakdown of their disposition data was not readily available.

hand, for the offenses relatively few agencies stated were automatically referred to court (larceny- theft 56% referred; vandalism, 44%; liquor law violation, 43%; disorderly conduct, 67%; curfew, 36%; runaway, 53%; and truancy, 9%), only 48 percent of the 3764 juvenile contacts reported were referred to court. These percentages are substantially above and substantially below the overall 56 percent referral rate, respectively. In general, then, stated disposition policies conformed well with actual dispositions reported.

A somewhat higher percentage of males, than of females, were referred to court. Of the 3985 males contacted by law enforcement agencies, 57 percent (2285) were referred to court; whereas, 51 percent (680) of the 1337 female contacts were referred to court. However, it should be recalled that a substantially greater percentage of males than of females, were in the repeat offense category (46% of males vs. 33% of females); and whether or not a juvenile was a repeater was one of the most important criteria used in making a decision on disposition. Furthermore, for the offenses listed above which resulted in virtually automatic court referrals, 88 percent of the 1016 contacts reported were males; whereas, overall, only 75 percent of reported contacts were males. Taking these factors into account, there is virtually no evidence that sex of offender is a factor in the disposition of juvenile cases. That is, the somewhat higher percentage of males referred to court is easily accounted for by the higher percentage of males accounting for repeat offenders and the higher than average percentage of males involved in the more serious offenses.

Non-white juveniles were far more likely to be referred to court than white juveniles (Sioux Falls data not available). Of the 575 non-white juvenile contacts, 77 percent (443) were referred to court, compared to only 58 percent (1971) of the 3370 white juvenile contacts.

Again, however, much of this difference is probably due to the fact that 59 percent of non-whites and only 37 percent of whites were being charged more often. Also, whereas non-whites accounted for 12 percent of all offenses, they accounted for 15 percent of those offenses resulting in a high rate of court referrals. Thus, all other things being equal, there is no indication that non-whites were more likely than whites to be referred to court.

As indicated above, there is no evidence of differential disposition decisions by law enforcement agencies on the basis of sex or race. However, the form in which the data was collected did not allow a direct test of these possibilities. Future surveys of this type should collect the data in such a way that recidivism can be taken into account when examining disposition data. Then the questions would be, are male and female and white and non-white first offenders treated differentially, are second-time offenders treated differentially according to sex or race, etc. In the subjective opinion of the data gatherer in the present survey, there was no evidence that sex or race were factors in disposition decisions for any of the agencies surveyed; however, this subjective opinion should be tested empirically.

Although status offenses were no less likely than delinquent offenses to be repeaters, status offenders were somewhat less likely to be referred to court. Of the 744 status offenses reported, 46 percent (339) resulted in court referrals; whereas, 57 percent (2626) of the 4578 delinquent offenses reported resulted in court referrals.

The percent of offenses resulting in court referrals differed substantially among the different status offenses. Of the 23 cases of truancy reported, only two, or nine percent, were referred to court; and both cases referred to court were referred by a single department

(Walworth Co. Sheriff Department) of the 37 surveyed.

Thirty-six percent of the 257 reported curfew violations were referred to court; but this percentage does not reflect the fact that only 10 police departments and one sheriff department even enforced curfew, and that two police departments (Redfield and Dell Rapids) reported a substantial number of curfew "contacts" which were not included as offenses because the juveniles were simply sent home.

The percent of runaways referred to court (53%) was much higher than that for truancy and curfew, being nearly equal to the 57 percent referred to court for delinquent offenses. As with curfew (and liquor law violation), disposition policy varied greatly among departments. Several departments almost automatically returned runaways to their parents (e.g., Aberdeen P.D., Brookings, Co. Sheriff Dept.); whereas, other departments automatically referred runaways to court (e.g., Vermillion P.D.), feeling that a runaway child was often indicative of problems in the home which should be called to the attention of the court.

Table 45 and 46 present the data on disposition of juvenile offenders (according to offense, sex, and race) for police departments and sheriff departments, respectively. Overall, 58 percent (2483) of the 4283 juvenile contacts reported by police departments were referred to court, compared to only 46 percent (482) of the 1039 juvenile contacts reported by sheriff departments.

This greater overall tendency of police departments to refer juveniles to court is a somewhat misleading picture of the comparative disposition policies of police and sheriff departments: Of the five most frequently reported offenses (larceny-theft, liquor law violation, vandalism, runaway, and burglary), sheriff departments referred a higher percentage of juveniles apprehended to court for all except liquor



Table 45

Disposition of Juvenile Offenders According to Offense, Sex,  
and Race by All Police Departments Surveyed\*

78

OFFENSE	SEX	RACE				OFFENSE TOTAL		
		WHITE		NON-WHITE		Informal	Referral	% Referred
		Informal	Referral	Informal	Referral			
Murder or manslaughter	M		1		1	0	2	100
	F							
Forcible rape	M					0	1	100
	F							
Robbery	M		4		8	0	17	100
	F				1			
Aggravated assault	M		6		2	1	14	93
	F				4			
Burglary	M	26	160	7	48	70	305	81
	F	4	6		6			
Larceny-theft	M	122	302	17	58	491	603	55
	F	54	118	10	30			
Auto theft	M		37		16	11	130	92
	F		5		3			
Other assaults	M	2	9	1	5	16	42	72
	F		3	2	11			
Arson	M				1	3	2	40
	F							
Forgery	M		8			6	17	74
	F	1	7		1			
Fraud or embezzlement	M		8			6	9	60
	F							
Stolen property	M	6	15	2	4	10	20	67
	F	1	1					
Vandalism	M	122	145	6	14	272	200	42
	F	1	8	1	8			
Weapons	M	5	5		1	11	7	39
	F							
Sex offense	M		6		4	3	11	79
	F							
Drug violation	M	3	45		2	60	120	67
	F	3	9		1			
DWI	M		32		5	0	43	100
	F		5		1			
Liquor laws	M	123	252	5	10	257	391	60
	F	40	67	4	11			
Disorderly conduct	M	11	44	1	13	32	92	74
	F	2	16		11			
Curfew	M	75	46	5	8	144	91	39
	F	43	16	3	9			
Runaway	M	41	26	10	7	207	174	46
	F	58	45	35	23			
Truancy	M	16				21	0	0
	F	5						
All other non-traffic offenses	M	77	73	5	50	179	192	52
	F	17	14	2	11			
Total: all offenses	M	629	1224	59	257	1307	1916	59
	F	229	320	57	131	493	567	53
Total		858	1544	116	388	1800	2483	58

\* Sioux Falls P.O. dispositions included only in Offense Total column, since racial breakdown of their disposition date was not readily available.

**CONTINUED**

**1 OF 2**

Table 46

## Disposition of Juvenile Offenders According to Offense, Sex, and Race by All Sheriff Departments Surveyed

OFFENSE	SEX	RACE				OFFENSE TOTAL		
		WHITE		NON-WHITE		Informal	Referral	% Referred
		Informal	Referral	Informal	Referral			
Murder or manslaughter	M					0	0	-
	F							
Forcible rape	M				1	0	1	100
	F							
Robbery	M		2			0	2	100
	F							
Aggravated assault	M		1			0	1	100
	F							
Burglary	M	1	42		5	3	48	94
	F	2	1					
Larceny-theft	M	24	35		5	32	50	61
	F	8	10					
Auto theft	M		17		13	0	38	100
	F		6		2			
Other assaults	M	5	6			5	6	55
	F							
Arson	M					0	0	-
	F							
Forgery	M		7			2	11	85
	F	2	3		1			
Fraud or embezzlement	M		9			0	9	100
	F							
Stolen property	M	2	1		3	2	4	67
	F							
Vandalism	M	41	41	1		52	55	51
	F	9	14	1				
Weapons	M	2				2	0	0
	F							
Sex offense	M	2	1			2	1	33
	F							
Drug violation	M	14	29	1		20	36	64
	F	5	5		2			
DWI	M		8		1	0	11	100
	F		2					
Liquor laws	M	258	60	4	4	379	84	18
	F	116	18	1	2			
Disorderly conduct	M	10	8	1	1	19	11	37
	F	8	1		1			
Curfew	M	10		3	1	21	1	5
	F	7		1				
Runaway	M	7	40	2	2	12	71	86
	F	3	24		5			
Truancy	M		1		1	0	2	100
	F							
All other non-traffic offenses	M	4	21	1	2	6	40	87
	F	1	14		2			
Total: all offenses	M	380	329	13	40	393	369	48
	F	161	98	3	15	164	113	41
Total		541	427	16	55	557	482	46

law violation. In fact, for all offenses except liquor law violation, sheriff departments referred 69 percent of all juvenile contacts to court, compared to only 58 percent by police departments. Liquor law violation accounted for a large portion (45%) of offenses reported by sheriff departments, and only 18 percent of liquor law violators were referred to court by sheriff departments. On the other hand, 60 percent of liquor law violators were referred to court by police departments. Thus, in general sheriff departments were more likely than police departments to refer juveniles to court. However, for liquor law violation, police departments were much more likely than sheriff departments to send the violator to court.

Both police and sheriff departments referred a slightly higher percentage of males than of females, police departments referring 59 percent of male contacts and 53 percent of female contacts and sheriff departments referring 48 percent of males and 41 percent of females.

The pattern of dispositions according to race differed somewhat between police and sheriff departments. Both police and sheriff departments referred 77 percent of non-white juveniles to court; but, while police departments referred 64 percent of white juveniles to court, sheriff departments referred only 44 percent of white juveniles. Thus, police departments referred only a slightly higher percentage of non-whites than of whites to court; whereas, sheriff departments referred a much higher percentage of non-whites than of whites to court. This great difference in the percent of whites and non-whites referred to court by sheriff departments is accounted for primarily by the fact that virtually all liquor law violations (whom sheriff departments tended to handle informally) were white. For all offenses except liquor law violation, 68 percent of whites and

82 percent of non-whites were referred to court. This remaining difference in the percentage of whites and non-whites referred to court by sheriff departments, as well as the difference in these percentages for police departments, are easily accounted for by the much higher percentage of non-whites than of whites who committed repeat offenses.

Tables 47-50 provide a breakdown of the police department disposition data according to city population category; and Tables 51-54 provide the same breakdown of sheriff department disposition data according to county population category. Police departments in both city population categories over 5,000 referred about six of every 10 juvenile contacts to court, departments in cities over 25,000 referred 60 percent to court and departments in cities between 5,000 and 15,000 referred 62 percent to court; police departments in cities between 1,000 and 5,000 referred 40 percent of juvenile contacts to court; and police departments in cities under 1,000 referred only 31 percent of juvenile contacts to court. Thus, for police departments there was a general decrease, with decreasing population, in the tendency to refer juveniles to court.

Similarly, for sheriff departments, the percent of juveniles referred to court dropped from 79 percent for departments in counties over 25,000, to 53 percent for departments in counties between 15,000 and 25,000, to 37 percent for departments in counties between 5,000 and 15,000 and then increased back to 49 percent for departments in counties between 1,000 and 5,000.

These general decreases in percent court referrals with decreases in population, presented graphically in Figure 6, cannot be adequately explained by appealing only to differential repeat offense rates, since differences in percent referrals do not generally correspond in magnitude (and, in some cases, direction) to differences in percent repeat offenses.

Table 47

Disposition of Juvenile Offenders According to Offense, Sex, and Race  
by Police Departments in Cities Over Twenty-five Thousand\*

82

OFFENSE	SEX	RACE				OFFENSE TOTAL																																																																																																																																																																																																																																																																																																																																									
		WHITE		NON-WHITE		Informal	Referral	% Referred																																																																																																																																																																																																																																																																																																																																							
		Informal	Referral	Informal	Referral																																																																																																																																																																																																																																																																																																																																										
Murder or manslaughter	M				1	0	1	100																																																																																																																																																																																																																																																																																																																																							
	F								Forcible rape	M					0	1	100	F					Robbery	M		3		7	0	15	100	F				1	Aggravated assault	M		6		2	1	13	93	F				3	Burglary	M	14	123	7	46	58	260	82	F	4	1		5	Larceny-theft	M	45	167	12	44	376	386	51	F	26	60	5	20	Auto theft	M		18		14	11	102	90	F				1	Other assaults	M	1	7	1	4	15	37	71	F		2	2	10	Arson	M					3	1	25	F					Forgery	M		8			6	11	65	F	1	1		1	Fraud or embezzlement	M		6			6	7	54	F					Stolen property	M	4	14	2	4	8	19	70	F	1	1			Vandalism	M	35	83	2	9	179	125	41	F				8	Weapons	M	2	2		1	8	4	33	F					Sex offense	M		6		4	3	11	79	F					Drug violation	M	2	30		2	57	104	65	F	1	8		1	DWI	M		13		3	0	19	100	F		3			Liquor laws	M	8	92		4	97	170	64	F	4	21		2	Disorderly conduct	M	2	16		10	21	44	68	F	1			10	Curfew	M	6	8		6	32	33	51	F	8	5		2	Runaway	M	32	19	8	7	143	152	52	F	29	38	11	15	Truancy	M					0	0	-	F					All other non-traffic offenses	M	22	61	2	45	104	165	61	F	2	5		10	Total: all offenses	M	173	682	34	213	826	1330	62	F	77	145	18	89	Total		250	827	52
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	F								Sex offense	M		6		4	3	11	79	F					Drug violation	M	2	30		2	57	104	65	F	1	8		1	DWI	M		13		3	0	19	100	F		3			Liquor laws	M	8	92		4	97	170	64	F	4	21		2	Disorderly conduct	M	2	16		10	21	44	68	F	1			10	Curfew	M	6	8		6	32	33	51	F	8	5		2	Runaway	M	32	19	8	7	143	152	52	F	29	38	11	15	Truancy	M					0	0	-	F					All other non-traffic offenses	M	22	61	2	45	104	165	61	F	2	5		10	Total: all offenses	M	173	682	34	213	826	1330	62	F	77	145	18	89	Total		250	827	52	302	1128	1680	60																																																																																																																																																																																		
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	F								Drug violation	M	2	30		2	57	104	65	F	1	8		1	DWI	M		13		3	0	19	100	F		3			Liquor laws	M	8	92		4	97	170	64	F	4	21		2	Disorderly conduct	M	2	16		10	21	44	68	F	1			10	Curfew	M	6	8		6	32	33	51	F	8	5		2	Runaway	M	32	19	8	7	143	152	52	F	29	38	11	15	Truancy	M					0	0	-	F					All other non-traffic offenses	M	22	61	2	45	104	165	61	F	2	5		10	Total: all offenses	M	173	682	34	213	826	1330	62	F	77	145	18	89	Total		250	827	52	302	1128	1680	60																																																																																																																																																																																																
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	F	1	8		1				DWI	M		13		3	0	19	100	F		3			Liquor laws	M	8	92		4	97	170	64	F	4	21		2	Disorderly conduct	M	2	16		10	21	44	68	F	1			10	Curfew	M	6	8		6	32	33	51	F	8	5		2	Runaway	M	32	19	8	7	143	152	52	F	29	38	11	15	Truancy	M					0	0	-	F					All other non-traffic offenses	M	22	61	2	45	104	165	61	F	2	5		10	Total: all offenses	M	173	682	34	213	826	1330	62	F	77	145	18	89	Total		250	827	52	302	1128	1680	60																																																																																																																																																																																																														
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	F	4	21		2				Disorderly conduct	M	2	16		10	21	44	68	F	1			10	Curfew	M	6	8		6	32	33	51	F	8	5		2	Runaway	M	32	19	8	7	143	152	52	F	29	38	11	15	Truancy	M					0	0	-	F					All other non-traffic offenses	M	22	61	2	45	104	165	61	F	2	5		10	Total: all offenses	M	173	682	34	213	826	1330	62	F	77	145	18	89	Total		250	827	52	302	1128	1680	60																																																																																																																																																																																																																																										
Disorderly conduct	M	2	16		10	21	44	68																																																																																																																																																																																																																																																																																																																																							
	F	1			10				Curfew	M	6	8		6	32	33	51	F	8	5		2	Runaway	M	32	19	8	7	143	152	52	F	29	38	11	15	Truancy	M					0	0	-	F					All other non-traffic offenses	M	22	61	2	45	104	165	61	F	2	5		10	Total: all offenses	M	173	682	34	213	826	1330	62	F	77	145	18	89	Total		250	827	52	302	1128	1680	60																																																																																																																																																																																																																																																								
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	F	8	5		2				Runaway	M	32	19	8	7	143	152	52	F	29	38	11	15	Truancy	M					0	0	-	F					All other non-traffic offenses	M	22	61	2	45	104	165	61	F	2	5		10	Total: all offenses	M	173	682	34	213	826	1330	62	F	77	145	18	89	Total		250	827	52	302	1128	1680	60																																																																																																																																																																																																																																																																						
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	F	29	38	11	15				Truancy	M					0	0	-	F					All other non-traffic offenses	M	22	61	2	45	104	165	61	F	2	5		10	Total: all offenses	M	173	682	34	213	826	1330	62	F	77	145	18	89	Total		250	827	52	302	1128	1680	60																																																																																																																																																																																																																																																																																				
Truancy	M					0	0	-																																																																																																																																																																																																																																																																																																																																							
	F								All other non-traffic offenses	M	22	61	2	45	104	165	61	F	2	5		10	Total: all offenses	M	173	682	34	213	826	1330	62	F	77	145	18	89	Total		250	827	52	302	1128	1680	60																																																																																																																																																																																																																																																																																																		
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	F	2	5		10				Total: all offenses	M	173	682	34	213	826	1330	62	F	77	145	18	89	Total		250	827	52	302	1128	1680	60																																																																																																																																																																																																																																																																																																																
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	F	77	145	18	89				Total		250	827	52	302	1128	1680	60																																																																																																																																																																																																																																																																																																																														
Total		250	827	52	302	1128	1680	60																																																																																																																																																																																																																																																																																																																																							

\*Sioux Falls P.D. dispositions included only in Offense Total column, since racial breakdown of their disposition data was not readily available.

Table 48

## Disposition of Juvenile Offenders According to Offense, Sex, and Race by Police Departments in Cities Between Five and Fifteen Thousand

OFFENSE	SEX	RACE				OFFENSE TOTAL		
		WHITE		NON-WHITE		Informal	Referral	% Referred
		Informal	Referral	Informal	Referral			
Murder or manslaughter	M		1					
	F					0	1	100
Forcible rape	M					0	0	-
	F							
Robbery	M		1		1			
	F					0	2	100
Aggravated assault	M					0	1	100
	F				1			
Burglary	M		34		2			
	F		4			0	40	100
Larceny-theft	M	56	117	5	14			
	F	21	54	5	8	87	193	69
Auto theft	M		11		1			
	F		4		2	0	18	100
Other assaults	M	1	2		1			
	F		1		1	1	5	83
Arson	M				1			
	F					0	1	100
Forgery	M							
	F		6			0	6	100
Fraud or embezzlement	M		2					
	F					0	2	100
Stolen property	M					0	0	-
	F							
Vandalism	M	27	42	4	5			
	F		1			31	48	61
Weapons	M	2	3					
	F					2	3	60
Sex offense	M							
	F					0	0	-
Drug violation	M	1	13					
	F	2	1			3	14	82
DWI	M		18		2			
	F		2		1	0	23	100
Liquor laws	M	52	109	5	6			
	F	15	39	4	9	76	163	68
Disorderly conduct	M	3	13	1	3			
	F	1	6		1	5	23	82
Curfew	M	44	38	5	2			
	F	15	10	3	7	67	57	46
Runaway	M	5	7	1				
	F	25	7	3	3	39	17	30
Truancy	M	15						
	F	4				19	0	0
All other non-traffic offenses	M	51	12	3	4			
	F	15	9	2	1	71	26	27
Total: all offenses	M	257	423	24	42	281	465	62
	F	98	144	22	34	120	178	60
Total		355	567	46	76	401	643	62

Table 49

Disposition of Juvenile Offenders According to Offense, Sex,  
and Race by Police Departments in Cities Between One  
and Five Thousand

OFFENSE	SEX	RACE				OFFENSE TOTAL		
		WHITE		NON-WHITE		Informal	Referral	% Referred
		Informal	Referral	Informal	Referral			
Murder or manslaughter	M					0	0	-
	F							
Forcible rape	M					0	0	-
	F							
Robbery	M					0	0	-
	F							
Aggravated assault	M					0	0	-
	F							
Burglary	M	4	3			4	5	56
	F		1		1			
Larceny-theft	M	8	14			13	18	58
	F	5	2		2			
Auto theft	M		4		1	0	6	100
	F		1					
Other assaults	M					0	0	-
	F							
Arson	M					0	0	-
	F							
Forgery	M					0	0	-
	F							
Fraud or embezzlement	M					0	0	-
	F							
Stolen property	M					0	0	-
	F							
Vandalism	M	45	12			46	13	22
	F	1	1					
Weapons	M	1				.1	0	0
	F							
Sex offense	M					0	0	-
	F							
Drug violation	M		2			0	2	100
	F							
DWI	M		1			0	1	100
	F							
Liquor laws	M	57	40			76	46	38
	F	19	6					
Disorderly conduct	M	6	10			6	20	77
	F		10					
Curfew	M					0	0	-
	F							
Runaway	M	4		1		24	5	17
	F	4		15	5			
Truancy	M	1				2	0	0
	F	1						
All other non-traffic offenses	M	1				1	0	0
	F							
Total: all offenses	M	127	86	1	1	128	87	40
	F	30	21	15	8	45	29	39
Total		157	107	16	9	173	116	40



Table 50

Disposition of Juvenile Offenders According to Offense, Sex,  
and Race by Police Departments in Cities Under One Thousand

OFFENSE	SEX	RACE				OFFENSE TOTAL		
		WHITE		NON-WHITE		Informal	Referral	% Referred
		Informal	Referral	Informal	Referral			
Murder or manslaughter	M					0	0	-
	F							
Forcible rape	M					0	0	-
	F							
Robbery	M					0	0	-
	F							
Aggravated assault	M					0	0	-
	F							
Burglary	M	8				8	0	0
	F							
Larceny-theft	M	13	4			15	6	29
	F	2	2					
Auto theft	M		4			0	4	100
	F							
Other assaults	M					0	0	-
	F							
Arson	M					0	0	-
	F							
Forgery	M					0	0	-
	F							
Fraud or embezzlement	M					0	0	-
	F							
Stolen property	M	2	1			2	1	33
	F							
Vandalism	M	15	8			16	14	47
	F		6	1				
Weapons	M					0	0	-
	F							
Sex offense	M					0	0	-
	F							
Drug violation	M					0	0	-
	F							
DWI	M					0	0	-
	F							
Liquor laws	M	6	11			8	12	60
	F	2	1					
Disorderly conduct	M		5			0	5	100
	F							
Curfew	M	25				45	1	2
	F	20	1					
Runaway	M					1	0	0
	F			1				
Truancy	M					0	0	-
	F							
All other non-traffic offenses	M	3			1	3	1	25
	F							
Total: all offenses	M	72	33	0	1	72	34	32
	F	24	10	2	0	26	10	28
Total		96	43	2	1	98	44	31

Table 51

Disposition of Juvenile Offenders According to Offense, Sex,  
and Race by Sheriff Departments in Counties  
Over Twenty-five Thousand

OFFENSE	SEX	RACE				OFFENSE TOTAL		
		WHITE		NON-WHITE		Informal	Referral	% Referred
		Informal	Referral	Informal	Referral			
Murder or manslaughter	M					0	0	-
	F							
Forcible rape	M					0	0	-
	F							
Robbery	M		2			0	2	100
	F							
Aggravated assault	M					0	0	-
	F							
Burglary	M	1	13			2	14	88
	F	1	1					
Larceny-theft	M	2	8			2	10	83
	F		2					
Auto theft	M		7			0	7	100
	F							
Other assaults	M	1	1			1	1	50
	F							
Arson	M					0	0	-
	F							
Forgery	M					0	0	-
	F							
Fraud or embezzlement	M		2			0	2	100
	F							
Stolen property	M	1				1	0	0
	F							
Vandalism	M		2			3	2	40
	F	3						
Weapons	M					0	0	-
	F							
Sex offense	M					0	0	-
	F							
Drug violation	M		4			0	4	100
	F							
DWI	M					0	0	-
	F							
Liquor laws	M	2	5			3	6	67
	F	1	1					
Disorderly conduct	M	1				1	0	0
	F							
Curfew	M					0	0	-
	F							
Runaway	M	1	13	1		3	14	82
	F	1	1					
Truancy	M					0	0	-
	F							
All other non-traffic offenses	M	4	14	1		6	21	78
	F	1	7					
Total: all offenses	M	13	71	2	0	15	71	83
	F	7	12	0	0	7	12	63
Total		20	83	2	0	22	83	79

Table 52

## Disposition of Juvenile Offenders According to Offense, Sex, and Race by Sheriff Departments in Counties Between Fifteen and Twenty-five Thousand

OFFENSE	SEX	RACE				OFFENSE TOTAL		
		WHITE		NON-WHITE		Informal	Referral	% Referred
		Informal	Referral	Informal	Referral			
Murder or manslaughter	M					0	0	-
	F							
Forcible rape	M					0	0	-
	F							
Robbery	M					0	0	-
	F							
Aggravated assault	M		1			0	1	100
	F							
Burglary	M		10		2	0	12	100
	F							
Larceny-theft	M	3	11		3	3	18	86
	F		4					
Auto theft	M				7	0	8	100
	F		1					
Other assaults	M		2			0	2	100
	F							
Arson	M					0	0	-
	F							
Forgery	M		5			0	8	100
	F		2		1			
Fraud or embezzlement	M		5			0	5	100
	F							
Stolen property	M		1			0	1	100
	F							
Vandalism	M	11	9	1		15	9	38
	F	2		1				
Weapons	M					0	0	-
	F							
Sex offense	M	2	1			2	1	33
	F							
Drug violation	M		10			0	10	100
	F							
DWI	M					0	1	100
	F		1					
Liquor laws	M	41		3		58	0	0
	F	13		1				
Disorderly conduct	M	2		1		5	0	0
	F	2						
Curfew	M	10		3		21	0	0
	F	7		1				
Runaway	M	1	18	1		4	35	90
	F	2	17					
Truancy	M					0	0	-
	F							
All other non-traffic offenses	M		4		3	0	10	100
	F		3					
Total: all offenses	M	70	77	9	15	79	92	51
	F	26	28	3	1	29	29	50
Total		96	105	12	16	108	121	53

Table 53

## Disposition of Juvenile Offenders According to Offense, Sex, and Race by Sheriff Departments in Counties Between Five and Fifteen Thousand

OFFENSE	SEX	RACE				OFFENSE TOTAL		
		WHITE		NON-WHITE		Informal	Referral	% Referred
		Informal	Referral	Informal	Referral			
Murder or manslaughter	M					0	0	-
	F							
Forcible rape	M					0	1	100
	F							
Robbery	M					0	0	-
	F							
Aggravated assault	M					0	0	-
	F							
Burglary	M		7		3	1	10	91
	F	1						
Larceny-theft	M	19	12		2	27	17	39
	F	8	3					
Auto theft	M		10		6	0	22	100
	F		5		1			
Other assaults	M		1			0	1	100
	F							
Arson	M					0	0	-
	F							
Forgery	M		2			2	3	60
	F	2	1					
Fraud or embezzlement	M		2			0	2	100
	F							
Stolen property	M	1			3	1	3	75
	F							
Vandalism	M	25	26			29	38	57
	F	4	12					
Weapons	M	2				2	0	0
	F							
Sex offense	M					0	0	-
	F							
Drug violation	M	14	10	1		20	13	39
	F	5	1		2			
DWI	M		7		1	0	9	100
	F		1					
Liquor laws	M	183	36	1	3	254	53	17
	F	70	12		2			
Disorderly conduct	M	7	2			13	2	13
	F	6						
Curfew	M				1	0	1	100
	F							
Runaway	M	5	9		2	5	22	81
	F		6		5			
Truancy	M		1		1	0	2	100
	F							
All other non-traffic offenses	M		3			0	9	100
	F		4		2			
Total: all offenses	M	256	128	2	23	358	151	37
	F	96	45	0	12	96	57	37
Total		352	173	2	35	354	208	37

Table 54

Disposition of Juvenile Offenders According to Offense, Sex,  
and Race by Sheriff Departments in Counties Be-  
tween One and Five Thousand

OFFENSE	SEX	RACE				OFFENSE TOTAL		
		WHITE		NON-WHITE		Informal	Referral	% Referred
		Informal	Referral	Informal	Referral			
Murder or manslaughter	M					0	0	-
	F							
Forcible rape	M					0	0	-
	F							
Robbery	M					0	0	-
	F							
Aggravated assault	M					0	0	-
	F							
Burglary	M		12			0	12	100
	F							
Larceny-theft	M		4			0	5	100
	F		1					
Auto theft	M					0	1	100
	F				1			
Other assaults	M	4	2			4	2	33
	F							
Arson	M					0	0	-
	F							
Forgery	M					0	0	-
	F							
Fraud or embezzlement	M					0	0	-
	F							
Stolen property	M					0	0	-
	F							
Vandalism	M	5	4			5	6	55
	F		2					
Weapons	M					0	0	-
	F							
Sex offense	M					0	0	-
	F							
Drug violation	M		5			0	9	100
	F		4					
DWI	M		1			0	1	100
	F							
Liquor laws	M	32	19		1	64	25	28
	F	32	5					
Disorderly conduct	M		6		1	0	9	100
	F		1		1			
Curfew	M					0	0	-
	F							
Runaway	M					0	0	-
	F							
Truancy	M					0	0	-
	F							
All other non-traffic offenses	M					0	0	-
	F							
Total: all offenses	M	41	53	0	2	41	55	57
	F	32	13	0	2	32	15	32
Total		73	66	0	4	73	70	49

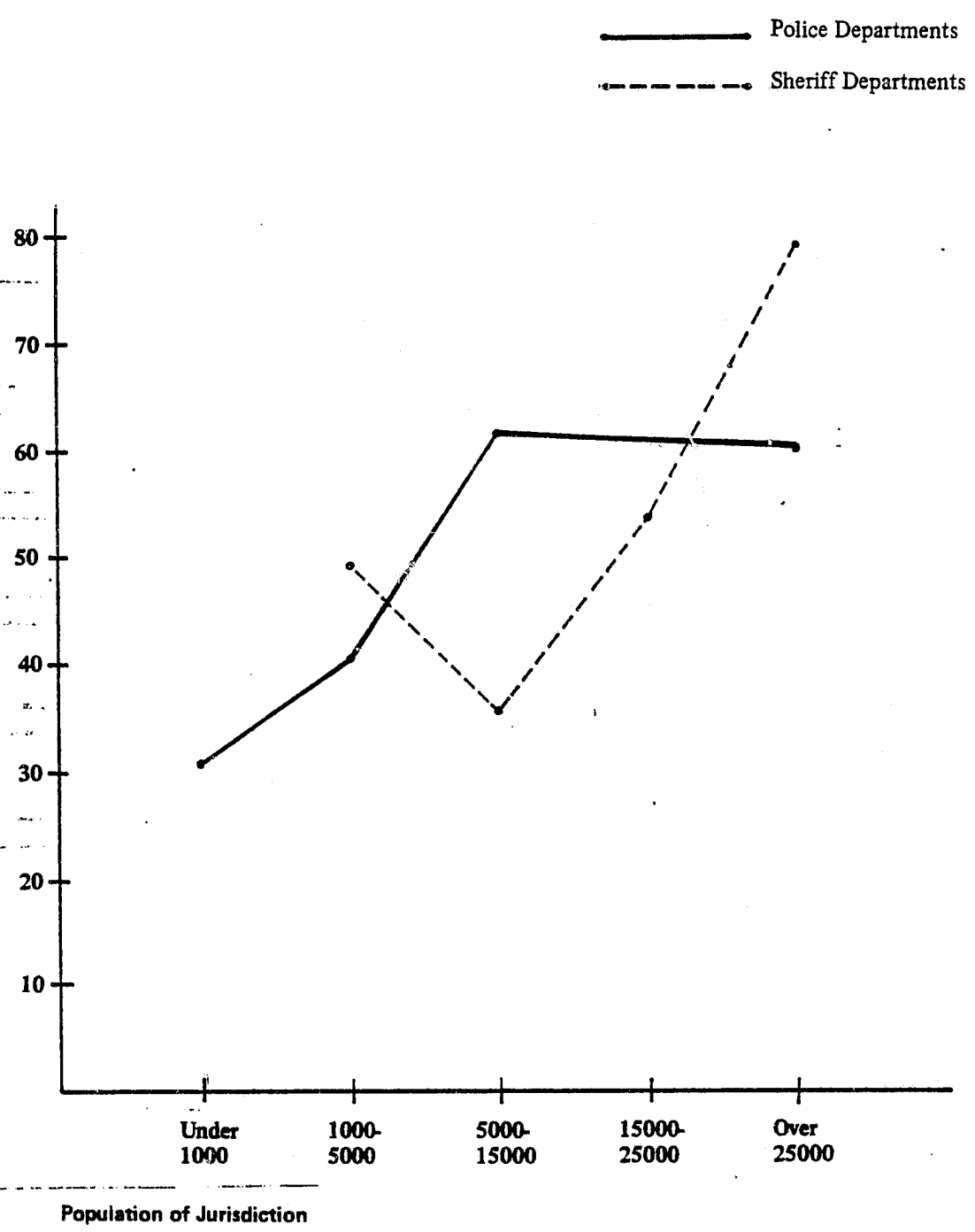


FIGURE 6

PERCENT OF JUVENILE OFFENDERS REFERRED TO COURT BY POLICE AND SHERIFF DEPARTMENTS ACCORDING TO POPULATION OF JURISDICTION

For example, although percent of repeat offenses decreases from 51% to 29% in moving from police departments in cities over 25,000 to those in cities between 5,000 and 15,000, the percent referred to court increases from 60% to 62%; and while percent repeat offenses drops only five percent (from 32% to 27%) between sheriff departments in counties 15,000 to 25,000 and those in counties 5,000 to 15,000, the percent of juveniles referred to court drops 15 percent (from 53% to 37%). Thus, some other explanation for these variations in referral rates across population categories must be found.

At least part of the reason for the general drop in rate of court referrals with decreasing population is a corresponding drop in the relative incidence of "serious" offenses, that is, those resulting in relatively automatic court referrals (murder-manslaughter, forcible rape, robbery, aggravated assault, burglary, auto theft, arson, forgery, fraud-embezzlement, sex offenses, drug-violations, and DWI). These offenses accounted for 25 percent, 11 percent, six percent, and eight percent of all offenses reported by police departments in cities over 25,000 cities between 5,000 and 15,000 cities between 1,000 and 5,000, and cities under 1,000, respectively. For sheriff departments, as population category decreased, these offenses accounted for 30 percent, 21 percent, 15 percent, and 16 percent of all offenses, respectively.

At least two additional factors probably contribute to the decreasing rate of court referrals as population decreases, both for police and sheriff departments. First, law enforcement personnel in the less populous areas were more likely to know the families of juvenile offenders. Second, law enforcement personnel in the less populous areas expressed a generally more negative opinion about the ability of the court to deal effectively with juvenile offenders.

This more negative opinion was especially true of departments which were isolated from the court service worker serving their area. Thus, knowing the families tended to increase the law enforcement agency's perceptions of its ability to handle juvenile cases informally, and not knowing court personnel tended to decrease the law enforcement agency's perceptions of the court's ability to handle juvenile cases. The combined effect of these perceptions is to decrease the tendency to refer juveniles to court for law enforcement agencies in less populous, more isolated areas of the state.

Although there was a general decrease in rate of court referrals with decreasing population for both police and sheriff departments, individual agencies varied widely in rate of court referrals (Table 55.) As mentioned earlier, some agencies (Aberdeen, Yankton, Lead, and Highmore police departments and Brown Co., Brookings, Co., Lawrence Co., Butte Co., and Stanley Co. Sheriff departments) automatically referred all or most juvenile contacts to court (i.e. to the court service worker), which resulted in high referral rates for these agencies. On the other hand, some agencies (Dell Rapids, Miller, Redfield, Alcester, and Hill City police departments and Bon Homme Co. and Sanborn Co. sheriff departments) tried to handle all except very serious offenses out of court, which resulted in very low referral rates for these agencies. The other agencies surveyed had disposition policies which resulted in referral rates somewhere between the above extremes.

It should be noted that, for both police and sheriff departments, agencies with widely different disposition policies are represented at all levels of population (as well as in all geographic areas of the state). Thus, although it is possible to make general statements about juvenile referral rates on the basis of type of agency and



Table 55

Number and Percent Referrals Reported by Each  
Law Enforcement Agency Surveyed According to Type  
of Agency and Population of Jurisdiction

Population Category	Police Departments			Sheriff Departments		
	City	Number Referred	Percent Referred	County	Number Referred	Percent Referred
over 25000	Sioux Falls	551	40	Minnehaha	70	76
	Aberdeen	344	78	Brown	13	100
	Rapid City	785	79			
	Total	1680	60	Total	83	79
15000- 25000				Brookings	57	92
				Davison	39	31
				Lawrence	25	63
				Total	121	53
5000-15000	Brookings	72	44	Grant	48	75
	Watertown	144	58	Turner	61	41
	Vermillion	80	45	Bon Homme	24	10
	Yankton	124	81	Edmunds	14	41
	Pierre	136	64	Walworth	24	67
	Lead	87	99	Butte	37	100
	Total	643	62	Total	208	37
1000-5000	Clark	0	-	Sanborn	2	3
	Beresford	21	88	Stanley	68	100
	Dell Rapids	2	13			
	Parkston	18	82			
	Springfield	16	33			
	Miller	1	3			
	Redfield	5	6			
	Highmore	26	100			
	Spearfish	27	64			
	Total	116	40	Total	70	49
under 1000	Castlewood	0	-			
	Alcester	1	7			
	Armour	13	52			
	New Effington	2	50			
	Presho	28	38			
	Hill City	0	0			
	Total	44	31			
	Police Total	2483	58	Sheriff Total	482	46

population of jurisdiction, statements about referral rates of any specific law enforcement agency cannot be made without additional information on disposition policies and specific offense rates.

#### SUMMARY

Juvenile offense data (offender characteristics, repeat offenses, agency disposition) for 1975 was obtained from samples of 24 police departments and 13 sheriff departments. These departments were chosen to represent all geographic areas and levels of population in the state. For police departments in larger cities (over 5,000) it was possible to obtain virtually all the data from department records, while for most police departments in smaller cities it was necessary to rely on the memories of department personnel. Sheriff department data was obtained primarily from department records at six departments and primarily from memory (or court records) at the other seven departments, with little relationship between county population and the existence of department records.

The 37 law enforcement agencies reported a total of 5322 juvenile contacts in 1975. The most frequently reported offenses were larceny-theft (1176) and liquor law violations (1111). Seventy-five percent of all juvenile contacts reported were males and 88 percent were white. The number of law enforcement agency contacts with male juveniles increased steadily with age, but for female juveniles the number of contacts increased only through age 15 and then leveled off.

Eighty percent (4283) of the juvenile contacts were reported by police departments sampled and twenty percent by sheriff departments. By far the most common offense reported by police departments was larceny-theft which accounted for 26 percent of police department juvenile contacts. Liquor law violations were by far the most common

offense reported by sheriff departments, accounting for nearly half (45%) of all sheriff department juvenile contacts. Because sheriff departments handled a relatively great number of liquor law violators, sheriff department juvenile contacts tended to be somewhat older than police department juvenile contacts.

The most common type of offense varied with jurisdiction population, both for police and sheriff departments. Larceny-theft was the most frequently reported offense by police departments in cities over 5,000, while liquor law violation was the most common offense in smaller cities. By far the most frequently reported offense by sheriff departments in less populous counties (under 15,000) was liquor law violation; whereas, sheriff departments in larger counties reported relatively equal numbers of liquor law violations and runaways.

Of the 5322 reported juvenile contacts, 43 percent were repeat offenses. Repeat offenses were more likely to occur for males than for females and for non-whites than for whites. Quite unexpectedly, the highest percentages of repeat offenses, for both police and sheriff departments, were in the least populous jurisdictions.

Four police departments and five sheriff departments automatically referred juvenile contacts, with a few exceptions, to court. All the other agencies took a combination of factors into account, primarily the seriousness of the offense and whether or not the juvenile was a repeat offender, in deciding whether to refer each juvenile case to court.

For all 37 agencies combined, 56 percent of all juvenile contacts were referred to court. The other 44 percent were handled informally by the law enforcement agencies.

The offenses resulting in the greatest number of court referrals were larceny-theft, liquor law violation, burglary, vandalism, and

runaway. For all offenses except truancy, at least 35 percent of all contacts were referred to court, with the percentage of juveniles referred for each offense being closely related to the "seriousness" of the offense.

Males were somewhat more likely to be referred to court than females, and non-whites were much more likely to be referred than were whites. These referral rate differences according to sex and race were easily accounted for by corresponding differences in extent of repeat offenses and seriousness of offenses committed.

Police departments referred a greater percentage of juvenile contacts to court than sheriff departments. However, this overall difference in referral rates is misleading, because for most offenses other than liquor law violation, sheriff departments were more likely than police departments to refer juvenile contacts to court.

Unlike the relationship between jurisdiction population and reported extent of recidivism, the percentage of juvenile contacts referred to court decreased with decreasing jurisdiction population for both police and sheriff departments. This decrease in referral rates with decreasing population was probably due in large part to the fact that the seriousness of offenses reported also decreased with jurisdiction population.

## STATE-WIDE PROJECTIONS OF JUVENILE OFFENSE DATA

### PROJECTION METHODOLOGY

The juvenile offense data presented in this report was obtained from state-wide random samples of police departments and sheriff departments in the state in each of five population categories. To obtain the best possible estimates of juvenile offense data for all police or sheriff departments in the state in a given population category, the sample data for the type agency in that population category was multiplied by a "projection factor" based on the number of agencies in the state and in the sample in that population category, corrected for population differences between the sample jurisdictions and those in the state. (Details of the projection methodology are presented in Appendix A). These agency-population category estimates were then combined to obtain state-wide projections of juvenile offense data for all law enforcement agencies, for all police departments, and for all sheriff departments.

### PROJECTED CHARACTERISTICS OF JUVENILE OFFENDERS

On the basis of the above-described projection system, it is estimated that law enforcement agencies in South Dakota made a total of 12811 contacts with juvenile offenders in 1975.<sup>13</sup> Table 56 provides a breakdown of these 12811 contacts according to type of offense, and the sex and age of offenders. No adequate projections of race were possible because the racial characteristics of the sample

13. The phrases "it is estimated" or "it is projected" will not be used to qualify each item of data reported in this section. However, although these qualifiers are omitted, it should be understood that all data reported in this section of the report are estimates based on imperfect projections of probably less than one-hundred percent accurate data. It should also be noted that less confidence can be placed in projections from relatively small numbers.

Table 56

Projected Number of Juveniles Apprehended by All  
Law Enforcement Agencies in South Dakota in 1975  
According to Offense, Sex, and Age

OFFENSE	SEX	AGE							Total under 18	OFFENSE TOTAL
		10 and under	11- 12	13- 14	15	16	17	Not Known		
Murder or Manslaughter	M				1	2			3	3
	F								0	
Forcible Rape	M			1	5				6	6
	F								0	
Robbery	M		2	11	3	5			21	22
	F			1					1	
Aggravated Assault	M	1		3	1	3	5		13	18
	F		2	1	1	1			5	
Burglary	M	33	94	135	169	181	117		729	771
	F	2	5	6	4	11	14		42	
Larceny-theft (except auto theft)	M	180	207	356	239	255	184		1421	1953
	F	26	68	174	73	78	113		532	
Auto theft	M		8	88	80	77	55		308	371
	F		2	21	13	19	8		63	
Other assaults	M		3	18	21	68	14		124	147
	F		2	8	4	3	6		23	
Arson	M	3	1			2			6	6
	F								0	
Forgery	M			6	11	6	10		33	70
	F			1	17	9	10		37	
Fraud, or Embezzlement	M			11	5	10	15		41	42
	F					1			1	
Stolen property: buying, receiving or possessing	M	2	1	44	10	4	19	3	83	85
	F			2					2	
Vandalism	M	205	226	316	163	212	228	28	1378	1592
	F		23	84	46	33	28		214	
Weapons: carrying pos- sessing, etc.	M	5	13	4	6		8		36	36
	F								0	
Sex offenses (except forcible rape)	M			3	2	1	10	5	21	21
	F								0	
Drug/narcotics violation	M		2	22	46	136	175		381	509
	F		2	11	30	48	37		128	
Driving under the influence (DWI)	M			5	20	26	55		106	121
	F					6	9		15	
Liquor laws (except DWI)	M		27	166	589	1027	1167	76	3052	4283
	F		4	111	233	383	472	28	1231	
Disorderly Conduct	M		4	50	68	86	142	7	357	495
	F			22	18	45	48	5	138	
Curfew	M	6	149	199	45	34	30	30	493	827
	F		2	178	106	25	5	18	334	
Runaway	M	5	35	86	76	73	44	1	320	797
	F	7	44	166	129	74	53	4	477	
Truancy	M	3	10	8	6	2	10		39	51
	F	2	3	2	5				12	
All other non- traffic offenses	M	22	29	105	92	100	77		425	585
	F	5	19	43	46	31	16		160	
TOTAL ALL OFFENSES	M	465	811	1629	1665	2308	2368	150	9296	12811
	F	42	176	830	726	767	819	55	3415	
TOTAL		507	987	2459	2291	3075	3187	205	12811	

jurisdictions did not closely reflect those of the state. (In order to make any meaningful statements about racial characteristics of juvenile offenders, in the state it would be necessary either to use a much more complex sampling procedure, specifically geared to assess racial characteristics, or to conduct an exhaustive state-wide survey).

The most common offense was liquor law violation (4283), which accounted for 33 percent of all juvenile contacts made in 1975. Other common offenses were larceny-theft (1953 contacts, 15% of total), vandalism (1592, 12%), curfew (827, 6%), runaway (797, 6%), and burglary (771, 6%). Together, these six most common offenses accounted for 80 percent (10,223) of the estimated 12811 juvenile contacts made by law enforcement agencies in the state in 1975. Notice that although larceny-theft was the most frequently reported offense (Table 13), liquor law violation is projected as the most frequent type of juvenile contact, state-wide. This difference is due to the fact that the greatest magnification of the sample data was required in the lower population categories, where liquor law violation was the most frequently reported offense. Several differences exist between relationships in the sample data and relationships in the statewide projections, and these differences are all due to this differential magnification of different segments of the sample data. Naturally, the projections should be more representative than the sample data of the juvenile contacts in the state as a whole.

Males accounted for 73 percent (9396) and females for 27 percent (3415) of the juvenile contacts made in 1975. Table 57 presents a ranking of the most common offenses committed by male and female juvenile contacts. The most common male offenses were liquor law violation (3052), larceny-theft (1421), vandalism (1378), and burglary (729); these four offenses accounting for 70 percent of the 9396 male contacts. For female juveniles, liquor law violation (1231) larceny-

Table 57

Projected State-wide Frequencies and Rankings of Offenses  
for Male and Female Juveniles

Rank	Males				Rank	Females			
	Offense	Projected Frequency	% of Total	Cum. %		Offense	Projected Frequency	% of Total	Cum. %
1	Liquor laws	3052	32	32	1	Liquor laws	1231	36	36
2	Larceny-theft	1421	15	48	2	Larceny-theft	532	16	52
3	Vandalism	1378	15	62	3	Runaway	477	14	66
4	Burglary	729	8	70	4	Curfew	334	10	75
5	Curfew	493	5	75	5	Vandalism	214	6	82
6	Drug violations	381	4	79	6	Disorderly conduct	138	4	86
7	Disorderly conduct	357	4	83	7	Drug violations	128	4	89
8	Runaway	320	3	87	8	Auto theft	63	2	91
9	Auto theft	308	3	90	9	Burglary	42	1	93
10	Other assaults	124	1	91	10	Forgery	37	1	94
	All Other Offenses	833	9	100		All Other Offenses	219	6	100
	Male Total	9396	100	-		Female Total	3415	100	-



theft (532), runaway (477), and curfew (334) were the most common offenses, together comprising 75 percent of the 3415 female contacts.

Males accounted for 73 percent of all juvenile contacts, but they accounted for much higher percentages of vandalism (87%), burglary (95%), auto theft (83%), and other assaults (84%). Females accounted for unusually high percentages of curfew violations (40%) and runaways (60%).

As in the sample data, the projected number of male offenses increases rapidly and steadily with age; however, the increase in number between ages 16 and 17 is not as pronounced for the projections as for the sample data. The number of female offenses, as in the sample data, increases steadily with age through age 15, then levels off. Figure 7 graphically depicts the projected number of offenses for males and females according to age.

The most common offenses for juveniles in all age groups under 13 years-old were larceny-theft and vandalism, which together accounted for 81 percent of the 507 contacts with juveniles 10 years of age and younger, and 53 percent of the 987 contacts with 11-12 year-olds. Larceny-theft and vandalism, along with curfew violation, were also the most common offenses among 13 and 14 year-olds. These three offenses together accounted for 53 percent of the 2459 contacts with the 13-14 year-old age group.

The most common offense for juveniles 15 years of age and older was liquor law violation. Liquor law violations alone accounted for 34 percent of the 2391 contacts with 15 year-olds, 46 percent of the 3075 contacts with 16 year-olds, and 51 percent of the 3187 contacts with 17 year-olds.

Status offenses comprised 13 percent of all juvenile contacts in 1975. Curfew violation (827) and runaway (797) were the most

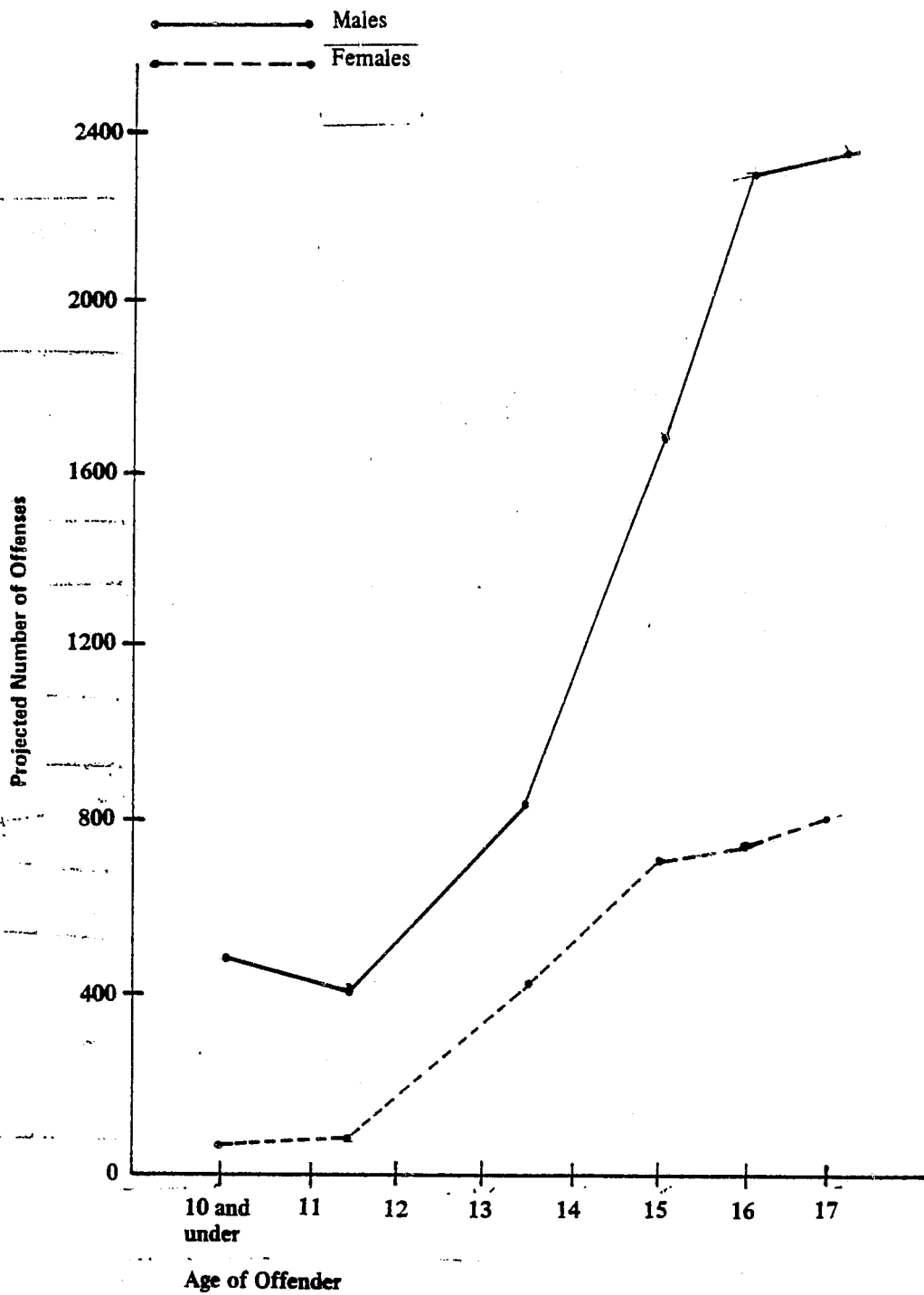


FIGURE 7

PROJECTED STATE-WIDE TOTAL OFFENSES ACCORDING TO AGE AND SEX OF OFFENDER

common status offenses. Whereas females accounted for only 27 percent of all juvenile contacts and only 23 percent of the 11,136 delinquent offenses, they accounted for 49 percent of the 1675 status offenses. As in the sample data, runaway was the only common juvenile offense where females outnumbered males.

Of the projected 12811 juvenile contacts made by law enforcement agencies in 1975, it is estimated that 7482 (58%) were made by police departments and that 5329 (42%) were made by sheriff departments. Table 58 presents projected frequencies and rankings of the juvenile offenses most commonly encountered by police departments and sheriff departments in the state. The most common juvenile offenses handled by police departments were larceny-theft (1595), liquor law violation (1471), vandalism (1052), and curfew violation (774), together accounting for 65 percent of the 7482 police department juvenile contacts. Liquor law violation (2812) was the most common juvenile offense handled by sheriff departments, accounting for 53 percent of all sheriff departments juvenile contacts. Liquor law violation, together with vandalism (540), larceny-theft (358), and drug violation (311) accounted for 75 percent of the 5329 sheriff department contacts with juveniles in 1975.

Seventy-five percent (5582) of the police and 72 percent (3814) of the sheriff department juvenile contacts were males. Consistent with the sample data, sheriff departments in the state tended to come into contact with more older juveniles than did police departments. Eighty-five percent of sheriff department juvenile contacts were 15 years-old or older; whereas, only 58 percent of police department juvenile contacts were in the 15 through 17 year-old age group. Again, the primary reason for this age difference in juveniles handled was that sheriff departments handled a relatively much greater number of liquor

Table 58

Projected State-wide Frequencies and Rankings of Offenses  
for Police Departments and Sheriff Departments

Rank	Police Department				Rank	Sheriff Departments			
	Offense	Projected Frequency	% of Total	Cum. %		Offense	Projected Frequency	% of Total	Cum. %
1	Larceny-theft	1595	21	21	1	Liquor laws	2812	53	53
2	Liquor laws	1471	20	41	2	Vandalism	540	10	63
3	Vandalism	1052	14	55	3	Larceny-theft	358	7	70
4	Curfew	774	10	65	4	Drug violations	311	6	75
5	Runaway	539	7	73	5	Runaway	258	5	80
6	Burglary	515	7	79	6	Burglary	256	5	85
7	Disorderly conduct	295	4	83	7	Disorderly conduct	200	4	89
8	Auto theft	216	3	86	8	Auto theft	155	3	92
9	Drug violations	198	3	89	9	Other assaults	84	2	93
10	Other assaults	63	1	90	10	DWI	60	1	94
	All Other Offenses	764	10	100		All Other Offenses	295	6	100
	Police Total	7482	100	-		Sheriff Total	5329	100	-

law violations, who were primarily in the 15-17 age group.

#### PROJECTED RECIDIVISM

Of the projected 12811 juvenile contacts made by law enforcement agencies in 1975, it is estimated that 44 percent (5585) were repeat offenses. Table 59 breaks down the estimates of number of first offenses and repeat offenses according to offense and sex of offender, and, in addition, reports the percent of contacts that were repeat offenses according to offense.

For the most common offenses, the percentages of juvenile contacts that were repeat offenses are 45 percent for liquor law violation, 34 percent for larceny-theft, 34 percent for vandalism, 69 percent for curfew, 33 percent for runaway, and 65 percent for burglary. Thus, shoplifters, vandals, and runaways who were apprehended by law enforcement agencies tended not to have been contacted in the past (by the same agency); whereas, curfew violators and youth apprehended for burglary, tended to have had past contacts with the arresting agency.

Repeat offenses for males were somewhat more likely than for females. Forty-four percent (4177) of the 9396 male contacts, compared to 41 percent (1406) of the 3415 female contacts are for repeat offenses.

Of the estimated 1675 status offense contacts, 50 percent (841) were repeat offenses. This compares with a 43 percent repeater rate for the 11,136 delinquent offense contacts. Thus, status offenses were substantially more likely to be repeat offenses than were delinquent offenses. This higher repeater rate for status offenders was due to the very high repeater rate (69%) for curfew violations, since both runaways (33% repeaters) and truants (16% repeaters) were primarily first offenses.

Contrary to the sample data, the projections suggest that, state-wide a slightly greater percentage of sheriff department juvenile

Table 59

State-wide Projection of Number of First and Repeat  
Offenders According to Offense and Sex

OFFENSE	SEX				OFFENSE TOTAL		
	MALE		FEMALE		First	Repeat	% Repeaters
	First	Repeat	First	Repeat			
Murder or manslaughter	2	1	0	0	2	1	33
Forcible rape	0	6	0	0	0	6	100
Robbery	7	14	0	1	7	15	68
Aggravated assault	7	6	3	2	10	8	44
Burglary	245	483	22	21	267	504	65
Larceny-theft	890	531	406	126	1296	657	34
Auto theft	114	194	37	26	151	220	59
Other assaults	77	47	9	14	86	61	41
Arson	3	3	0	0	3	3	50
Forgery	8	25	27	10	35	35	50
Fraud or embezzlement	24	17	0	1	24	18	43
Stolen property	63	20	1	1	64	21	25
Vandalism	880	498	171	43	1051	541	34
Weapons	34	2	0	0	34	2	6
Sex offenses	16	5	0	0	16	5	24
Drug violations	248	133	55	73	303	206	40
DWI	48	58	8	7	56	65	54
Liquor law (except DWI)	1753	1299	613	618	2366	1917	45
Disorderly conduct	196	161	126	12	322	173	35
Curfew	140	353	115	219	255	572	69
Runaway	204	116	332	145	536	261	33
Truancy	31	8	12	0	43	8	16
All other non-traffic off.	228	197	73	87	301	284	49
TOTAL	5218	4177	2010	1406	7228	5583	44

contacts (45%) than of police department juvenile contacts (42%) were repeat offenses. (This is due to the fact that the sampled sheriff departments in the least populous category, which required the largest projection factor, reported handling a much higher percentage of repeat offenses than did any other agency-population category.) Furthermore, the projections indicate that, while for police departments in the state male contacts (45%) were more likely than female contacts (36%) to be repeat offenses, for sheriff departments a higher percentage of female contacts (47%) than of male contacts (44%) were repeaters.

#### PROJECTED AGENCY DISPOSITION OF JUVENILE OFFENDERS

The projections indicate that 47 percent (6078) of the estimated 12811 juvenile contacts made by law enforcement agencies in South Dakota in 1975 were referred to court. The other 53 percent (6733) were handled informally (diverted from the juvenile justice system) by the law enforcement agencies. Table 60 provides a breakdown of these total numbers of referrals and informal dispositions according to offense and sex of offender, and also indicates the percent of contacts referred to court for each offense.

The offenses which accounted for the greatest number of court referrals were liquor law violations (1373), larceny-theft (1050), vandalism (710), burglary (594), and runaway (419). These five offenses together accounted for 68 percent (4146) of the 6078 juvenile referrals.

The percent of contacts referred to court ranged from 17 percent for curfew violation to 100 percent for murder manslaughter, forcible rape, robbery, and DWI. For the six most common offenses, the percentage of contacts referred to court were 32 percent for liquor law violation, 54 percent for larceny-theft, 45 percent for vandalism, 17 percent for curfew, 53 percent for ruanaway, and 77 percent for burglary. Of

Table 60

Projected Dispositions of Juvenile Offenders by All Law Enforcement Agencies in the State According to Offense and Sex

OFFENSE	SEX				OFFENSE TOTAL		
	MALE		FEMALE		Informal	Referral	% Referred
	Informal	Referral	Informal	Referral			
Murder or manslaughter	0	3	0	0	0	3	100
Forcible rape	0	6	0	0	0	6	100
Robbery	0	21	0	1	0	22	100
Aggravated assault	1	12	0	5	1	17	94
Burglary	163	566	14	28	177	594	77
Larceny-theft	645	776	258	274	903	1050	54
Auto theft	10	298	1	62	11	360	97
Other assaults	62	62	5	18	67	80	54
Arson	3	3	0	0	3	3	50
Forgery	4	29	12	25	16	54	77
Fraud or embezzlement	7	34	0	1	7	35	83
Stolen property	36	47	1	1	37	48	56
Vandalism	831	547	51	163	882	710	45
Weapons	27	9	0	0	27	9	25
Sex offenses	8	13	0	0	8	13	62
Drug violations	131	250	37	91	168	341	67
DWI	0	106	0	15	0	121	100
Liquor laws (except DWI)	1956	1096	954	277	2910	1373	32
Disorderly conduct	99	258	42	96	141	354	72
Curfew	407	86	281	53	688	139	17
Runaway	136	184	242	235	378	419	53
Truancy	29	10	12	0	41	10	20
All other non-traffic off.	206	219	62	98	268	317	54
TOTAL	4761	4635	1972	1443	6733	6078	47

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those serious offenses which most agencies surveyed automatically referred to court (murder-manslaughter, forcible rape, robbery, aggravated assault, burglary, auto theft, arson, forgery, fraud-embezzlement, sex offenses, drug violations, and DWI), it is estimated that 80 percent of the combined 1960 contacts were referred to court.

Whereas status offenses accounted for 13 percent of all juvenile contacts, they accounted for only nine percent of all court referrals. Only 34 percent of status offense contacts, compared to 49 percent of delinquent offense contacts, were referred to court. This is despite the fact that, as indicated in the immediately preceding section on recidivism, status were more likely than delinquent offenses to be repeat offenses.

Males were somewhat more likely than females to be referred to court. Of the 9396 male contacts, 49 percent (4635) were referred to court; whereas, 42 percent (1443) of the 3415 female contacts were referred to court. As with the sample data, this higher referral rate for males can be accounted for by the facts that repeat offenses were more likely to occur for males than for females (44% vs. 41%), and males comprised an unusually high percentage (85% vs. 73% for all offenses) of contacts for serious offenses.

Of the estimated 6078 court referrals of juveniles by law enforcement agencies in 1975, 62 percent (3755) were made by police departments and 38 percent (2323) by sheriff departments. Table 61 provides a breakdown of these total numbers of court referrals by police and sheriff departments according to offense. Larceny-theft (846), liquor law violation (788), vandalism (417), and burglary (348) were the offenses resulting in the greatest number of court referrals by police departments. These four offenses together accounted for 64 percent of the 3755 juvenile contacts referred to court by police

departments. For sheriff departments, the greatest number of court referrals were for liquor law violation (585), vandalism (293), and burglary (246), these three offenses together accounting for 48 percent of the 2323 juvenile contacts referred to court by sheriff departments.

Tabel 61 also indicates the percentage of all contacts, and the percentage of contacts according to offense, referred to court by police departments and by sheriff departments. The 3755 juvenile contacts referred to court by police departments were 50 percent of all juvenile contacts (7482) made by police departments in 1975; whereas, the 2323 juvenile contacts referred to court by sheriff departments in 1975 were only 44 percent of all sheriff department juvenile contacts (5329). Overall, then, sheriff departments were somewhat less likely to refer juveniles to court.

However, for all offenses except liquor law violation, sheriff departments referred 69 percent of their 2517 juvenile contacts to court; whereas, police departments referred only 49 percent of their remaining 6011 juvenile contacts to court. This turn-around occurs because sheriff departments referred only 21 percent of their 2812 liquor law violation contacts to court; while police departments referred a much higher 54 percent of their 1471 liquor law contacts to court.

Substantial differences between police and sheriff departments in their referral rates for several other offenses also existed. Police departments were more likely than sheriff departments to refer disorderly conduct contacts to court (80% vs. 59% referred). On the other hand, sheriff departments were much more likely than police departments to refer juvenile contacts to court for vandalism (54% vs. 40% referred), burglary (96% vs. 67% referred), and runaway (84% vs. 38% referred). Thus it is quite uninformative to consider comparative referral

Table 61  
State-wide Projection of Number of Court Referrals Ranked According  
to Offense for Police and Sheriff  
Departments

Rank	Police Departments					Rank	Sheriff Departments				
	Offense	Number Referred	% Referred	% of Referral	Cum. % Referral		Offense	Number Referred	% Referred	% of Referral	Cum % Refer.
1	Larceny-theft	846	53	23	23	1	Liquor laws	585	21	25	25
2	Liquor laws	788	54	21	44	2	Vandalism	293	54	13	38
3	Vandalism*	417	40	11	55	3	Burglary	246	96	11	48
4	Burglary	348	67	9	64	4	Runaway	216	84	9	58
5	Disorderly conduct	236	80	6	70	5.5	Larceny-theft	204	57	9	66
6	Auto theft	205	95	5	76	5.5	Drug violations	204	66	9	75
7	Runaway	203	38	5	81	7	Auto theft	155	100	7	82
8	Drug violations	137	68	4	85	8	Disorderly conduct	118	59	5	87
9	Curfew	134	17	4	88	9	DWI	60	100	3	90
10	DWI	61	100	2	90	10	Other assault	36	42	2	91
All Other Offenses		380	50	10	100	All Other Offenses		206	70	9	100
Police Total		3755	50	100	-	Sheriff Total		2323	44	100	-

\*e.g. 417 juvenile vandalism contacts were referred to court by police departments. These 417 contacts were 40% of all police department juvenile vandalism contacts, and were 11% of all police department juvenile court referrals. Vandalism, together with larceny-theft and liquor law violation, accounted for 55% of all police department juvenile court referrals.

rates of police and sheriff departments without specifying offenses to be compared; and it is misleading to compare overall referral rates, because the overall rate does not take in account differences in types of offenses handled by police and sheriff departments.

#### SUMMARY

It is projected from data obtained from state-wide random samples of South Dakota police and sheriff departments that South Dakota law enforcement agencies made 12811 juvenile contacts in 1975, with the most common offense, liquor law violation, accounting for a third of this total. Seventy-three percent of all contacts were males and 27 percent were females. The number of offenses committed by juveniles increased with age for both males and females. Of the total 12811 contacts, 58 percent were made by police departments and 42 percent were made by sheriff departments.

It is estimated that 44 percent of all juvenile contacts were repeat offenses. For male contacts the repeater rate was 44 percent, compared to a somewhat lower 41 percent for females.

Of the 12811 contacts made in 1975, it is estimated that nearly half, 6078, were referred to court by the law enforcement agencies. Liquor law violations also accounted for the greatest number of court referrals with larceny-theft, vandalism, burglary, and runaway also accounted for the greatest number of court referrals with larceny-theft, vandalism, burglary, and runaway also accounting for substantial numbers of referrals. Males were somewhat more likely to be referred to court (49% referred) than were females (42%). Of the 6078 court referrals, 62 percent were made by police departments and 38 percent by sheriff departments.

## JUVENILE LAW ENFORCEMENT IN SOUTH DAKOTA

## JUVENILE PROCEDURES

The disposition policies described earlier, and juvenile procedures followed by law enforcement agencies in general, were not derived completely from the State juvenile code. This fact is illustrated very clearly by the wide variation in disposition policies followed by individual departments. Rather, the State juvenile code dictates only very general procedures to be followed in juvenile cases, and, because of this lack of specific guidelines to be followed, individual departments have adopted juvenile procedures geared to their own capabilities and needs. Thus, as with disposition policies, there is a certain amount of variation in juvenile procedures among law enforcement agencies in the State. This section of the report will examine some of the similarities and differences in juvenile procedures followed by the law enforcement agencies surveyed, and will describe some of the procedures developed by individual agencies to deal with specific juvenile problems.

Very few of the agencies surveyed had written juvenile procedures of their own (i.e., written into the department procedures manual) to supplement the State juvenile code. Only four (10%) of the 40 agencies surveyed<sup>14</sup> had sections in their department procedures manuals dealing specifically with juveniles. These four were all larger police departments (Aberdeen, Rapid City, Brookings, and Yankton Police Departments). None of the smaller police departments nor any of the sheriff departments had their own written juvenile procedures. One sheriff department (Walworth Co.) did have a Juvenile Procedures Manual, put out by the

14. Includes Winner and Belle Fourche Police Departments and Pennington Co. Sheriff Department, which were not included in sections on juvenile offense data.

Fifth Judicial Circuit Court, which it used as a guideline in handling juvenile cases. The section of the Brookings Police Department Procedures Manual dealing specifically with juveniles is presented in Appendix B as a representative example of written juvenile procedures.

Although few agencies had written juvenile procedures to follow, all had relatively standard unwritten procedures for handling juvenile contacts. Most agencies followed fairly similar procedures in handling juvenile contacts, whether or not they had these procedures written down. In general, when a juvenile was apprehended for a law violation, the juvenile was brought in to the department and the parents were called immediately. Usually, no questioning was done without the parents present. An attempt was made to make the parents aware of all information about the case known to the law enforcement agency.

For minor offenses, which the officer felt could be handled out of court between the law enforcement agency and the juvenile and his parents, the case would be handled informally only if the parents agreed to the out-of-court settlement and cooperated with the informal disposition. (Several departments also stated that if they had conclusive proof of the juveniles guilt, the case would be handled informally only if the juvenile admitted his guilt.) For more serious offenses, a decision had to be made by the law enforcement agency whether to jail the juvenile pending a court hearing. Most law enforcement agencies very seldom felt it necessary to jail juveniles for any length of time, locking them up only if the parents (or some other responsible party) could not be located, or if it was felt that the juvenile might leave the area or injure himself or others if not jailed.

In those few cases where jailing was believed necessary, the law enforcement agency received permission from the court (judge, court service worker, or states attorney) to jail the youth. If no local

separate juvenile facility existed, the juvenile was transported to the nearest jail(usually the county jail)with a separate juvenile lock-up.

For each case referred to court, a complete report of the facts of the case was forwarded to the court service worker and/or to the states attorney. Some departments kept a copy of this report on file, others did not. For cases not referred to court, again some departments did, and others did not, file a report on the case.

For departments with a juvenile officer or division, after the initial contact the juvenile was transferred to the custody of the juvenile officer, who implemented the above outlined procedures. Several departments without juvenile officers had one or two officers who handled all juvenile cases, but for most of the departments without a juvenile officer(s), the juvenile was processed by the officer who made the initial contact.

Some of the larger departments had blanket approval from the court to use their own discretion concerning incarceration for individual juvenile cases; however, the court set quite specific guidelines within which this discretion could be used, and required that the law enforcement agency notify the court as soon as possible of any incarceration. Most of the smaller agencies had to receive case-by-case approval before incarcerating juveniles.

Although the above general procedures were followed to some extent by all law enforcement agencies, there were at least minor variations from the general procedure by most agencies surveyed. The general procedure was to bring the juvenile into the department; however, 14 (54%) of the police departments surveyed and four (29%) of the sheriff departments surveyed stated that they at least occasionally would warn and release juveniles on the spot. In these cases,

the parents sometimes were and sometimes were not informed. This procedure was usually followed only for very minor offenses, and was not the agency's standard procedure for informal disposition. Good examples of offenses where this procedure was occasionally used are curfew violations, disturbing the peace (disorderly conduct) and very minor liquor law violations.

The general procedure was to call parents on all juvenile contacts (with the possible exception of some of the above mentioned on-the-spot warn and release cases). However, two police departments stated that they would generally inform parents about a juvenile contact only if they intended to refer the juvenile to court. They reasoned that, for informal contacts, if they impressed upon the juvenile the potential seriousness of his offense, and then did the juvenile the "favor of not getting him in trouble" with his parents, the juvenile would return the favor by heeding the warning and not getting into trouble in the future. Both of these departments stated that they had used both this procedure and the general procedure of informing parents for all contacts, and both departments felt their procedure worked better for them. It should be noted that both these police departments were in small cities, one under 5,000 and the other under 1,000 where the police knew personally most juveniles with whom they came into contact.

Most departments called parents immediately and had them present for all questioning. However, several departments stated that parents weren't always present for all questioning; and one department stated that it occasionally would intentionally delay calling parents if it was felt that it would be advantageous to conduct some of the questioning without the parents present. On the other hand, Yankton Police Department in addition to having the parents present for all questioning and complete



informing them of all details of the case, asked parents to sign a form stating that they had been informed of all facts of the case known to the police department. The purpose of this signed statement was to protect the police department against claims by parents that they had not been adequately informed of their child's case by the police.

A final variation among agencies in juvenile procedure was in types of informal disposition used. The general procedure was to counsel the juvenile about the potentially serious nature of his act, and then to release the juvenile to his parents, with the parents making monetary restitution if any property damage resulted from the juvenile's offense. This general procedure was followed by most police departments and all sheriff departments surveyed which did not automatically refer all juvenile cases to court.

Several major variations from this general informal disposition procedure existed among police departments surveyed.

1. Five police departments stated that, at least occasionally, they would release a juvenile to his/her parents on the condition that the youth receive counseling. Four of these police departments (Sioux Falls, Rapid City, Brookings, and Pierre) stated that they required juveniles to obtain professional counselling in cases where there were indications that the youth's misbehavior was the result of psychological problems. The other one of these five police departments (Vermillion) regularly referred second-time offenders for certain offenses to counselling (see section on disposition policies earlier in this report); but, unless the youth appeared to have psychological problems, he was allowed to obtain counselling from a minister, teacher, school guidance counselor, etc., rather than from a professional counselor.

2. Three police departments (Watertown, Pierre, and Hill City) stated that they had work restitution programs, which were used as alternatives to court referrals for some juvenile offenders. One other police department (Belle Fourche), though not having a work restitution program as such, stated that it had used work restitution as an informal disposition for several juvenile offenders. The juvenile officers in Watertown and Pierre, with the approval of the court, instituted work restitution programs as an alternative to court referral for first-time juvenile offenders apprehended for minor shoplifting, minor vandalism, and, occasionally, other relatively minor offenses. In Watertown, the juveniles worked in the city park for a specified period of time (e.g. four days). The juveniles were required to sign a work agreement which they were required

to fulfill, or they would lose the work option and be referred to court. In Pierre, the juveniles worked off their debt (price of item shoplifted, cost of damage caused by vandalism, etc.) at a set hourly rate. The work was done either for the victims of the offenses or for public agencies. The police chief in Hill City (in 1975) used work restitution for all juvenile contacts except serious or chronic offenders. Under his program, which he stated the court knew of and condoned, the juvenile offenders were required to work for a specified period of time for the victims of the offenses or for the city. Although no data was available on the degree of success of these programs, all these departments felt that work restitution was a very effective disposition option, in the sense of acting as a deterrent to future criminal acts.

3. For juvenile offenders who were not referred to court, one police department (Springfield) during the school year explained the situation to both the parents and the school guidance counselor, and then turned over supervision of the juvenile to the guidance counselor.

It is apparent that a variety of procedures existed at the law enforcement level (especially among police departments) for dealing with juvenile offenders. It is also apparent that many of these procedures were at variance with the juvenile code. Two factors appear to account, in large part, for the variations in procedure and their lack of adherence to the law. First, almost all agencies were in agreement that their primary goal was to prevent juvenile crime, and many felt this could be done more effectively at the local law enforcement level than in the courts. In fact, many agencies were extremely unhappy with the performance of the juvenile court system. Second, there was a general lack of training background in juvenile law and procedures. Training levels will be discussed further later in this section of the report.

#### MANPOWER ALLOCATION TO JUVENILE MATTERS

Of the 28 police departments and 14 sheriff departments surveyed, only four police departments and one sheriff department had any officers assigned specifically to juvenile matters. The four police departments were Sioux Falls (five juvenile officers), Rapid City (one juvenile

officer and two school liaison officers), Watertown (one juvenile officer), and Pierre (one juvenile officer); and the one sheriff department was Pennington County (Two school liaison deputies).

Of the four police departments with juvenile officers, two felt a need for additional manpower in the juvenile area. Rapid City stated a need for one additional juvenile officer, and Pierre stated a need for one school liaison officer in addition to their juvenile officer. Four police departments which did not presently have a juvenile officer (Aberdeen, Yankton, Brookings, and Vermillion) stated that they needed one. One police department, Belle Fourche, although it did not feel a need for a juvenile officer, was attempting to get funding for a county-wide school liaison officer. Thus, of the nine surveyed police departments in cities over 5,000 all except one (Lead P.D.) either had or felt a need for at least one juvenile officer. Of the 17 surveyed police departments in cities under 5,000, none felt a need for a juvenile officer (several of these departments ideally would like to have a juvenile officer, but feel it would not financially practical).

Among sheriff departments surveyed, Pennington Co. felt a need for one juvenile deputy outside the school system, and Minnehaha Co. stated a need for one juvenile deputy to handle juvenile investigations. None of the other sheriff departments felt that they handled enough juvenile cases to justify a deputy specifically assigned to juvenile matters. Thus, only the two largest sheriff departments in the state expressed a need for a juvenile deputy.

Of the 22 police departments and 13 sheriff departments surveyed which did not have a juvenile officer, three police departments stated that the processing of all juvenile cases was handled by the police chief or assistant police chief, and two additional police departments

stated that one or two officers handled most juvenile matters for the department. However, for the remaining 17 police departments and the 13 sheriff departments, juvenile cases were generally handled entirely by the arresting officer. Thus, for 75 percent of all agencies surveyed, responsibility for handling juvenile cases was assigned to each individual officer or deputy.

#### REQUIRED TRAINING FOR JUVENILE OFFICERS

The four police departments and one sheriff department with juvenile officers and/or school liaison officers were asked whether there was any required training necessary to qualify an officer for these positions. None of these departments had any specific training requirements for qualification as a juvenile officer over and above the basic training required of all officers. However, two police departments did require, in order to be a juvenile officer, a certain amount of experience on the force. Sioux Falls Police Department required that an officer have four years experience on the force before being considered for the position of juvenile officer; and Rapid City Police Department required some experience (exact length unspecified) on the force to qualify for consideration as a juvenile officer.

Although none of the departments surveyed required any specific training to qualify as a juvenile officer, most of the juvenile officers had had some juvenile training. The level of training in juvenile matters of juvenile officers (and other officers) will be discussed later in this report.

#### STATEMENT OF GENERAL TRAINING NEEDS

Along with obtaining data on recordkeeping, juvenile offense data, and juvenile procedures, an officer (in most cases the police chief, juvenile officer, or sheriff) at each agency surveyed was asked whether any type of training in dealing with juvenile offenders was needed

by agency personnel. Eight (31%) of the 26 police departments and three (21%) of the 14 sheriff departments stated a desire for specific training that would help them in dealing with juvenile offenders. Table 62 breaks down the number and percent of agencies stating juvenile training needs according to population of jurisdiction and type of agency.

Table 62

Number and Percent of Police and Sheriff Departments  
Stating a Need for Juvenile Training for Personnel  
According to Population of Jurisdiction

Population of Jurisdiction	Police Departments		Sheriff Departments	
	N	%	N	%
Over 25,000	0	0	1	33
15-25,000	-	-	1	33
5-15,000	4	67	1	17
1-5,000	4	36	0	0
Under 1,000	0	0	-	-
<b>TOTAL</b>	<b>8</b>	<b>31</b>	<b>3</b>	<b>21</b>

Police departments expressing juvenile training needs were all in cities between 1,000 and 15,000. The police departments in cities over 25,000 stated that their personnel were all well trained and well versed in dealing with juveniles (mostly inservice training;) and the police departments in cities under 1,000 and those cities between 1,000 and 5,000 feeling no training needs, stated that they did not have enough of a juvenile problem to justify expenditure of time or money for juvenile training. Training in counseling and in communication with juvenile offenders was the most frequently stated training need by police departments. Of the eight police departments specifying juvenile training needs, five stated their personnel needed training in counseling and communication skills, two stated a need for training in standard juvenile procedure and interpretation of the juvenile code,

one stated a need for training in crime prevention, one stated a need for training in recordkeeping, and one stated a need for training in vandalism investigation.<sup>15</sup>

A stated need for juvenile training was not related to county population for sheriff departments (no more than one department in any population category stated any training needs). Of the three sheriff departments specifying training needs, one stated its personnel needed training in the drug area, one stated a need for training in juvenile paperwork (especially that required by the courts,) and one stated a need for training in juvenile law. (The sheriff department which stated a need for training in juvenile law suggested that the best way for all segments of the juvenile justice system to understand their interrelated legal rights and responsibilities would be to conduct a "policy meeting" within each court circuit of law enforcement personnel, judges, states attorneys, and court service workers.) Most of the sheriff departments which stated that they did not have any specific juvenile training needs felt that the volume of juveniles handled by their department was too low to justify special training.

Overall then, only 28 percent (11) of the 40 law enforcement agencies surveyed stated a need for juvenile training for agency personnel. The most frequently specified training needs were for training in counseling and in communicating with juvenile offenders (5 agencies) and for training juvenile law and procedures (3 agencies). For the 72 percent of surveyed agencies which stated their personnel did not need training in dealing with juvenile offenders, the most frequently given reason was that the low volume of juveniles handled (other than for traffic violations) did not justify expenditures of time and money for training.

<sup>15</sup>. The total number of specified training needs (10) exceeds the number of departments (8) because two departments stated needs for two types of training.

## POLICE MANPOWER SURVEY

### General Purpose

In addition to gathering information on general procedure and overall departmental training needs from a single representative of each law enforcement agency surveyed, an attempt was made (for police departments only) to gather similar information from individual police officers. Information was sought from juvenile officers and a sample of regular officers on personal characteristics and levels of education and experience; allocation of time to, and perceived importance of various juvenile duties; and level of juvenile training and perceived juvenile training needs. In order to obtain this information, a questionnaire was distributed to all juvenile officers at police departments surveyed and to selected regular officers at a randomly selected subset of police departments surveyed.

### Personal Characteristics, Education, and Experience

Completed questionnaires were returned by 10 juvenile officers (100% return rate) and 18 regular officers (41% return rate). Table 63 presents the number of questionnaires distributed and the number returned, according to city population category. Because of the low number of returned questionnaires from smaller city police departments, few meaningful city size comparisons of questionnaire responses were possible. Therefore, most comparisons were made only between responses of juvenile officers and regular officers.

Of the 10 juvenile officers who returned questionnaires, nine were male and nine were white (there was one white female and one Indian male). All 18 regular officers who returned questionnaires were white males. Juvenile officers ranged in age from 27 to 46, with a median age of 39. Of the 10 juvenile officers responding, five under 40 years of age and five were 40 years-old or older.

Regular officers ranged in age from 23 to 67, with a median age of 33.5. Eleven regular officers were under 40 years-old, while the other seven were over 40 years of age. Both juvenile officers and regular officers who responded, then, were primarily white males between 25 and 50 years of age, with regular officers tending to be somewhat younger than juvenile officers.

Table 63

Police Manpower Questionnaire Return Rate  
for Juvenile Officers and Other Officers According  
to City Population Category

City Population	Dist.	Juvenile Officers		Dist.	Regular Officers	
		Returned	%Ret.		Returned	%Ret.
Over 25,000	8	8	100	5	5	100
5-15,000	2	2	100	19	10	53
1-5,000	-	-	-	15	0	0
under 1000	-	-	-	5	3	60
<b>TOTAL</b>	<b>10</b>	<b>10</b>	<b>100</b>	<b>44</b>	<b>18</b>	<b>41</b>

Juvenile officers reported more formal education than regular officers who responded, juvenile officers being almost twice as likely as regular officers to have had some college experience. The 10 juvenile officers responding all had high school diplomas, and seven (70%) had some college experience. Three (17%) of the regular officers who responded had no high school diploma, and only seven (39%) had any college background. College coursework of both juvenile officers and regular officers who had college experience tended to be in areas related to their role as police officers (Table 64). Five of the seven juvenile officers and four of the seven regular officers who had college experience listed their major areas of study in police-work related fields (i.e. criminal justice, law enforcement, psychology, or sociology). Only one juvenile officer (sociology) and two regular officers (sociology/political science; English) reported having bachelor's degrees, and none had graduate degrees.



Table 64  
Major Areas of College Coursework of  
Police Officers Returning Completed Questionnaires

Major Area of Coursework	Juvenile Officers		Regular Officers	
	N	%	N	%
Criminal Justice	1	10	0	0
Law Enforcement	0	0	3	17
Psychology	2	20	0	0
Sociology	2	20	1	10
Unrelated Area	2	20	2	20
No Response	0	0	1	10
No College	3	30	11	61
TOTAL	10	-	18	-

Juvenile officers had somewhat more experience as law enforcement officers. All 10 juvenile officers had served at least five years as law enforcement officers, with length of service ranging from five to 16 years; whereas, 44 percent (8) of the 18 regular officers reported less than five years experience, with length of service ranging from two to 23 years. The median length of service as law officers was 11.5 years for juvenile officers, compared to only 5.0 years for regular officers.

All except one of the 10 juvenile officers had at least two years experience as law enforcement officers prior to becoming juvenile officers. Length of law enforcement experience prior to becoming juvenile officers ranged from none to 16 years, with a median of five years. (The one juvenile officer with no prior law enforcement experience had two years experience as a housemother, a bachelor degree in sociology with a minor in psychology, and graduate work in criminal justice.) Length of experience as a juvenile officer ranged from three months to 11 years, with a median of slightly over three years.

Very few officers had occupational experience working with juveniles prior to becoming police officers. Only one (10%) juvenile officer

(housemother, 2 years) and two (11%) regular officers (high school teacher, 9 years; coach, 2 summers) had prior work experience with juveniles. In general, then, all experience working with juveniles was as police officers.

#### Comparative Analysis of Juvenile Duties

Naturally, juvenile officers reported spending a greater percentage of their work-day than regular officers working on juvenile matters (Table 65). All 10 juvenile officers reported spending at least one-fourth of a typical work day on juvenile matters, and 80 percent of them reported spending over three-fourths of their day on juvenile matters. On the other hand, half of the regular officers reported spending less than 10 percent of a typical workday on juvenile matters, and virtually all (94%) spent less than half of their work-time on juvenile matters.

Along with spending much more of their work-time on juvenile matters, juvenile officers allocated this time somewhat differently than regular officers. All officers indicated which activities consumed the largest amounts of on-duty time spent dealing with juveniles. The most frequently indicated activities by juvenile officers were (1) filling out forms and reports, (2) counseling juvenile offenders, and (3) investigation. The most frequently indicated activities by regular officers were (1) investigation, (2) filling out forms and reports, (3) patrol, and (4) juvenile arrest procedures.

Congruent with their respective law enforcement roles, juvenile officers reported spending a relatively greater portion of their juvenile-duty-time counseling juvenile offenders, and on school-police liaison whereas, regular officers spent a relatively greater portion of juvenile-duty time on patrol and on actual arrest procedures.

Table 65  
Percent of Typical Work-day Spent  
on Juvenile Matters by Juvenile  
Officers and Regular Officers

Percent of Time Juvenile Matters	Juvenile Officers		Regular Officers	
	N	%	N	%
Over 75%	8	80	0	0
50-75%	1	10	1	6
25%-50%	1	10	5	28
10-25%	0	0	3	17
under 10%	0	0	9	50
TOTAL	10	-	18	-

In addition to indicating which activities consumed the largest amounts of time, officers were instructed to indicate which three activities they, as police officers dealing with juveniles, considered to be the most important. The most frequently indicated activities by juvenile officers were (1) counseling juvenile offenders, (2) informal juvenile contacts, (3) investigation, and (4) school-police liaison. The most frequently indicated activities by regular officers were (1) informal juvenile contacts, (2) counseling juvenile offenders, (3) patrol, and (4) school-police liaison. Again, congruent with their respective roles, juvenile officers reported a relatively greater importance of investigation and counseling juvenile offenders; and regular officers reported a relatively greater importance than juvenile officers of patrol and juvenile arrest procedures.

Although all officers reported spending a relatively great deal of time filling out forms and reports, they all saw this activity as relatively unimportant. Most officers saw informal juvenile contacts as very important, but few reported spending a great deal of time on this activity. Similarly, counseling juvenile offenders was rated very important, but, especially for regular officers, few stated it consumed a large amount of their on-duty time.

### Level of Training and Training Needs

Forty percent (4) of the 10 juvenile officers and 56 percent (10) of the 18 regular officers reported that they had attended the three-week Basic Training Session at the Criminal Justice Training Center in Pierre. This basic training includes a brief section on juvenile law and procedures.

Seventy percent (7) of the juvenile officers, compared to only 22 percent (4) of the regular officers, reported attending juvenile training sessions other than the brief section of the Basic Training Session. This difference is somewhat more striking when comparing the number of training sessions and the total length of all this other training for juvenile officers and regular officers. Of the seven juvenile officers who had attended other training, one had attended one session, one had attended four sessions, three had attended five sessions, and two had attended six sessions<sup>5</sup>. Of the four regular officers who reported attending other training, three had attended only one session and the other one had attended three sessions.

Table 66 presents the total length of time spent at these juvenile training sessions by juvenile officers and by regular officers. As the table illustrates, 60 percent of the juvenile officers reported attending 15 or more days (eight hours per day) of juvenile training; whereas only 11 percent of regular officers reported attending more than three days of juvenile training. The titles and types of juvenile training attended by these officers varied widely, from permanent schools to college courses to local seminars.

A complete list of titles and lengths of training attended, along with the number of juvenile officers and regular officers who attended each, is presented in Table 67. As may be seen, the most

commonly attended sessions were the three-day Juvenile Officer's Institute Seminars.

Table 66

Total Number of Days of Juvenile Training  
Attended by Juvenile Officers and Regular Officers

Days of Training*	Juvenile Officers		Regular Officers	
	N	%	N	%
25-35	3	30	0	0
15-24	3	30	0	0
10-14	0	0	2	11
three	1	10	1	6
one	0	0	1	6
none	3	30	14	77
<b>TOTAL</b>	<b>10</b>	<b>-</b>	<b>18</b>	<b>-</b>

\* one day = eight hours.

Overall then, as one would expect, the juvenile officers had far more special training in juvenile matters than the regular officers. Seven of the ten juvenile officers reported attending juvenile training beyond required basic training. It is also notable that the three juvenile officers who reported no special training were also the only three who had been juvenile officers less than one year. Thus, all juvenile officers who had an appreciable amount of experience had also attended juvenile training sessions to supplement their experience.

In addition to supplying information on current level of training, officers who completed the questionnaire provided information on their perceived needs for training in juvenile matters. Officers were requested, for each of ten job activities, to indicate whether they felt a need for training in that area to improve their ability to deal effectively with juveniles. Table 68 indicates, for each job activity, the number and percent of juvenile officers and regular officers who felt a need for juvenile training. The only activities in which a significant percentage of juvenile officers felt a need for

Juvenile Training Sessions Attended by Juvenile  
Officers and Regular Officers Who Completed  
the Police Manpower Questionnaire

Juvenile Training <sup>1</sup>			Number Attending	
Title	Location	Length	Juvenile Officers	Regular Officer
Juvenile Officers Inst. Seminar	Mpls., MN	3 days	9	0
Juvenile Officers Inst. Seminar	Rochester, MN	3 days	4	0
Juvenile Justice Seminar	Denver, CO	5 days	1	0
Juvenile Justice Seminar	Bloomington, IN	2 days	1	0
Child Abuse	Denver, CO	2 days	1	0
Police-School Liaison Clinic	Flint, MI	5 days	2	0
Making a Difference with Youth	Aberdeen, SD	5 days	2	0
Group Counseling Workshop	Rapid City, SD	5 days	2	0
Federal Drug School	Rapid City, SD	10 days	2	0
Facts and Insights	Rapid City, SD	3 days	1	0
Indian Workshop	Roswell, NM	5 days	1	0
FBI Inservice	Rapid City, SD	?	1	0
Juvenile Delinquency (3cred.)	USD/SDSU	3 semester hours	1	2
Corrections (3cred.)	USD	3 semester hours	1	0
Juvenile Court System	Pierre, SD	4 hours	1	1
Beer in Pierre Jr. High Conf.	Pierre, SD	6 hours	1	0
Police Academy (20 days)	Sioux City, IA	1 day juvenile	0	1
FBI Training School	Sioux Falls, SD	?	0	1

<sup>1</sup> Some of these training sessions did not deal wholly with juvenile matters. An attempt was made to list only the portion of the total time which was directly relevant to juveniles.

<sup>2</sup> Several of the training sessions were held periodically, and some officers attended more than once. For example, the Juvenile Officers Institute Seminar is a yearly occurrence, and one officer had attended five times. Naturally, the material covered would not be the same each time.

further training were juvenile investigation (50%) and juvenile offender counseling (40%). It is notable that juvenile officers also stated that these two activities were among the most important and time consuming parts of their job. The stated need for training in these areas, then is probably a direct consequence of their primary importance to the success of the juvenile officers in carrying out their duties.

Regular officers expressed a more general need for training in juvenile matters. Of the ten job activities listed, at least one-third of all regular officers felt a need for training in all activities except patrol, form and report completion, and police sponsored youth activities. Nearly all regular officers (89%) felt a need for training in counseling juvenile offenders, and about one-half stated training needs in juvenile arrest procedures (44%), school-police liaison(50%),and informal juvenile contacts (50%). This greater and more general statement of need for juvenile training by regulars, than by juvenile officers, is probably a function of regular officers general lack of juvenile training background.

Table 68  
Number and Percent of Juvenile Officers  
and Regular Officers Stating a Need for Training  
in Each of Ten Juvenile Job Activities

Activity	Juvenile Officers		Regular Officers	
	N	%	N	%
1. Patrol	2	20	2	11
2. Investigation	5	50	6	33
3. Juvenile arrest procedures	1	10	8	44
4. Filling out forms and reports	1	10	3	17
5. Juvenile court duty	1	10	6	33
6. Record maintenance and filing	1	10	6	33
7. School-police liaison	1	10	9	50
8. Police sponsored youth activities	0	0	5	28
9. Informal juvenile contacts	1	10	9	50
10. Counseling juvenile offenders	4	40	16	89

Officers were also requested to list any additional areas in which they felt training would be valuable to them in dealing with juveniles. Five juvenile officers (50%) listed additional training needs, one stating a need for periodic juvenile justice refresher courses and the other four responding that any type of juvenile training would be valuable to them. Six regular officers (33%) responded to this request, one reiterating the need for juvenile counseling, two stating a need for training in juvenile drug abuse, one stating a need for training in detention procedures for recidivists, one stating a need for training in juvenile probationary contact, and two responding that any type of juvenile training would be valuable to them. In general, then, most officers who responded to this question stated that any type of juvenile training would be helpful in dealing more effectively with juvenile offenders.

### Conclusions

The ten juvenile officers who completed the questionnaire accounted for almost all juvenile police officers in the state.<sup>15</sup> Therefore, the above information is nearly a complete picture of juvenile police officers in the state. On the other hand, because of the small number and selective nature of questionnaires returned by regular officers, it is doubtful that those responding were a completely representative sample of regular police officers in South Dakota. Thus, it cannot be stated conclusively that juvenile officers in the state, on the average, are older, more educated, and have more law enforcement experience than regular officers.

However, since most regular officers who completed the questionnaire served on larger city police departments which in general encourage

<sup>15.</sup> As far as is known, there are only two other juvenile police officers in South Dakota; one in Mitchell and the other in Huron.



more training of personnel than do small town departments, it is a reasonable conclusion that very few regular police officers in the state have had any formal training in dealing with juveniles. On the other hand, all juvenile officers (except those who very recently began to serve in this capacity) have participated in various training programs related to their juvenile duties.

With regard to future training needs, a good share of juvenile officers and regular officers stated interest in a variety of training areas. The most frequently stated training need, by both juvenile officers and other officers, was for training in counseling juvenile offenders, (which was also the most frequently stated training need by police chiefs interviewed).

SURVEY OF ATTORNEYSJUVENILE CASES HANDLED BY SOUTH DAKOTA  
DEFENSE ATTORNEYS

## METHODOLOGY

A one page questionnaire (copies can be obtained from the Statistical Analysis Center upon request) for defense attorneys was devised to determine the number and type of court appointed and privately retained juvenile cases each attorney defended in 1975, the attorney's perception of the selection criterion used by the courts in appointing him to these cases, and the attorney's perception of his training needs. Background information about the attorney (age, sex, year receiving law degree, length of law practice, number of lawyers in the firm) was also requested.

The questionnaire was mailed with a cover letter explaining its purpose and a stamped, addressed return envelope to lawyers whose names and addresses were selected from the March 15, 1976, membership list of the State Bar of South Dakota. Names of known state's attorneys judges, magistrates, and state or federal employees were eliminated from the mailing list. Of the remaining 530 to whom questionnaires were mailed, 225 (42%) of the questionnaires were returned. Of these, 23 were eliminated because the respondent was a judge (1), was a deputy State's Attorney (9), was a State's Attorney (3), did not practice law (2), was a Federal employee (1), was a state employee (2), was a law trained magistrate, (2), had no court practice (1), had already completed a questionnaire (1), or had no known address (1).

The accompanying tables present the return rate by judicial circuit (Table 69), by town (Table 70), and by county population (Table 71).

Table 69

## Defense Attorney Questionnaire Return Rate

<u>Judicial Circuit</u>	<u>QUESTIONNAIRES</u>		
	<u>Number Sent</u>	<u>Number Returned</u>	<u>Percent Returned</u>
1	62	24	39
2	119	47	39
3	37	15	41
4	33	13	39
5	59	27	46
6	66	33	50
7	102	38	37
8	34	17	50
<u>9</u>	<u>18</u>	<u>11</u>	<u>61</u>
TOTAL	530	225	42

Table 70

## Survey Response by Town and Judicial Circuit

<u>Circuit 1</u>		<u>Circuit 2</u>		<u>Circuit 3</u>		<u>Circuit 4</u>	
Alcester	(2)	Brandon	(1)	Brookings	(5)	Chamberlain	(1)
Armour	(1)	Canton	(4)	Clark	(2)	Ft. Thompson	(2)
Avon	(1)	Dell Rapids	(1)	Clear Lake	(1)	Madison	(2)
Beresford	(1)	Parker	(1)	Milbank	(1)	Mitchell	(2)
Parkston	(2)	Sioux Falls	(37)	Watertown	(4)	Plankinton	(1)
Platte	(1)		<u>44</u>		<u>13</u>	Salem	(1)
Vermillion	(9)						<u>9</u>
Wagner	(1)						
Yankton	(5)						
	<u>23</u>						
<u>Circuit 5</u>		<u>Circuit 6</u>		<u>Circuit 7</u>		<u>Circuit 8</u>	
Aberdeen	(15)	Burke	(1)	Hot Springs	(3)	Belle Fourche	(3)
Britton	(3)	Ft. Pierre	(1)	Rapid City	(32)	Deadwood	(4)
Eureka	(1)	Gettysburg	(2)		<u>35</u>	Lead	(2)
Mobridge	(4)	Gregory	(2)			Lemmon	(3)
Selby	(1)	Kennebec	(1)			Spearfish	(3)
	<u>24</u>	Martin	(1)			Sturgis	(2)
		Mission	(1)				<u>17</u>
		Phillip	(1)				
		Pierre	(1)				
		Presho	(1)				
		Winner	(3)				
			<u>27</u>				
		<u>Circuit 9</u>					
		Faulkton	(1)				
		Huron	(5)				
		Miller	(2)				
		Redfield	(2)				
			<u>10</u>				

Table 71  
Questionnaire Response by County  
Population

<u>County Population</u>	<u>Number Responding</u>	<u>% of Total Response</u>
25,000 and over	86	42.6%
15,000 - 24,999	32	15.8
10,000 - 14,999	37	18.3
5,000 - 9,999	31	15.4
Under 5,000	16	7.9

#### RESPONDENT CHARACTERISTICS

Of the 202 lawyers who responded, only three were female. The average respondent was 38 years of age, had been practicing law in South Dakota for 11 years, had spent 9 of those years at his present location, and was in a law firm with 3 other lawyers.

#### PERCEIVED SELECTION CRITERIA

The defense attorneys were asked to give the selection criterion that was used by the court in appointing them to juvenile cases. Possible answers were random or none, rotation, level of experience, particular skills possessed by the defense attorney, or other (which could be specified). The attorneys were asked to check the one best criterion.

Of the 135 attorneys who responded to the question, 62 (46%) chose rotation as the selection criterion. Thirty-eight (28%) chose random or none. This choice pattern was characteristic of all judicial circuits except for circuits 8 and 9. In circuit 8, 7 out of 12 respondent (58%) chose random or none. Two (17%) chose rotation as the criterion. In circuit 9, 3 out of 7 chose random; 2 chose rotation. Other responses were: experience as a lawyer

(11), skill (6), availability (6), rotation plus experience (7) geography (2), and public defender (3).

An analysis of perceived selection criterion by population size of county showed no differences in perceived criteria as a function of population size.

The number of years of law practice in South Dakota was associated with differences in perception of selection criteria. Generally, the greater the number of years of practice in South Dakota, the more experience is seen as a selection factor for appointment to juvenile cases. Only those with greater than 15 years of South Dakota practice saw a combination of rotation and experience as a selection factor. The largest percentage of those who chose rotation alone as a selection criterion were in the 1 to 5 year category (N=21, 35%).

#### COURT-APPOINTED DEFENSE OF JUVENILE OFFENDERS

Seventy-eight percent (157) of 201 respondents reported having ever been appointed by the court to defend juvenile offenders. However, 43 (28%) of these 157 reported having no court-appointed juvenile cases in 1975. Sixty-five (42%) reported defending one to three 1975 cases. Thus, a majority of the defense attorneys surveyed defended either no or very few court-appointed juvenile cases in 1975.

#### Caseload

The total number of court-appointed juvenile cases that respondents reported defending in 1975 was 594. One lawyer from Circuit 7 (public defender in Pennington County) accounted for 126 of these. The number of cases by judicial circuit is presented in Table 72. Overall, the average juvenile caseload for lawyers with cases was 5.25 cases. As can be seen in Table 72, lawyers in Circuit 3 had the smallest average caseload (1.88) for court-appointed defense of

juvenile offenders. Circuits 7 and 9 had the largest average juvenile caseload (9.00 and 7.50, respectively, though 126 cases in Circuit 7 can be attributed to the public defender's office).

Table 72  
1975 Court-Appointed Juvenile Cases By Judicial Circuit

<u>Circuit</u>	<u>Number of Cases</u>	<u>Number Lawyers with no cases</u>	<u>Number lawyers with cases</u>	<u>Average caseload</u>
1	58	4	11	5.27
2	60	11	17	3.53
3	15	2	8	1.88
4	24	1	7	3.43
5	42	5	13	3.23
6	120	4	21	5.71
7	171	12	19	9.00
8	59	3	11	5.36
9	45	1	6	7.50
	594	43	113	5.25

Of the 114 lawyers who reported having been court-appointed defenders of juveniles in 1975, 113 reported the percent of their total practice that these cases comprised. The majority (68%) reported these cases comprised less than 1% of their total practice. An additional 24% (27) stated that court-appointed juvenile cases comprised from 1 to 5% of their practice. Only two lawyers (from Circuits 6 and 7) give a response of over 15%.

An analysis of number of cases by population showed that a larger percentage of the lawyers responding from Pennington County (38%) and Minnehaha County (28%) reported having no 1975 juvenile cases than did the lawyers responding from smaller population areas. Though

relatively few in number (16), most of the lawyers who reported having over 10 cases came from population areas of under 25,000. An exception was the lawyer from Rapid City (public defender's office) who handled 126 cases.

### Offenses

One hundred eight respondents separated their court-appointed juvenile cases into felony, misdemeanor, or status offenses. Of these 570 offenses, 303 (53%) were felonies, 185 (32%) were misdemeanors, and 82 (14%) were status offenses (see Tabel 73).

Table 73  
1975 Court-Appointed Juvenile Cases By Offense and  
Judicial Circuit

<u>Circuit</u>	<u>Felony</u>	<u>Misdemeanor</u>	<u>Status</u>	<u>Total</u>
1	31	21	6	58
2	27	24	9	60
3	8	4	3	15
4	13	6	5	24
5	23	14	3	40
6	63	38	9	110
7	89	44	32	165
8	20	25	14	59
9	29	9	1	39
	303	185	82	570

Of the 108 respondents to the question, 21 (19%) defended no juvenile felony cases in 1975. Sixty-four percent (69) defended 1 to 3 felonies. One of the lawyers in Circuit 7 accounted for 67 of the 89 felonies. One attorney in Circuit 9 defended 21 of the 29 felony charges.

Forty-one percent (44) of the 108 respondents defended no court-



appointed juvenile misdemeanor cases in 1975. The majority (43) of the remaining 64 attorneys defended only one to two such cases. One attorney in Circuit 7 defended 34 of the Circuit's 44 misdemeanor charges.

Of 108 respondents, 80 (74%) reported defending no juvenile status offense cases (run-away, trauncy, curfew violation, ungovernable behavior) in 1975. All but two of the remaining attorneys reported defending four or less such cases in 1975. One attorney in Circuit 8 defended 10 and one attorney in Circuit 7 defended 25 misdemeanor cases.

#### Race of Juveniles defended

Of the 114 attorneys who reported having been court-appointed defenders of juveniles in 1975, five gave no response to questions about the race of the juveniles involved. Sixty-three percent of the juveniles defended were white, 34 percent were Indian. The remaining 3 percent were listed as black or other.

The majority (59%) of the respondents defended from 1 to 3 whites. Fifty-one percent defended no Indians, while 36 percent defended 1 to 2 Indians. One respondent in Circuit 7 defended 62 Indians.

#### PRIVATELY RETAINED DEFENSE OF JUVENILE OFFENDERS

Seventy-seven percent (154) of 201 respondents reported having ever been privately retained to defend juvenile offenders. A smaller percentage of the attorneys responding from Circuits 4, 5, and 7 reported having been privately retained (67%, 67% and 57%) than did the attorneys from the other circuits. Thirty-eight (26%) of the 154 reported defending no privately retained juvenile cases in 1975. Eighty-five (57%) reported defending 1 to 3 cases in 1975.

#### Caseload

The total number of privately retained juvenile cases that

respondents reported defending in 1975 was 371. The number of cases by judicial circuit is presented in Table 74.

Table 74  
1975 Privately Retained Juvenile Cases By  
Judicial Circuit

<u>Circuit</u>	<u>Number of Cases</u>	<u>Number of Lawyers with no cases</u>	<u>Number lawyers with cases</u>	<u>Average caseload</u>
1	45	5	13	3.46
2	106	10	27	3.93
3	23	2	9	2.56
4	16	1	4	4.00
5	32	3	12	2.67
6	54	2	19	2.84
7	16	10	8	2.00
8	23	3	11	2.09
9	56	2	7	8.00
	371	38	110	3.37

Overall, the average juvenile caseload for lawyers with cases was 3.37 cases. The average caseload of 8.00 for lawyers in Circuit 9 is misleading since one attorney handled 44 of 56 cases.

Of the 116 lawyers who reported having been privately retained defenders of juveniles in 1975, 112 reported the percent of total practice that these cases comprised. Eighty-five percent (95) reported that these cases comprised less than 1% of their total practice. An additional 12½ percent (14) reported that these cases made up from 1 to 5% of their total practice. Only three lawyers (circuits 1, 2, and 5) gave a response of from 5 to 10% of their practice, consisting of privately retained defense of juveniles.

The number of years that a respondent has practiced law in

South Dakota is associated with the lack of privately retained juvenile offender cases in 1975. Generally, the longer the South Dakota practice, the more likely the respondent would have no 1975 privately retained juvenile cases (Table 75).

Table 75

Years Practicing S.D. Law By <sup>7</sup> 1975 Privately Retained Juvenile Cases

<u>Years practicing in S.D.</u>	<u>N</u>	<u>Number with no privately retained 1975 cases</u>	<u>Percent with no privately retained 1975 cases</u>
17 to 36	48	18	37.5
7 to 16	40	10	25.0
3 to 6	33	6	18.2
2 or less	24	4	16.7

### Offenses

One-hundred-seven respondents separated their privately retained juvenile cases into felony, misdemeanor, or status offenses. Of these 348 offenses, 177 (51%) were felonies, 139 (40%) were misdemeanors, and 32 (9%) were status offenses (see Table 76.)

Table 76

1975 Privately Retained Juvenile Cases  
by Offense and Judicial Circuit

<u>Circuit</u>	<u>Felony</u>	<u>Misdemeanor</u>	<u>Status</u>	<u>Total</u>
1	32	13	0	45
2	24	40	26	90
3	14	9	0	23
4	9	7	0	16
5	21	11	0	32
6	19	30	0	49
7	8	8	0	16
8	15	8	0	23
9	35	13	6	54
	177	139	32	348

Of the 107 respondents, 33 (31%) defended no privately retained juvenile felony cases in 1975. Fifty-two percent (56) defended 1 to 2 felonies cases. One of the lawyers in Circuit 9 accounted for 30 of the 35 cases in that circuit.

Forty-two percent (45) of the 107 respondents defended no privately retained juvenile misdemeanor cases in 1975. Forty-four percent (47) defended only 1 to 2 such cases.

Ninety-four percent (101) of the respondents reported defending no privately retained juvenile status offense cases in 1975. One attorney in Circuit 2 reported defending 20 such cases.

#### Race of Juveniles defended

Of the 116 attorneys who reported having been privately retained defenders of juveniles in 1975, ten gave no response to the question about the race of the juveniles involved. Of the 311 privately-retained juvenile cases reported in response to this question, 283 (91%) of the juvenile were white, 26 (8%) were Indian, and 2 (less than 1%) were black.

A majority (66%) of the respondents defended from 1 to 2 whites. Eighty-six percent (91) defended no Indians. Attorneys in Circuits 4 and 6 defended the most Indians (6 and 8, respectively).

#### Training Needs

Eighty-nine percent (179) of the 202 respondents reported never having attended any seminars or programs specifically related to the juvenile offender. Nine percent (19) had attended such a seminar. For two percent (4) the question was inapplicable because they never defended juveniles.

Of the 173 who responded to the question of whether such seminars or programs were or would be of value or assistance, 69% (119) replied yes, while 31% (54) replied no. No major differences in responses to

either of the above two questions occurred across judicial districts.

The number of years that a respondent has practiced law in South Dakota seems to have an effect on his opinion about the value of seminars. Seminars were thought to be of value among a greater percentage of those who have practiced law in South Dakota for 6 years or less than among those who have practiced South Dakota law for 7 years or more (range = 7 to 36 years).

Seventy-one percent (141) of 200 who responded expressed a feeling of comfort with their present level of knowledge of juvenile court proceedings and juvenile law in South Dakota. A rather large minority of 59 (29%) reported not feeling comfortable with their present level of knowledge.

Fifty-two percent (102) of the 197 respondents to the question reported having had no experience with juveniles other than through their law practice. The other 48 percent (95) mainly specified social experiences such as YMCA clubs, church groups, softball and baseball teams, and scouts as the basis of their contact with juveniles. A small number (13), mostly in circuits 5, 6, and 7 reported additional contact with juveniles through other work-related functions.

JUVENILE CASES HANDLED BY  
SOUTH DAKOTA STATE'S ATTORNEYS

Of 64 questionnaires mailed to state attorneys in South Dakota, responses were received from states attorneys in each of 50 counties. Responses by county and judicial circuit are presented in Table 77.

Table 77

States Attorney Survey Respondents by  
County and Judicial Circuit

Judicial Circuit 1

Bon Homme  
Clay  
Douglas  
Hutchinson  
Union  
Yankton

Judicial Circuit 2

Minnehaha  
Lincoln

Judicial Circuit 3

Clark  
Hamlin  
Kingsbury  
Brookings  
Grant  
Moody

Judicial Circuit 4

Buffalo  
Jerauld  
Brule  
Davison  
Hanson  
Lake

Judicial Circuit 5

Campbell  
Walworth  
McPherson  
Edmunds  
Marshall  
Day  
Roberts

Judicial Circuit 6

Stanley  
Jackson  
Jones  
Lyman  
Bennett  
Mellette  
Gregory  
Hughes  
Hyde  
Potter

Judicial Circuit 7

Pennington  
Fall River  
Shannon

Judicial Circuit 8

Lawrence  
Meade  
Perkins  
Corson  
Ziebach  
Dewey

Judicial Circuit 9

Faulk  
Spink  
Hand  
Beadle  
Sanborne

### Respondent Characteristics

Fifty percent of the attorneys received their law degree after 1968. The year of receiving the degree ranged from 1931 to 1974.

The average respondent has practiced law for 11 years (range = 2 to 45 years) and has spent those years practicing law in South Dakota.

Eighty percent of the respondents have been states attorneys for 10 years or less (range = 2 to 25 years.)

### Defense of juvenile cases

Twenty-nine of the 50 states attorneys reported having served as defense counsel for juvenile offenders prior to becoming states attorney. Twenty-two of these 29 had served as court-appointed counsel.

When respondents were asked how many juvenile cases they had defended in their career, 7 reported under 10, 13 reported 10 to 25, 1 reported 26 to 50, 8 reported over 50. Of those who reported over 50, 4 were from Circuit 6, 3 from Circuit 8, and 1 from Circuit 3.

### Prosecution of juvenile cases

States attorneys were asked to estimate the percent of criminal cases they prosecuted in 1975 that were juvenile cases. Four (8%) reported under 5%, 10 (20%) reported 5 to 10%, 8 (16%) reported 10 to 15%, 14 (28%) reported 15 to 20%, 10 (20%) reported 20 to 25%, and 4 (8%) reported over 25% of their 1975 prosecuted cases were juvenile cases.

### Perceived selection criterion for defense counsel

Respondents were asked to give an opinion about the selection criterion used by the court in appointing defense counsel to juvenile cases. Thirty-six percent (18) chose rotation as the selection criterion.

Random or none was chosen by 26%(13), experience by 10%(5), and skill by one respondent.

Twenty-six percent (13) of the states attorneys wrote in other responses. These included availability (9), rotation and level of experience (1), rotation of younger attorneys (1), level of experience in Juvenile Court of available defense attorneys (1), and no way of knowing (1).

Eighty-eight percent (44) of the states attorneys believe that most juveniles are represented by counsel with an adequate knowledge of juvenile court proceedings and juvenile law. Of the five who stated they did not believe this, three were from Circuit 8. One states attorney replied that he did not know.

#### Training and training needs

Respondents were asked (1) if they had attended two specific seminars on juveniles and (2) to list any other seminars on juveniles or juvenile court procedure they had attended.

Three (6%) of the 50 states attorneys had attended the Juvenile Justice Seminar in Reno, Nevada in April, 1975. Two (4%) had attended the Prosecutor in the Juvenile Court seminar sponsored by the National Association of District Attorneys.

Twenty-two (44%) gave no response to the request to list other seminars attended. Twenty-one (42%) reported attending none, five (10%) attended one, and two (4%) attended two other seminars on juveniles.

When asked if there were any types of training on juveniles or juvenile court procedures which they had not had, and which they felt would be valuable to them in their role as states attorneys, 18 state attorneys said yes, 28 said no, and 4 gave no response. Specific requests for training included information on juvenile



justice procedure, guidelines as to when to treat juveniles as adults, knowledge of the South Dakota Youth Services Program and its function and capabilities in aiding disposition, knowledge of available homes and institutions for juveniles.

Other experience with juveniles

Twenty-four (48%) of the states attorneys reported no experience with juveniles other than through their practice as an attorney. Eleven gave no response to the question. The remaining 15 reported either volunteer experiences (Boy Scouts, Boys Club, Sunday School, Headstart) or job-related experiences (coach, teacher, police officer, deputy sheriff, probation officer, drug commissioner, judge, Job Corps).

## SURVEY OF JUVENILE COUNSELING PERSONNEL

Counselors employed within thirty-one facilities for South Dakota youth were surveyed as to their current level of experience and their future training needs. Those surveyed include two state correctional facilities, two county juvenile detention centers, eight youth service programs, thirteen long-term private group homes, and six short-term group homes. (Table 78 presents a listing of these facilities.)

These thirty-one facilities employ a total of one hundred and forty-seven full-time and thirty part-time employees. Of these one hundred seventy-seven employees, 94 (54%) completed a survey form. Response rates are presented in Table 78.

### Respondent Characteristics

Of the 95 respondents, 91% (86) were white, 65% (62) were males, over 70% (64) were under thirty years of age, and 85% (81) had at least some college education. Fifty-two percent (49) considered their primary activity to be one of counseling.

The number of years of formal schooling achieved by the respondents ranged from nine to twenty years. Fifty-four percent (56) of those responding received undergraduate degrees and 10% (9) received a graduate degree. As a group, the counselors at the long-term group homes seem to be the best educated with 55% (22) holding an undergraduate degree. This 55% comprises 59% of all the counselors holding such a degree.

Seventy-two respondents indicated their major and minor areas of interest in college. Of those 72, the majority (70% of the majors, 80% of the minors, and 85% of the graduate areas of study) were in the social sciences or related fields. Forty-three percent (37) reported majors in sociology or social work, 17% (12) in psychology, and 8% (11) in Criminology, corrections, criminal justice or other related fields such as education, child development, or family relations.

## Response Rates By Agency and Agency Type

Agency	Reported # of Employees		Questionnaires		
	Full Time	Part Time	Sent	Returned	% Returned
<b>Correctional Facilities</b>					
State Training School	37	0	37	18	49%
Youth Forestry Camp	6	0	6	6	100%
<b>TOTAL</b>	<b>43</b>	<b>0</b>	<b>43</b>	<b>24</b>	<b>56%</b>
<b>Juvenile Detention Centers</b>					
Minnehaha County	6	6	12	8	67%
Pennington County	4	2	6	5	83%
<b>TOTAL</b>	<b>10</b>	<b>8</b>	<b>18</b>	<b>13</b>	<b>72%</b>
<b>Youth Services Program</b>					
Sioux Falls	2	0	2	2	100%
Rapid City	2	0	2	1	50%
Aberdeen	1	0	1	1	100%
Huron	1	0	1	1	100%
Yankton	1	0	1	1	100%
Brookings	1	0	1	0	0%
Mitchell	1	0	1	0	0%
Pierre	1	0	1	1	100%
<b>TOTAL</b>	<b>10</b>	<b>0</b>	<b>10</b>	<b>7</b>	<b>70%</b>
<b>Long-Term Group Homes</b>					
Center Place	2	5	7	0	0%
Menlo House	4	5	9	3	33%
Lutheran Soc. Serv. Group Home	2	2	4	2	50%
Stromer Ranch	4	1	5	0	0%
Bill Stuby Home	4	1	5	3	60%
McCrossan Boys Ranch	13	0	13	10	77%
Health Farm for Boys	2	0	2	0	0%
Attention Center	3	0	3	3	100%
Project Threshold	5	1	6	6	100%
Sky Ranch	9	1	10	7	70%
Abbott House	5	0	5	3	60%
Marty Group Home	3	0	3	3	100%
Wingspread	4	0	4	0	0%
<b>TOTAL</b>	<b>60</b>	<b>16</b>	<b>76</b>	<b>40</b>	<b>53%</b>
<b>Short-Term Group Homes</b>					
Northern Hills Attention Center	3	0	3	1	33%
SYDA House	4	0	4	4	100%
Dakota Wesleyan Attention Center	1	0	1	1	100%
Short-term Intervention Ctr.	2	3	5	5	100%
Delta Marie Home	12	0	12	0	0%
Our Home Inc.	2	3	5	0	0%
<b>TOTAL</b>	<b>24</b>	<b>6</b>	<b>30</b>	<b>11</b>	<b>37%</b>
<b>GRAND TOTAL</b>	<b>147</b>	<b>30</b>	<b>177</b>	<b>95</b>	<b>54%</b>

The remaining 30% (21) majored in areas not directly related to working with juveniles ranging from auto mechanics through philosophy.

Of those reporting a graduate area of study, 7 (27%) reported guidance and counseling as their area of study. Another 23% (6) studied in the areas of criminology, corrections or criminal justice; 19% (5) in sociology or social work; 15% (4) in psychology or other related areas, leaving only 15% (4) studying in areas such as business administration or other areas not directly related to working with juveniles.

As was stated earlier, 52% (49) of those responding reported their job title as being counselors. Another 19% (18) were supervisors, 12% (11) were houseparents, and the other 17.7% (16) had job titles such as caseworker, Director, or manager, with one psychologist responding. The majority, nearly 90% (83), had been at their present positions for three years or less. 32% (30) had been at their position for one year or less.

#### Previous Experience of Counselors

Seventy-five percent (71) of the ninety-five respondents reported some other work experience with juveniles, other than their present positions, such as teaching, coaching or work with some type of youth organization. Thirty-two reported holding only one other position and 16 had worked for only one year at that position.

#### Activities and Time Spent with Juveniles

Thirty-five percent (33) of the respondents reported spending seventy-five to ninety percent of their time working directly with the juveniles. Another 22% (21) reported spending over ninety percent of their time with juveniles. Seventy-three percent (69) report spending more than fifty percent of their time with juveniles.

The respondents were asked to indicate, in order of importance, the activities that they engage in daily and whether or not they felt they were in need of some training in that area (See Table 79).

Table 79

## Activities Engaged in by Counseling Personnel

	ACTIVITY	FREQ.	IMPORTANCE								TRAINING NEEDED	
			1	2	3	4	5	6	7	8		NR
DIRECTLY WITH JUVENILE	Counseling	33	16	8	4			1			4	26
	Individual counseling	28	18	5	3	1			1	1		18
	Group counseling	21	5	9	3	4						13
	Family counseling	26	3	2	6	3	3				9	11
	Behavior modification	24	7	6	3	5	1				2	10
	Crisis intervention	10	1	1	2	1	3		1	1		7
	Other counseling	13	4	3	1		1	1	1	1	1	6
	Informal contacts	12	3	3	1	1					4	5
	Supervision	97	12	19	14	10	9	7	8	4	14	17
	Discipline	11	3	1	4	1	1				1	2
	Recreation	46		5	6	8	5	8	3	3	8	10
	Tutoring	19		2	6	7	2	1			1	5
	Intake procedures	12	1	5		1	2	2			1	2
WHILE NOT WITH JUVENILE	Activity planning	28	1		4	6	4	2	4	6	1	7
	Case progress/Eval.	30	1	3	3	3	10	4	3	2	1	9
	Checkout procedures	1						1				
	Staff relations/mtg.	56	5	6	9	12	3	8	4	2	7	10
	Court contacts	15		1	1	4	5	1	2	1		6
	Agency contacts	24		2	2	3	6	2	6	3		10
	Public relations	12			1		2	3	1	1	4	4
	Staffing, etc.	15	4	2	3	3	2	1				4
	Agency management	76	5	6	5	3	6	11	10	16	14	16
	Daily stats. & logs	25	2	4	3		1	7	3	3	2	2
	Clerical/records	36	1	2	1	2	4	6	13	4	3	4
Travel	29	1			6	1	1	5	12	3	3	

Various forms of counseling emerged as the most extensive activity. Counseling accounted for 65% (55) of the number one ranked activities, 42% (36) of the number two ranked activities, and 18% (23) of the number three ranked activities. Counseling also received the most responses in an area in which training was needed.

Supervision was the second most common activity, receiving 17% (14), 20% (17), and 16% (13) of the responses in each of the ranking categories (first, second, and third).

#### Training Sessions Attended and Training Needs

The South Dakota Youth Services Program provided a list of a total of twelve training programs that at least part of its personnel had attended from April of 1975 through May of 1976. This list, which may be seen in Table 80 was provided to the 95 respondents and they were asked to indicate whether or not they had attended. At least one of the ninety-five respondents were in attendance at each of the training sessions, however the Institute of Reality Therapy at Spearfish in April, 1976, attracted the largest number (10) of the respondents.

There are several possible explanations for these low attendance rates. First, the list was provided by the Youth Service Program, so that the majority of the respondents who had attended each of these programs were from the Youth Service Programs. In fact, 100% of the respondents in attendance at seven of the twelve programs were from the Youth Services Programs, even though the YSP personnel comprises 7% (7) of the sample population. Also, the people at the State Training School, the Youth Forestry Camp, and the two detention centers stated that they were not informed about most of the programs. The Training School and Forestry Camp people commented that they like their people to attend training sessions, but that attendance was

Table 80

## Number of Respondents in Attendance at Listed Training Sessions

Training Sessions	Location	Date	# In Attendance
1. Regional Probation and Parole Workshop	Cheyenne, Wyo.	April, 1975	2
2. National Institute on Crime and Delinquency	Minneapolis, Minn.	June, 1975	6
3. Administrative Study Program	Denver, Colo.	Sept., 1975	3
4. Reality Therapy Workshop	Pierre, S.D.	Sept., 1975	7
5. Childhood Exceptionalities	Pierre, S.D.	Oct., 1975	3
6. Community Based Program for Dealing with Adoloscents/Brief Therapy	Pierre, S.D.	Nov., 1975	6
7. Community Based Program for Dealing with Adolescents/Assertiveness Training	Sioux Falls, S.D	Dec., 1975	6
8. Management Development/Communications and Conflict Resolutions Workshop	Huron, S.D.	Feb., 1976	6
9. Systematic Interpersonal Communications Skills Workshop	Mitchell or Pierre, S.D.	March, 1976	8
10. Institute for Juvenile Justice Management	Aspen, Colo.	April, 1976	2
11. Institute for Reality Therapy	Spearfish, S.D.	April, 1976	10
12. Youth in Trouble Conference	Minneapolis, Minn.	May, 1976	1

restricted by manpower shortages. It should, also, be noted that the most attended programs were those held within the state.

However, 48% (46) of all the counseling personnel surveyed did attend at least one training session other than those listed.

#### Summary

It appears that, even though the respondents were fairly well educated, with 85% having at least some college level education, and 75% (71) having had some previous work experience with juveniles, there is still a need for further training. This is evident in the fact that 60% (51) of the respondents recognized a need for training in the activities which they considered to be most important and the fact that 62% (59) indicated an area in which they felt training would be beneficial to them. It should be kept in mind, however, that for maximum attendance counseling personnel must be made aware of upcoming training programs. In-state programs will most likely receive better attendance than out of state programs.



## RECOMMENDATIONS

1. Efforts should be made to improve the availability of juvenile offender data in South Dakota.

- Most sheriff departments and most police departments in towns under 5,000 who participated in the survey maintain no or very few written records for juvenile offenders. Since accurate information about the juvenile offender in South Dakota will no doubt continue to be needed for policy and planning purposes, this lack of firm information by some law enforcement agencies needs to be addressed.

- For 9 of the 11 sheriff departments surveyed and for 6 of the 7 police departments in towns under 5,000 juvenile records were not kept separately from adult records. This lack of separation hinders access to juvenile data. (This is especially true for sheriff departments, since the files of police departments in small towns are generally small enough to allow for scanning the files.) For example, no juvenile offense data could be practically accessed from Pennington County sheriff department files, since it would have been necessary for someone to inspect every case folder in the files.

2. The significance of juvenile crime in South Dakota should be recognized and additional resources should be allocated to improve the juvenile justice system.

- Juvenile offenses and contacts constitute a significant percentage of the overall crime rate and workload of South Dakota criminal justice personnel. Projected figures indicate that South Dakota law enforcement agencies made 12,811 juvenile contacts in 1975. Forty-four percent of these contacts (5585) are estimated to be for repeat offenses. In comparison South Dakota law enforcement agencies submitted 9236 fingerprint cards to DCI during 1975. While the number of fingerprint cards is not an ideal unit for comparison it does clearly show that Juvenile offenses constitute a large percentage, perhaps 50% of the overall law enforcement workload.

- The survey shows that a need exists for additional training of juvenile officers in Juvenile law, counseling and the Juvenile Justice Philosophy. These training needs could be met by expansion of the Basic DCI Training course and the establishment of Juvenile Justice Training at the Criminal Justice Training Academy for all Criminal Justice Personnel. Emphasis should be put on establishing Training Programs in South Dakota.

3. The South Dakota Crime Commission through the Juvenile Justice Advisory Commission should adopt standards and goals for the Juvenile Justice System in South Dakota.

-The most significant single characteristic of the South Dakota juvenile justice system, as described by this survey, is the amount of discretion available to law enforcement agencies

in dealing with juveniles. Forty-four percent (2357) of the 5322 juvenile contacts reported by those surveyed were handled informally.

- Very few agencies have written policies and procedures. Currently juveniles who have committed similar offenses in different locations will receive different treatment from initial contact to final disposition. This disparity could be reduced without reducing necessary discretion by adopting state-wide Standards and Goals for Juvenile Justice in South Dakota.

4. There should be a uniform policy for attorney assignment in Juvenile cases.

- Neither defense attorneys nor states attorneys were in agreement about the perceived criterion used by the court in selecting an attorney for juvenile cases. The major criterion chosen by both groups was rotation, with random or none coming second. If a uniform policy on attorney assignment in juvenile cases exists, it is recommended that it be made more widely known.

APPENDICES

APPENDIX A

## STATEWIDE PROJECTION METHODOLOGY

To obtain the best possible estimates of juvenile offense data for all police or sheriff departments in the state in a given population category, the sample data for the type agency in that population category was multiplied by a "projection factor" based on the number of agencies in the state and in the sample in that population category, corrected for population differences between the sample jurisdictions and those in the state. For example, there are 44 police departments in the state in cities between 1000 and 5000 and juvenile offense data was obtained from nine of these departments. The average population of the 44 cities in the state in this category is 2078 (Current Population Reports, Census Bureau, April 1975,) and the average population of the nine cities which provided data is 2071. Thus, the projection factor used to estimate juvenile offense data for the 44 police departments in the state in this population category from the data obtained from the nine departments in sample was calculated as follows:

$$\text{Projection Factor} = (44/9)(2078/2071) = 4.9$$

Projection factors were calculated in the same manner for both police departments and sheriff departments in each population category, and the sample data in each agency-population category was multiplied by the appropriate projection factor to obtain estimates of state-wide juvenile offense data.

Projection Factors Used to Obtain State-wide  
Estimates of Juvenile Offense Data

Population Category of Jurisdiction	Police Departments		Sheriff Departments	
	Formula	Proj. Factor	Formula	Proj. Factor
Over 25,000	$\left(\frac{3}{3}\right)\left(\frac{49094}{49094}\right)$	1.0*	$\left(\frac{3}{2}\right)\left(\frac{68421}{68939}\right)$	1.5
15-25,000	none in state	-	$\left(\frac{7}{3}\right)\left(\frac{19039}{19027}\right)$	2.3
5-15,000	$\left(\frac{10}{6}\right)\left(\frac{10448}{11002}\right)$	1.6	$\left(\frac{31}{6}\right)\left(\frac{8216}{8133}\right)$	5.2
1-5,000	$\left(\frac{44}{9}\right)\left(\frac{2078}{2071}\right)$	4.9	$\left(\frac{23}{2}\right)\left(\frac{3121}{2982}\right)$	12.0
Under 1,000	$\left(\frac{79}{6}\right)\left(\frac{524}{620}\right)$	11.1	none in state	-

\* Data obtained from all agencies in state. No projection necessary.

## APPENDIX B

## Juvenile Procedures: Brookings Police Department

## Policy On Juveniles

It shall be the policy of this department that when juveniles are handled that have violated the law the officer should contact the parents as soon as possible. The parents should be given as much information about the violation as the officer has. For juveniles that will have to make court appearances, a juveniles report form should be filled out as completely as possible and a clear statement of the facts should be stated on the form. Of the complete forms, the original should remain in the juvenile book and the copies should be placed on the operations officer's desk. If a juvenile is talked to about a minor offense, the officer should make contact with the juvenile's parents explaining why the youth was talked to. Juveniles committing more serious crimes that result in being in jail are entitled to the same rights as an adult; however, the juvenile could be released in most cases to a reliable parent or other adult of the family. In the absence of all adults of the family, the juvenile can be released to the minister or a neighbor who is a good friend. There should be no bonds posted on juveniles unless required by the Judge. The states attorney or judge should be contacted when a juvenile is to be held in jail for any length of time. The above policy will not cover all juvenile cases handled so the Chief will expect compliance with the laws and a common sense measure.

**END**